

## OVERVIEW AND SCRUTINY COMMITTEE

Meeting: Thursday, 24th March, 2022  
at 2.00 pm. (Banqueting Hall)

Present: Councillors McLeavy (Chairman), Cassidy (Vice-Chair), Assouad, Gawne, McEwan, Morgan, Robson and C. Thomson.

Officers Paula Westwood (Scrutiny and Democratic Services Team Leader) and  
Present: Katie Pepper (Democratic and Electoral Services Officer).

### **41 Apologies for Absence/Attendance of Substitute Members**

Apologies for absence had been submitted from Councillors McClure, Preston and M. A. Thomson.

Councillor Assouad had attended as a substitute for Councillor M. A. Thomson.

### **42 Declarations of Interest**

Councillor McEwan declared an interest in Agenda Item 8 – Work Programme Update (Crellin Street) – Minute No. 45 refers, as he was a Member of Cumbria County Council.

### **43 Minutes**

The Minutes of the meeting held on 16th December, 2021 and 3rd February, 2022 were taken as read as confirmed.

### **44 Public Participation**

RESOLVED:- To note that no questions, representations, deputations or petitions had been received in respect of the meeting.

### **45 Work Programme Update**

The Scrutiny and Democratic Services Team Leader had submitted a report outlining a summary of the progress made in respect of each topic as follows:-

#### Flooding on Walney Promenade

At the previous meeting, the Committee had requested the Scrutiny and Democratic Services Team Leader to make contact with United Utilities to establish if they would be in a position to provide an update. She reported that United Utilities had advised that with the area being a SSSI site, they were not able to start the work until permits had been issued from Natural England and the Marine Maritime Industry. They would be in touch once permits had been received and works had started, in order to attend the next available meeting.

This review had therefore been paused for the time being.

### Discretionary Housing Fund and Supported Housing Payments

At the previous meeting of the Committee the Chair had raised that the review had been taken out of the Committee's hands which they had originally been tasked to do. The Committee had requested that contact be made with the Chair of the Executive Committee to obtain an update on the issue. The review had been paused for the time being whilst further discussions took place regarding the scope of the review.

The review had been initiated by Cllr Ann Thomson, Leader of the Council. Following the last meeting, the Scrutiny and Democratic Services Team Leader had contacted the Leader to seek clarity on the scope of the review. However, it had since been agreed by the Executive Committee at their meeting on 9th March, as part of the Annual Review of the Constitution, to recommend the Council to agree that the Leader of the Council should not sit on Overview and Scrutiny Committee. The Committee had therefore been requested to consider whether they wished to continue the review and if so, the scope of the review and expected outcomes would need to be determined.

It was moved by Councillor Morgan and seconded by Councillor McEwan that the review into Discretionary Housing Fund and Supported Housing Payments should continue.

The Scrutiny and Democratic Services Team Leader had requested nominations for a Member to replace Councillor M. A. Thomson on this Work Group.

### Arrangements for the Management of Piel Island

At the previous meeting of the Committee, Councillor McClure Chair of the Work Group had confirmed that following the meeting of the Work Group on 25th January, 2022 the Work Group had been satisfied that the review could be concluded. The Chair had requested Councillor McClure to report her recommendations at the next Committee meeting to conclude the review. The final report from the Piel Island Work Group had been covered under a separate agenda item (Minute No. 46 refers).

### Impact of Covid-19 Going Forward

The Work Group had met on 7th February. Information had been noted including:-

- The number of cases in Cumbria throughout January had reduced, with the most significant reduction seen in the second week of January, then a steady decline thereafter;
- The rolling seven day average number of cases in Barrow at the time had been around 500 cases per 100,000 population which was similar to the other Districts in Cumbria. It was envisaged that case numbers would likely remain at that level as the Omicron variant was highly transmissible;
- It was anticipated that by the end of March, isolation rules would be lifted, although it was envisaged that PCR testing would remain in some form to test for new variants;
- The Council's Contact Tracing Team continue to assist the NHS Test and Trace System by contacting 'hard to reach' cases;

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- Covid Marshalls had reduced to one session per fortnight on a Saturday morning at the Alfred Barrow Health Centre with around 500 vaccinations each session plus walk-ins.

The Work Group had considered that it would be appropriate to meet again at the end of March when it was anticipated that isolation rules would be lifted.

At the meeting the Chair advised that the vaccination programme would be increased with the new programme seeing around 5,000 over 75's or extremely vulnerable being offered vaccinations.

It had been noted that with rising case numbers and the virus still very active in the community, the Work Group would continue to meet regularly.

### Crellin Street

At the previous meeting, the Committee had agreed that a Work Group be established to look further into ongoing issues in the Crellin Street vicinity emanating from food takeaway delivery services including parking on double yellow lines, obstructing delivery wagons and other road users, as well as reports of residents feeling intimidated walking past crowds of Uber Eats Drivers.

Following the initial meeting of the Work Group on 8th February, Members of the Work Group had requested for additional representatives to be invited to meet with them including Graham Barker (Head of Public Protection, Barrow Borough Council), as well as a representative from the Police and Cumbria County Council.

Councillor McEwan provided an update to the Committee stating that Barrow Local Committee had presented the issue to Cumbria County Council's Cabinet the previous week where the Cabinet had agreed to support Barrow Local Committee's request and explore the process and feasibility of adopting the DVLA devolved powers from the Secretary of State for Transport to take enforcement action on untaxed vehicles. He had suggested that in view of that, this review should be paused.

### RESOLVED:-

1. To note the updates on progress in respect of each of the Work Groups;
2. To agree that the review into Discretionary Housing Fund and Supported Housing Payments should continue and that Councillor Assouad would join the Work Group and Councillor Morgan would be appointed the Lead Member on the Work Group; and
3. To agree that the review into Crellin Street should be paused.

### **46 Final Report of the Scrutiny Work Group - Piel Island**

The Scrutiny and Democratic Services Team Leader had presented the final report of the Scrutiny Work Group – Piel Island. The report outlined the background and scope of the review into the future management arrangements for Piel Island, along with the recommendations and conclusions from the Work Group as follows:-

## Background

Barrow Borough Council were the custodian of Piel Island and until late May 2021, the management of Piel Island, including the running of the Ship Inn, maintaining the toilet block and the Island grounds had been undertaken by the holders of a lease from the Council. The Leaseholders had decided before the end of their lease that they wished to terminate the arrangement.

Ensuring that Piel Island could be shown to its best advantage, the Council needed to fully understand its full potential for the future. To enable the Ship Inn to reopen after a period of closure and early termination of the lease had taken considerable effort from a team of Council Officers who had volunteered to go over to Piel Island and repaint it, organise deep cleaning and deal with a range of other issues. This had been done within a couple of weeks to then enable the Council to show prospective interested partners around the premises.

For the last season and in the light of the impact of Covid, a pilot partnership approach had been put in place with a provider to truly understand what the longer-term management arrangements might look like to make the best of Piel Island for all. The provider was a local company that had experience in running pubs and they subsequently established the Piel Island Pub Company. The arrangement had been that it would be from June to September 2021 and be open book accounting to understand the cost and income from Piel Island.

## Scope of the Review

The Work Group wished to ensure that any long-term future management arrangements for Piel Island would be considered thoroughly in an open and transparent manner to ensure that a suitable and experienced operator would be appointed.

## Details of the Review

Members of the Work Group had visited Piel Island and had attended a number of meetings with the Director of People and Place during their review.

The Work Group had concluded the following lessons learnt from the 2021 season:-

- Piel Island was a unique place and any operator needed to appreciate the constraints offered by power, weather, access and its location within an area of Site of Special Scientific Interest;
- Visitors to Piel Island were short stay and wanted a basic meal and drink;
- Camping and paying a small fee for that was popular;
- The relationship with the ferry operator and the management arrangements for Piel Island were really important;
- Alternative access arrangements off the island besides the ferry needed to be in place;
- More outside seating was needed to facilitate visitors;
- The community ownership of Piel Island and its local appeal and natural habitat was really important;
- There were no incidents of anti-social behaviour reported, which was contrary to perception;

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- Any operator needed to manage and maintain the Island and its assets to a standard that the Council expects;
- All aspects of the Island except for external urgent repairs to the buildings and jetty maintenance would be the responsibility of the operator;
- Emergency planning for incidents with agencies was an essential part of any future management arrangements;
- There was potential for events and Piel Island was an essential element of any destination marketing. Any operator would need a formal relationship with the Council to enable this;
- Communications about Piel Island and whether buildings were open and food and drink was being served would be the responsibility of the operator; and
- Any operator needed experience in operating a licenced premises and with access to staff, financial sustainability and be prepared to open for a short period of the year whilst retaining responsibility for the premises and the Island all year round.

At the meeting of the Overview and Scrutiny Committee on 16th December, 2021 a detailed report had been presented from the Director of People and Place regarding the future management arrangements of Piel Island. The Committee had considered that report and agreed a number of recommendations to the Executive Committee as follows:-

- Agree to the proposed management arrangements as set out in the report and delegate authority to the Director of People and Place, in consultation with the Chair of Executive Committee, to undertake the procurement process and award the new contract;
- Note their appreciation for the work that officers put into getting the Ship Inn ready to be re-opened this season at very short notice;
- Note the lessons learnt from the partnership approach and thank the Piel Island Pub Company for their contribution; and
- Note that the Overview and Scrutiny Committee Piel Island Working Group would continue to receive progress updates.

The Committee had welcomed the plan for the future management arrangements of Piel Island but the Work Group needed to understand what had happened in the past, in terms of the selection process for the temporary operator for the 2021 season. A number of questions in that regard had been raised at the meeting which had been taken forward to a meeting of the Work Group in January 2022.

### Conclusion

Following further discussions with the Director of People and Place at the Work Group meeting in January 2022, the Work Group had concluded that they were satisfied that due process had been followed to set up the partnership arrangements for the 2021 season and that the Officers involved had done a fantastic job in the short space of time and other challenges faced, including Covid, to get the Island and the Pub up and running for the start of the season and to make Piel Island and its facilities available as often as possible for visitors during the 2021 season.

In respect of the long-term future management arrangements for Piel Island, it had been noted as per the recommendations to the Executive Committee outlined above that an open and transparent procurement process had been undertaken to award the new contract and the Work Group had welcomed the opportunity for them to oversee the Scoring Panel for the Tender submissions.

The Work Group wished to make the following recommendations to the Executive Committee in order to conclude the review:-

- Clear, concise and agreed requirements to be set for the tenant who was selected;
- A targeted media campaign to be established to find the most suitably qualified tenant;
- Members of the Piel Island Scrutiny Work Group to be given the opportunity to oversee the scoring process;
- Visibility to Members of profit/loss e.g. performance management information on a regular basis (3 times annually);
- All Members to be kept fully updated on activities, performance and issues etc encountered by the Council and the Tenant at least twice annually or more frequently as necessary;
- Consideration be given to a Piel Island Member Group

It was moved by Councillor McEwan and seconded by Cassidy, and

**RESOLVED:-**

1. To note the outcome of the review detailed in the report and that the Scrutiny Work Group for Piel Island had been satisfied for the review to be concluded; and
2. To agree that the report be submitted to Executive Committee for consideration of the recommendations as set out in the report.

#### **47 Work Programme for 2022/2023**

The Scrutiny and Democratic Services Team Leader reported that the Overview and Scrutiny Committee were responsible for setting their own Work Programme and were expected to review at least one major policy issue during the municipal year. The Committee must give serious consideration to the number of issues to be reviewed during the year, to ensure that they were able to allocate resources sufficient to facilitate a thorough review of the issues selected.

An efficient and effective Overview and Scrutiny Committee work planning process ensured that the maximum value could be made of the Council's resources and that the outcome of the work would be linked to the Council Plan priorities. To that end, the Overview and Scrutiny Committee had adopted the following agreed procedure for work programming (Minute No. 35 of 16th December, 2021 refers):-

- Annual public consultation exercise to bring forward potential items for consideration;
- Preliminary prioritisation of submissions conducted by the Chair and Vice Chair and the Council's Senior Management Team using the agreed Work Planning Aid;
- A Work Planning Workshop involving the Committee members to allow discussion of the topics in an informal setting; and
- The proposed Work Programme to be agreed by the Committee.

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Submissions for topics had been invited from the public, all Borough Councillors, Senior Officers within the Council, Parish and Town Council Clerks and partner organisations via a survey link on the Council's website.

The consultation exercise had brought forward two suggestions as follows:-

- 1) The Council's ongoing policy to prevent public access to the Town Hall; and
- 2) Transparency.

Further details had been provided as an Appendix to the report.

The Council's Senior Management Team had also considered that the following policies/strategies should pass through Scrutiny for consideration:-

- 1) Equality Strategy and Action Plan;
- 2) Customer Strategy and Action Plan;
- 3) Growing Forward Report and Action Plan; and
- 4) Anti-Social Behaviour Strategy

The Scrutiny and Democratic Services Team Leader had recommended that the following new items be included in the Work Programme for 2022/2023 in the following order of priority:-

- Review of Customer Strategy and Action Plan;
- Review of the Growing Forward Report and Action Plan;
- Review of Anti-Social Behaviour Strategy; and
- Review of Equality Strategy and Action Plan.

The Committee had been requested to note that the following items from the 2021/2022 Work Programme were still ongoing/paused and would be carried forward into 2022/2023:-

- Crellin Street (Paused)
- Flooding on Walney Promenade (Paused)
- Discretionary Housing Payments (Ongoing)
- Impact of Covid-19 Going Forward (Ongoing)

The Committee may have the capacity to undertake additional reviews throughout the year should the need arise. Any additional items for consideration would be considered in conjunction with the Work Planning Aid agreed by the Committee at their meeting on 16th December, 2021.

It was moved by Councillor Cassidy and Seconded by Councillor McEwan that a review of the memorial benches policy be added to the work programme, this would take place six months after implementation of the policy (after 10th May).

The Scrutiny and Democratic Services Team Leader had requested the Committee to confirm the Membership of the Work Group for reviewing the Memorial Benches Policy.

It was moved by Councillor Cassidy and seconded by Councillor McEwan, and

RESOLVED: -

1. To agree that the following new items, in priority order as listed, be included in the Work Programme for 2022/2023:--
  - Review of Customer Strategy and Action Plan;
  - Review of the Growing Forward Report and Action Plan;
  - Review of Anti-Social Behaviour Strategy; and
  - Review of Equality Strategy and Action Plan;
2. To note that the following items from the 2021/2022 Work Programme would be carried forward into 2022/2023:-
  - Crellin Street (Paused);
  - Flooding on Walney Promenade (Paused);
  - Discretionary Housing Payments (Ongoing); and
  - Impact of Covid-19 Going Forward (Ongoing); and
3. To agree that a review of the Memorial Benches Policy be undertaken after 10th May and the Work Group for that review would comprise of Councillors Cassidy (Lead), Gawne, McEwan and McLeavy.

**REFERRED ITEM**

**THE FOLLOWING MATTER IS REFERRED TO COUNCIL FOR DECISION**

**48 Annual Report of the Overview and Scrutiny Committee 2021/2022**

The Scrutiny and Democratic Services Team Leader had presented the Annual Report of the Overview and Scrutiny Committee for 2021/2022 which looked back at the work of the Committee for the previous 12 months, as well as looking ahead into 2022/2023. She advised that the Overview and Scrutiny Committee must report annually to Full Council on its workings and make recommendations for the future work programme and amended working methods if appropriate.

It was anticipated that, subject to the Committee's approval of the Annual Report, it would be presented to Council at its Annual Meeting on 18th May, 2022. .

The Committee had been requested to note that, following agreement of the items to be included in the Work Programme for 2022/2023 (as outlined in Minute No. 47), details of this would be included in the Annual Report to be presented to Council.

It was moved by Councillor McEwan and seconded by Robson, and

RESOLVED:- To recommend the Council to approve the Annual Report for 2021/2022.

The meeting closed at 2.26 pm.