

## **BOROUGH OF BARROW-IN-FURNESS**

A VIRTUAL MEETING OF THE COUNCIL of this Borough was held at 5.30 pm. on Tuesday the 23rd day of March, 2021.

PRESENT:- Councillor Hamilton (Mayor in the Chair) and Councillors Assouad, Barlow, Blezard, Brook, Burley, Burns, Callister, Cassidy, D. Edwards, H. Edwards, Gawne, Hall, Husband, Johnston, McClure, McEwan, McLeavy, Maddox, Mooney, Morgan, Nott, Pemberton, Preston, Roberts, Robson, Ronson, 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 & Monitoring Officer), Jon Huck (Democratic Services Manager) and Paula Westwood (Democratic Services Officer – Member Support).

### **96 Minute's Silence**

The Mayor requested that Members observe a minute's silence to show support for the National Day of Reflection and as a mark of respect of a former Leader, Jack Melling who had died recently.

The Town Hall clock face had been lit up yellow for the National Day of Reflection, as a beacon of solidarity and hope as the borough joined the UK to reflect on a year of living under lockdown restrictions, as well as lives lost and those affected during the Coronavirus pandemic.

### **97 Apologies for Absence**

An apology for absence had been submitted from Councillor Biggins.

### **98 Declarations of Interest and Dispensations**

Councillors Burns, Cassidy, Gawne, Hamilton, McEwan, Shirley, Wall and Worthington declared an Other Registrable Interest in Agenda Item No. 7 – Local Government Re-organisation – Consultation Response (Minute No. 102) as they also served as Members on Cumbria County Council.

Councillor Hall declared an Interest in Agenda Item No. 14 – Notice of Motion Under Rule 11 (Minute No. 112) as his Wife was a Teacher.

Councillor Preston declared an Interest in Agenda Item No. 14 – Notice of Motion Under Rule 11 (Minute No. 112) as she was a member of School Staff.

### **99 Minutes**

The Minutes of the meeting held on 25th February, 2021 were taken as read and confirmed.

### **100 Announcements**

There were no announcements from the Chairman or Head of Paid Service.

Councillor Burns requested that the Leader of the Council should make an announcement regarding Piel Island, in light of all of the rumours and petitions that were in circulation regarding the future of the Ship Inn.

The Leader advised that a press release had been issued this afternoon confirming that the Council had come to an early agreement for the current tenants of the Ship Inn to leave. This had been at their request and the Council were in the process of finalising the detail.

In the short term the Council would look to award a contract to an operator who could look after the maintenance of the island and keep the Ship Inn safe, warm and dry as the Council worked on plans to re-open Piel Island to visitors.

In the longer term the Council's ambition would be to find an operator who would run the Ship Inn and maintain the Island in line with the eco ambitions shared earlier this year as part of the Low Carbon Barrow initiative.

She reassured people that the Council's ongoing goal was to ensure that Piel Island would be open and safely accessible to both local visitors and tourists. The Ship Inn has for many years been at the heart of island life and there were no plans to change that.

#### **101 Public Participation**

No questions, representations, deputations or petitions had been received in respect of the meeting.

#### **102 Local Government Re-organisation - Consultation Response**

The Chief Executive had submitted a report to update Members on the consultation process in respect of Local Government re-organisation.

It had been noted that following Council approval on 8<sup>th</sup> December of the full proposal for a Unitary Council for the Bay Area, that had been submitted to the Secretary of State for Housing, Communities and Local Government and further work had since been undertaken to update the impact assessment on the subsequent impact on the local Police force and Fire and Rescue service areas.

The Government had now confirmed that it was consulting on each of the proposals for Local Government re-organisation in Cumbria as follows:-

- 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; and
  - Carlisle, Allerdale and Copeland / Barrow, South Lakeland and Eden (as proposed by Allerdale and Copeland Councils; and
- Single Unitary for Cumbria (as proposed by Cumbria County Council).

In addition, this Council was also being consulted on proposals for Local Government re-organisation in North Yorkshire. The Chief Executive advised that she would consider any response to that in consultation with the Leader of the Council.

The consultation, hosted on the Government's online platform Citizen Space, was open to any person or organisation wishing to express a view on Local Government re-organisation and would run until 19<sup>th</sup> April, 2021. It had been noted that this Council, along with South Lakeland District Council and Lancaster City Council, were making all of their local Stakeholders and communities aware of the consultation and encouraging their participation. Ward Councillors had also been requested to encourage their local residents and communities to respond to the consultation.

Appendix 1 to the report described the approach the Councils proposed to take in responding to the consultation and provided a series of points in respect of each proposal submitted by other Councils.

Appendix 2 to the report set out points for inclusion in additional commentary to be provided on The Bay and North Cumbria proposal.

Council had been requested to consider the approach and appendices as the framework for the Council's responses to the consultation and to delegate to the Chief Executive, in consultation with the Leader, to finalise the Council's responses by the deadline of 19<sup>th</sup> April, 2021.

It was moved by Councillor M. A. Thomson and seconded by Councillor Roberts and it was,

**RESOLVED:-**

1. To receive the update on the consultation process following submission of the Bay Unitary Proposal;
2. To endorse the approach of the Council to the consultation responses as outlined in the report and Appendix 1;
3. To endorse the approach to submitting additional commentary on the Bay and North Cumbria proposal as outlined in Appendix 2 to the report; and
4. To authorise the Chief Executive, in consultation with the Leader, to finalise the responses to the consultation for submission to the Ministry of Housing, Communities and Local Government by 19<sup>th</sup> April, 2021 deadline.

### **103 Financial Plans and Strategies**

The Director of Resources had submitted a detailed report setting out the Medium Term Financial Plan for 2021-2025, the Treasury Management Strategy Statement for 2021-2022 and the Capital strategy for 2021-2025.

It had been noted that the revenue consequences of all of these plans and strategies had all been incorporated in the budgets approved for 2021-2022.

It was moved by Councillor Brook and seconded by Councillor Roberts and it was,

**RESOLVED:-**

1. To approve the Medium Term Financial Plan for 2021-2025;
2. To approve the Treasury Management Strategy Statement 2021-2022;

3. To set the Authorised Limit for borrowing at £55.7m for 2021-2022; and
4. To approve the Capital Strategy and the Capital Programme for 2021-2025.

#### **104 Anti-Fraud and Corruption Strategy and Whistleblowing Policy**

The Director of Resources had submitted a report presenting revisions to the Anti-Fraud and Corruption Strategy and Whistleblowing Policy for adoption by Council as part of the Council's Policy Framework. The policies had been reviewed and updated to ensure that they remained relevant, current and reflected best practice.

Members had been requested to consider approving the revised policies which had been included as appendices to the report.

It was moved by Councillor Burns and seconded by Councillor Assouad and it was,

RESOLVED:- To approve the revised Anti-Fraud and Corruption Strategy and Whistleblowing Policy.

#### **105 Review of Standards Arrangements**

The Monitoring Officer had submitted a report requesting Council to consider adopting the revised Standards Arrangements which had been recommended by the Audit and Governance Committee.

It had been noted that the Council had been operating under its existing standards arrangements since 2012. Complaints concerning Member conduct were considered under the delegated powers of the Monitoring Officer, and as yet there had been no recent formal investigations which had necessitated a Member hearing.

It had been considered appropriate for the Council's Standards Arrangements to be reviewed on a regular basis, and the arrangements had been considered in light of the Best Practice Recommendations arising from the Committee for Standards and Public Life Review of Ethical Standards (January 2019).

All Members had been notified of the review by e-mail in October 2020 and invited to submit comments. The Independent Person had also been consulted and was supportive of the proposals.

It was moved by Councillor Burns and seconded by Councillor Assouad and it was,

RESOLVED:- To adopt the Standards Arrangements, including formalising arrangements for a Hearings Sub-Committee as detailed within the arrangements.

#### **106 Annual Council Meeting 2021 and Dates and Times of Council and Committee Meetings in 2021/2022**

The Monitoring Officer had submitted a report updating Members on Council meetings and had presented a schedule of meetings for the forthcoming Municipal Year, including a revision to the date for the Annual Council meeting.

Traditionally, the Annual Council meeting was held in May on a date and time fixed by the Council. Last year the meeting had been cancelled as a result of the Covid pandemic and appointments had been continued for a further year.

The Annual meeting for 2021 had been scheduled for 18<sup>th</sup> May. However, at the present time, due to circumstances and the continuing Covid pandemic, it had been proposed that this meeting be brought forward to April, 2021. That decision had regard to the current legislation around virtual meetings which was due to expire on 7<sup>th</sup> May, 2021 as at present, the future direction of Council meetings was unclear due to the uncertainty as to whether virtual and/or hybrid meetings may be permitted beyond that date.

It had been noted that Officers were currently exploring options around returning to physical meetings but due to the uncertainty around the guidance and legislation arrangements, nothing had been confirmed.

Whilst the Constitution stated that the Annual Council meeting would take place in May, the legislation permitted this to be in March, April or May if no ordinary elections were scheduled to take place. It had been proposed that the Constitution be amended in that regard.

It was moved by Councillor M. A. Thomson and seconded by Councillor Hall and it was,

**RESOLVED:-**

1. To note the update on virtual meetings and agree that the Council's Annual meeting be moved to 21<sup>st</sup> April, 2021;
2. To agree that the Constitution be revised as set out at paragraph 3.3 of the report to reflect the flexibility to hold the Annual Council Meeting in March, April or May if there were no ordinary Elections; and
3. To agree the draft calendar of meetings for the new Municipal Year as attached at Appendix 1 to the report.

## **107 Annual Review of the Constitution**

The Monitoring Officer had submitted a report requesting Council to give consideration to suggested changes to the Constitution as part of the annual review process.

In undertaking the review, the Monitoring Officer had sought the views of Members, Officers, Parish Councils and also the public, through the Council's website.

Some minor tweaks had been suggested to the Officer and Proper Officer delegations, full details of which had been included in an appendix to the report. Additional amendments to the Terms of Reference of the Audit and Governance Committee as well as the Financial Regulations and Contract Standing Orders had also been detailed in appendices 2 and 3 of the report. Additionally, amendments to the Terms of Reference of the Audit and Governance Committee, reflecting the provision of a Hearings Panel, would be required following agreement of the new Standards Arrangements as outlined in Minute No. 105 above.

It was moved by Councillor Brook and seconded by Councillor Roberts and it was,

RESOLVED:-

1. To note the annual review of the Constitution;
2. To approve the updates to the Council Procedure Rules as detailed in paragraph 3.5 of the report, noting that Council had also agreed that the wording be amended to allow flexibility to hold the Annual Council Meeting in March, April or May if there were no ordinary Elections (Minute No. 106 above refers);
3. To approve the revisions to the Proper Officer appointments and Officer Scheme of Delegations as detailed in Appendix 1 of the report;
4. To note that the Terms of Reference of the Audit and Governance Committee would be updated as detailed in Appendix 2 of the report; and
5. To approve the revisions to the Financial Regulations and Contract Standing Orders as detailed in Appendix 3 of the report.

## REPORTS OF COMMITTEES

### 108 Planning

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

RESOLVED:- That the reports of the meetings of the Planning Committee held on 16th February and 16th March, 2021 be received.

### 109 Executive

#### Question to the Chair

Referring to Minute No. 94 of the Executive Committee held on 10<sup>th</sup> February, 2021 (Barrow's New Constellation) Councillor Shirley asked the Chair if he could provide Council with a breakdown of the expenditure from the £50k National Lottery Grant awarded for this project and also provide a breakdown by electoral ward and the level of public engagement from across the Borough.

Referring to Minute No. 98 (High Street Heritage Action Zone – Year 1 Update), Councillor Shirley asked the Chair what physical improvements he expected Barrovians to see and touch, notwithstanding the art projects already identified.

#### Response from the Chair

The Chair agreed to provide a written response to Councillor Shirley's questions.

Councillor Brook advised that the recommendations of the Executive Committee meeting held on 10th February, 2021 dealing with the Housing Revenue Account and Budget Proposals 2021-2022 had been reported to Council on 25th February, 2021.

It was moved by Councillor Brook, and

RESOLVED:- That the reports of the meeting of the Executive Committee held on 10th and 23rd March, 2021 be received and that each of the recommendations

contained therein had been dealt with under Agenda Item Nos. 7, 8 and 12 as outlined in Minute Nos. 102, 103 and 107 above.

## **110 Audit and Governance**

It was moved by Councillor Burns, and

RESOLVED:- That the reports of the meetings of the Audit and Governance Committee held on 3rd and 18th March, 2021 be received and that each of the recommendations contained therein had been dealt with under Agenda Item Nos. 9 and 10 as outlined in Minute Nos. 104 and 105 above.

## **111 Questions to the Leader of the Council**

Councillor Hall had submitted a question to the Leader of the Council under notice as required by Standing Order 10.2 and 10.4 as follows:-

“Does the Leader of the Council agree with me that our beautiful Park is being tainted by the increasing anti-social and violent behaviour of some youths? There have been several instances of dogs off the lead attacking other dogs, leading to serious injuries and residents have complained of witnessing drug dealing. Some residents have told me that they no longer feel safe visiting this fantastic place. Can the Council prevail upon the Police to increase their patrols within the Park and to investigate whether there are grants available to install CCTV?”

The Leader advised that the Council had issued a press release two days prior to this question being submitted, advising that Streetcare Officers would be patrolling the Park more often. She understood peoples’ concerns which had been addressed by increased patrols as well as the Police having a base in the Pavilion. She added that people should follow the Bye-Laws and dogs should be kept on leads. The minority were spoiling it for everyone else. The Park is a beautiful place and is a gem in the area it is located. The Council would do everything it could to ensure that it was a safe place for people to go.

Councillor McEwan, in his capacity of Chair of the Police and Crime Panel, advised that he had made a request to the Police and Crime Commissioner for CCTV in the Park. He advised that funding was available for CCTV and it would be installed in the Park.

The Leader of the Council took the following questions without notice from Members which were relevant to the business of the meeting:-

Councillor McLeavy referred to Minute No. 96 of the Executive Committee held on 10<sup>th</sup> February, 2021 (Flexible Working Policy), whilst he fully supported flexible working, he had a number of concerns regarding health and safety and the wellbeing of Officers and Elected Members raised the following questions:-

- Homeworking without a full workstation assessment was concerning in respect of muscular skeletal disorders, RSI and strained eyesight amongst numerous other health issues resulting in work place injury. He asked what process had been passed to homeworkers to ensure their wellbeing was satisfied. Had the correct fully adjustable, five castor chairs been provided, were workstations or laptops at the correct height and what about 10 minute rest periods every hour.

The Council had a duty of care and must ensure conformity to the Health and Safety at Work Act which had recently been updated in light of Covid. He had suggested that going forward – post Covid, if Officers wished to work flexibly from home that health and safety should be physically assessed and the correct equipment should be provided along with any policy being updated to reflect that.

- The Democratic Services Manager had recently issued a protocol to Members for Zoom meetings, specifically stating that Members must keep their video on at all times. Councillor McLeavy advised that he switched his video off during Zoom meetings on occasion for a variety of reasons including the need to move around, eye strain and headaches. He requested that the protocol be updated to remove that requirement.

The Leader advised that the Council take the health and safety of its Officers and Members very seriously. She agreed to provide a written response to Councillor McLeavy's questions as they were very specific. She added that homeworking was not ideal and had come upon us with such speed because of the Covid pandemic. She stated that if homeworking was going to become the norm for some Officers that workstation evaluations needed to be conducted. Regarding the protocol for Zoom meetings, she agreed that the Democratic Services Manager could amend the protocol, particularly as you only had sight on the YouTube stream of Members who were speaking.

Councillor D. Edwards referred to Minute No. 94 of the Executive Committee held on 10<sup>th</sup> February, 2021 (Barrow's New Constellation). He asked if the Leader would set up a Working Group of Councillors to analyse and assess the work of the New Constellation; bearing in mind that it was only a group of 14 people from a population of nearly 60,000.

The Leader agreed that she would be happy for the Chief Executive or Director of People and Place to set up a Working Group of Councillors to review Barrow's New Constellation.

Councillor Shirley referred to Minute No. 117 of the Executive Committee held on 10<sup>th</sup> March, 2021 (Barrow Business Improvement District (BID) Renewal). He asked the Leader if she intended to consult with all Members to canvass their views about the BID ahead of the 25 votes which the Council had being casted.

The Leader advised that she would be consulting Members before the votes were cast and that she would be undertaking an extensive review of the BID proposal from four years ago to ensure they had fulfilled their proposals. She added that she considered the best thing to do would be to allow the Town Centre Traders to have the vote as they pay the levy.

Councillor Callister referred to Minute No. 96 of the Executive Committee held on 10<sup>th</sup> February, 2021 (Flexible Working Policy) and asked the Leader if it would be possible to look at the earliest opportunity and in a safe manner to re-introduce staff into their office space in the Town Hall. He stated that it was important for the mental health and wellbeing of staff that this be done as soon as possible.

The Leader advised that the message was still to stay at home if you can work at home. The Chief Executive added that the message in the Government's roadmap was to stay at home and work from home if you can until at least 21<sup>st</sup> June, 2021.

Management Team were working on putting a roadmap in place to ensure that when staff do return to the Town Hall, they do so in a Covid compliant and safe manner but it wouldn't be for a couple of months yet. As restrictions start to ease and the Town Centre started to re-open from 12<sup>th</sup> April, we will be working in a slightly different way and more staff would be likely to be coming into the Town Hall to carry out duties, but full re-opening would not be happening until 21<sup>st</sup> June at the earliest.

Councillor Burns asked a question in relation to Councillor Hall's question regarding the Park. She asked if the Leader would agree that the Council need to work in partnership with organisations such as the Local Resilience Group, Children and Families Group, Child Centre Policing Teams, Dropzone, Residents' Groups and The Well to try to address some of the issues. Acknowledging that the same budget and facilities such as Youth Clubs were no longer available as they had been in the past, she stated that the Council must work in partnership with these groups to provide facilities for young people and to help steer them down the correct path.

The Leader agreed and stated that the Police and Crime Commissioner shared the same concerns regarding young gangs roaming the streets. The circumstances surrounding Covid were unusual, especially with Schools closed. Young people don't want a Youth Club, they want a facility with games consoles or a bigger stake park. We need to form a Youth Policy in consultation with the Lead Member for Children and Young People (Councillor Morgan) and local Youth Groups.

Councillor Ronson asked a question in relation to Councillor Hall's question, specifically in regards to CCTV at Barrow Park. He stated that it was unfortunate that Dalton did not have a Park but still experienced the same anti-social behaviour and drug issues at the Leisure Centre Playground. He had asked for CCTV and now had a designated Police Officer assigned to the Ward. He asked the Leader if she considered Barrow's Park to be more demanding than Dalton's Leisure Centre for CCTV.

The Mayor stated that was an unfair question. How can you expect the Leader to make that call. Councillor Shirley was on the Borderlands and it would be up to the community of Dalton to make the decision regarding allocation of funding

The Leader stated that Councillor Ronson, as a new Councillor, had asked a question that no Leader would ever answer. No Leader, or even Councillor would say that Barrow Park was above Dalton or vice versa. It was a ridiculous question. She added that to her knowledge the Borderlands had discussed CCTV.

## **112 Notice of Motion under Rule 11**

The following motion had been signed by Councillors Callister and Preston and had been provided to the Council with Notice under Rule 11:-

**NJC PAY: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS**

"This Council notes:-

Local government has endured central government funding cuts of more than 50% since 2010.

Between 2010 and 2020, councils lost 60p out of every £1 they have received from central Government.

Over the last year, Councils have led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities.

Local Government has shown more than ever how indispensable it is.

But the pandemic has led to a massive increase in expenditure and loss of income, and the Government has failed to provide the full amount of promised support.

Local Government workers have kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing at least 23 per cent of their value since 2009/10.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity.

Across the UK, 900,000 jobs have been lost in Local Government since June 2010 – a reduction of more than 30 per cent. Local Government has arguably been hit by more severe job losses than any other part of the public sector.

The funding gap caused by Covid-19 will make Local Government employment even more precarious.

There has been a disproportionate impact on women, with women making up more than three-quarters of the Local Government workforce.

Recent research shows that if the Government were to fully fund the Unions' 2021 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits, and increased consumer spending in the local economy.

This Council believes:-

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the Council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on Local Authorities whose funding been cut to the bone and who have not been offered adequate support through the Covid-19 pandemic.

This Council resolves to:-

Support the pay claim submitted by GMB, Unison and Unite on behalf of Council and School workers, for a substantial increase with a minimum of 10 per cent uplift in April 2021.

Call on the Local Government Association to make urgent representations to Central Government to fund the NJC pay claim.

Write to the Chancellor and Secretary of State to call for a pay increase for Local Government workers to be funded with new money from Central Government.

Meet with local NJC Union representatives to convey support for the pay claim and consider practical ways in which the Council can support the campaign.

Encourage all Local Government workers to join a Union.”

The motion had been duly seconded by Councillor Preston.

It was further moved by Councillor Barlow and duly seconded by Councillor McEwan that a named vote be taken. The named vote was recorded as follows:-

Those in favour of the motion, 23, namely Councillors Assouad, Barlow, Blezard, Brook, Burns, Callister, Cassidy, Hamilton, Husband, Johnston, McEwan, Maddox, Mooney, Morgan, Nott, Preston, Roberts, Robson, Seward, C. Thomson, M. A. Thomson, Wall and Worthington.

Those against the motion, 9, namely Councillors Burley, D. Edwards, H. Edwards, Gawne, Hall, McClure, Pemberton, Ronson and Shirley.

One abstention, namely Councillor McLeavy.

The motion was thereupon declared carried and it was,

**RESOLVED:-** To agree to support the motion.

The meeting closed at 6.57 pm.