

## **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 pm. on Tuesday, 19th October, 2021.

PRESENT:- Councillor Wall (Mayor in the Chair) and Councillors Assouad, Biggins, Burley, Burns, Callister, D. Edwards, Gawne, Hall, Hamilton, Husband, Johnston, McLeavy, Mooney, Morgan, Nott, Pemberton, Preston, Robson, Ronson, Shirley, C. Thomson, M. A. Thomson, Tyson and Zaccarini.

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), Paula Westwood (Scrutiny & Democratic Services Team Leader) and Sandra Kemsley (Democratic Services Officer).

### **31 Minute's Silence**

The Mayor requested Members to stand and observe a one minute's silence as a mark of respect for Sir David Amess MP for Southend West who had sadly died after being stabbed at his Constituency Surgery in Essex on 15<sup>th</sup> October, 2021.

### **32 Apologies for Absence**

Apologies for absence had been submitted from Councillors Blezard, Brook, H. Edwards, McClure, McEwan, Maddox and Roberts.

### **33 Declarations of Interest and Dispensations**

There were no declarations of interest.

### **34 Minutes**

The Minutes of the meeting held on 27<sup>th</sup> July, 2021 were taken as read and confirmed.

### **35 Announcements**

The Head of Paid Service made the following announcements:-

#### Local Government Reorganisation

The regulations required that a legal instrument known as a Structural Change Order was required in respect of Local Government Reorganisation. It was anticipated that the draft Structural Change Order would be received within the next few weeks which may require an Extraordinary meeting of Council to be called during November to consider the draft Order.

#### Judicial Review

The Head of Paid Service provided an update regarding the Judicial Review which Cumbria County Council was seeking in respect of Local Government Reform. Service of the papers was expected.

### **36 Public Participation**

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

### **37 Approval of Member Absence**

The Head of Legal and Governance and Monitoring Officer had submitted a report requesting Council to consider a request from Councillor Blezard for his absence from Council and Committee meetings to be authorised by the Council in accordance with section 85(1) of the Local Government Act 1972.

Section 85(1) of the Act requires Elected Members to have attended a qualifying meeting (generally a Council, Committee or Sub-Committee meeting) within six months of their last qualifying attendance. The Act makes provision for leave of absence to be granted if approved by the Authority prior to the expiration of the six month period.

Councillor Blezard, one of three Elected Members for the Dalton South Ward had been unable to attend a meeting for the reasons detailed within the report. His last attendance had been at a meeting of full Council on 21<sup>st</sup> April, 2021. Consequently, he had requested that Council approved a leave of absence up to and including 26<sup>th</sup> January, 2022.

It was anticipated that Councillor Blezard's colleagues within the Dalton South area would be able to support him in dealing with any matters that residents within the area may wish to raise, without the need to make any formal arrangements for temporary cover.

Political Group Leaders had been consulted and had been supportive of the proposal.

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

RESOLVED:- To agree that, in accordance with section 85(1) of the Local Government Act 1972, Councillor Blezard's absence from Council and Committee meetings up to and including 26<sup>th</sup> January, 2022 be authorised, for the reasons set out within the report.

### **38 Appointment of Lead Member**

The Head of Legal and Governance and Monitoring Officer had submitted a report concerning a proposed change to the Lead Member appointment for Culture, Arts and Leisure arising from a request from Councillor Blezard to stand down as Lead Member for Culture, Arts and Leisure.

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

RESOLVED:- To appoint Councillor Callister as the Lead Member for Culture, Arts and Leisure.

### **39 Officer Delegation Scheme**

The Head of Legal and Governance and Monitoring Officer had submitted a report seeking an update to the Delegation Scheme to reflect changes to Officer Structures.

It had been noted that the report had been considered by the Executive Committee at their meeting on 13<sup>th</sup> October, 2021.

The proposed changes had been indicated in a tracked changes version included as an appendix to the report.

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

RESOLVED:- To approve the updated Officer Delegation Scheme within the Council Constitution as attached to the report.

### **40 Member Development Strategy Review**

The Head of Legal and Governance and Monitoring Officer had submitted a report seeking approval of the revised Member Development Strategy, a copy of which had been appended to the report.

It had been noted that the strategy was reviewed on a biennial basis in conjunction with the Democratic Services Manager, the Democratic Services Officer (Member Support) and the Member Training Working Group.

The overall aim of the strategy was to ensure continuation of effective Member Development and ensure that Member training and development was prioritised, planned and co-ordinated effectively.

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

RESOLVED:- To approve the revised Member Development Strategy for 2021/2023.

### **41 Community Governance Review of Parishes in the Barrow Borough Area**

The Head of Legal and Governance presented the report which had sought Members' views on whether or not they wished to consider a Community Governance Review (CGR) and if they did, to consider whether that should include the whole or part of the Borough Area. In addition, Members had been requested to consider if they wished to set up a Working Group to consider a CGR with a view to a terms of reference being presented back to Council to consider.

It had been noted that the Local Government and Public Involvement in Health Act 2007 had transferred full responsibility for Parish reviews, now called Community Governance Reviews, to principal Council's in England.

A CGR is the process used to consider whether existing Parish or unparished arrangements should be changed in any way. That may consider the creation, abolition, merging or alteration of Parish Councils and any subsequent electoral arrangements. New Parishes may be created as a result of the geography of the area, the make-up of the local community, or sense of identity. All Parishes must fall within the existing Borough boundary.

A new Parish Council would be able to hold any relevant historic property, including those of a civic and ceremonial nature, hold and manage land and buildings, ranging from allotments through to community buildings and assets and potentially develop and support new community services.

Parish Councils would also be able to perform functions on behalf of other Local Authorities. Any new Parish or Town Council created as a result of a CGR could therefore perform functions on behalf of the new unitary of East Cumbria (once it had been created). It would be a matter for the new Unitary Council to decide which, if any, functions it wanted a Parish or Town Council to carry out and it would be a matter for the Parish or Town Council to decide which functions it wished to take on.

CGRs generally have a 12 month period for completion and to ensure that appropriate consultation and consideration could be applied, it was not considered possible to complete the review process ahead of the Structural Change Order (SCO) being made, and that the deadline for any elections to potential new Parishes in May 2022 would not be met.

Whilst still awaiting the SCO, it was anticipated that Parish elections would remain in May 2023. If that was the case and a CGR was underway then any CGR recommendations could be considered by the Shadow Authority for potential implementation through the May 2023 elections.

The other consideration was Charter Trustees which were sometimes secured as part of the structural change process. These protect the continuity of a Borough Charter until such time as a Parish Council is established. Duties of these would be limited to ceremonial activities such as the election of a Mayor and various other functions depending on local customs and law.

The Head of Legal and Governance advised Council that enquiries continued to be raised with Ministers on the above points.

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

**RESOLVED:-**

1. To agree to look into conducting a Community Governance Review in accordance with the Local Government and Public Involvement in Health Act 2007 and whether this should be for the whole Borough or the unparished area of the Borough; and
2. To agree to the establishment of a cross party Community Governance Working Group (CGWG) comprising of five Members (three Labour and two Conservative Members), to consider the practicalities of any such review, Terms of Reference and timetable for CGR for recommendation to Full Council.

## **REPORTS OF COMMITTEES**

### **42 Planning**

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

RESOLVED:- That the minutes of the meetings of the Planning Committee held on 10th August, 14th September and 5th October, 2021 be received.

#### **43 Licensing Regulatory/Licensing**

Councillor Callister advised that the meeting of the Licensing Regulatory Committee scheduled to take place on 9<sup>th</sup> September, 2021 and the meetings of the Licensing Committee scheduled to take place on 9<sup>th</sup> September and 7<sup>th</sup> October, 2021 had been cancelled.

It was moved by Councillor Callister, and

RESOLVED:- That the minutes of the meeting of the Licensing Regulatory Committee held on 7<sup>th</sup> October, 2021 be received.

#### **44 Licensing Sub-Committee**

It was moved by Councillor Callister, and

RESOLVED:- That the minutes of the meetings of the Licensing Sub-Committee held on 12<sup>th</sup> August and 9<sup>th</sup> September, 2021 be received.

#### **45 Executive**

It was moved by Councillor Hamilton, and

RESOLVED:- That the minutes of the meetings of the Executive Committee held on 15th September and 13th October, 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. 39 and 40 above.

#### **46 Audit and Governance**

It was moved by Councillor Burns, and

RESOLVED:- That the minutes of the meetings of the Audit and Governance Committee held on 29th July, 18th August and 30th September, 2021 be received.

#### **47 Overview and Scrutiny**

It was moved by Councillor McLeavy, and

RESOLVED:- That the minutes of the meeting of the Overview and Scrutiny Committee held on 21st September, 2021 be received.

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

No questions had been submitted to the Leader of the Council under notice as required by Standing Order 10.2 and 10.4.

At the meeting Councillor Pemberton had asked the Leader what the position was regarding the House of Lords building on Abbey Road. He had asked for an update on a number of occasions and at an Executive Committee meeting he had been

advised that it was a complex matter and that he would receive an update outside of the meeting, but he had still not received an update. He was concerned that the building had remained in a state of disrepair for a long period of time and was unsightly.

The Leader of the Council advised that the Council were not the owners of the building and so were unable to do anything without the owner's consent. She added that through the Heritage Action Zone, there were plans to conduct a feasibility study on the building to determine possible future uses of the site.

#### **49 Notice of Motion Under Rule 11**

The following motion had been moved by Councillor Shirley and Seconded by Councillor Ronson, signed and submitted to the Council with Notice under Rule 11:-

That Barrow Borough Council:-

- (i) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) Further recognises:
  - That very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so;
  - That making these financial costs proportionate to the scale of renewable electricity supplier's operation would create significant opportunities for local companies, community groups and Councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, if they wished; and
  - That revenues received by such local companies, community groups and Councils that chose to become local renewable electricity providers could be used to help improve the local economy, local services and facilities and to reduce local greenhouse gas emissions;
- (iii) Notes that the House of Commons Environmental Audit Committee, as a result of its 2021 Technological Innovations and Climate Change Inquiry, recommended that a Right to Local Supply for local energy suppliers be established to address this;
- (iv) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 263 MPs and which, if made law, would establish a Right to Local Supply, if they wished, which would promote local renewable electricity supply by making the setup and running cost of selling renewable electricity to local customers proportionate to the size of the supply company; and
- (v) Further resolves to:
  - Inform the local media of this decision;

- Write to local Simon Fell MP, notifying him of this resolution and to commit to work together with him in pursuit of a Local Electricity Bill; and
- Write to the organisers of the campaign for the Bill, Power for People (at Camden Collective, 5-7 Buck Street, London NW1 8NJ or [info@powerforpeople.org.uk](mailto:info@powerforpeople.org.uk)) expressing its support.

The motion had been duly seconded by Councillor Ronson, a vote was taken on the motion and it was,

RESOLVED:- To unanimously agree to support the motion.

The meeting closed at 6.04 pm.