

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, 18th October, 2022.

PRESENT:- Councillor Preston (Mayor in the Chair) and Councillors Assouad, Biggins, Burley, Burns, Callister, Cassidy, D. Edwards, Gawne, Hall, Hamilton, Husband, McEwan, Morgan, Nott, Pemberton, Roberts, Robson, Seward, C. Thomson, M. A. Thomson, Tyson, Worthington and Zaccarini.

Officers Present:- Steph Cordon (Director of People and Place and Deputy Chief Executive), Susan Roberts (Director of Resources), Debbie Storr (Head of Legal and Governance & Monitoring Officer), Jon Huck (Democratic and Electoral Services Manager), Sandra Kemsley (Democratic Services Officer) and Paula Westwood (Scrutiny and Democratic Services Team Leader).

Also Present:- Gareth Kelly (Grant Thornton)

40 Minute's Silence

The Mayor requested Members to stand and observe a one minute's silence as mark of respect for former Councillor, Jeffrey Harold Garnett who had sadly passed away recently.

41 Apologies for Absence

Apologies for absence had been submitted from Councillors Barlow, Brook, H. Edwards, Johnston, McLeavy, Maddox, Shirley and Wall.

42 Minutes

The Minutes of the meeting of the Council held on 19th July and Extraordinary Council meeting held on 14th September, 2022 were taken as read and confirmed.

43 Announcements

The Leader of the Council made an announcement advising that from 10th October, the Council's Waste Collection and Recycling Services had been brought back in house. She advised that she had met with Staff and they had been overjoyed to return in house. She added that the service had already seen an improvement in recycling figures in just one week.

44 Public Participation

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

45 External Auditor's Statutory Recommendations for Year Ended 31st March, 2021

The Mayor had welcomed Gareth Kelly from Grant Thornton (External Audit) to present the report to Council. Gareth advised that as well as their responsibility to give an opinion on the financial statements, the External Auditors were required to

consider whether the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

The Auditors also had additional powers and duties under the Local Audit and Accountability Act 2014, to make written recommendations to the Council. He explained that recommendations fell into three broad categories as follows:-

- Low level recommendations where improvements are recommended;
- Key recommendations which address significant weaknesses; and
- Statutory recommendations under the Local Audit and Accountability Act 2014.

The report detailed three statutory recommendations made by the External Auditor's for the year ending 31st March, 2021. Grant Thornton had issued their final report to the Council on 6th October, 2022. Within that, they had made three statutory recommendations as follows:-

Recommendation 1 – Embed and enforce the Council's updated contract standing orders and procurement rules.

Recommendation 2 – Ensure Members and Officers have robust assurance and reporting arrangements in place, for managing all ongoing contracts to enable appropriate and timely action to remediate any non-compliance or wider deficiencies.

Recommendation 3 – Review the Council's escalation arrangements up to Full Council and Overview and Scrutiny Committee to ensure an adequate and timely response to address significant contract environment weaknesses.

Internal Audit and External Audit had highlighted over a period of time, significant weaknesses in aspects of the Council's procurement and contract management arrangements. In their report, Grant Thornton had concluded that it was appropriate for them to use their powers to make written recommendations under section 24 of the Act, due to inadequate arrangements in procurement and contract management and the Council's capacity to respond to a number of governance related recommendations raised by Internal Audit and Grant Thornton.

The Council was legally required to provide a response that sets out how it would address the recommendations.

The Mayor invited the Section 151 Officer to outline the Management response to the recommendations, which had been noted as follows:-

Recommendation 1

Embed and enforce the Council's updated contract standing orders and procurement rules.

Management's Response – The Council would ensure that regular, refresher training was offered to procuring Officers. The training video would be available on the intranet and the procurement guidance and handbook would be regularly updated with any changes notified to all service managers and updated on the intranet. Spot checking of ordered goods and services made via intranet to ensure the procurement

rules were being followed were ongoing. Specialist training on the Chest (ProActis), the Council's e-procurement portal for tenders, would be provided.

Recommendation 2

Ensure Members and Officers have robust assurance and reporting arrangements in place, for managing all ongoing contracts to enable appropriate and timely action to remediate any non-compliance or wider deficiencies.

Management's Response – The schedule of significant contracts would be provided to the Overview and Scrutiny Committee for them to select those contracts to be reported on through the Committee cycle. Regular progress reports to Corporate Programme Board would highlight any issues on the contracts register and action would be determined. A report on the use of the new procurement exemption process would provide assurance to the Audit and Governance Committee.

Recommendation 3

Review the Council's escalation arrangements up to Full Council and Overview and Scrutiny Committee to ensure an adequate and timely response to address significant contract environment weaknesses.

Management's Response – The Council would review the outstanding current and historic Internal Audit recommendations and establish the monitoring scope and reporting route with the Chair of the Audit and Governance Committee. The arrangements for the Audit and Governance Committee to refer and escalate significant governance concerns would be reported.

Improvement Plan

The Council recognised and accepted all of the recommendations within Grant Thornton's report. Action was being taken to address the issues examined by Internal and External Auditors and the Council was committed to prioritising and embedding the improvements across the organisation.

In August 2021 the Council had engaged with an external specialist to review the procurement and contracting framework and address issues highlighted from audits. Improvements had been identified, accepted and implemented through the new Procurement Strategy adopted in January 2022, revised standing orders and new procurement rules. The new procurement rules had been effective since April 2022, introduced following a month-long period of training with Managers and Officers, supported by a reset of the corporate procurement support role.

An Improvement Plan had been developed to address all of the recommendations made, a copy of which had been included as an appendix to the report. As well as named Lead Officers responsible and timescales for delivery, the plan also included measures of success so that the Council could track the impact of its activity to ensure actions were addressing the issues identified. These would be taken to Audit and Governance Committee for further review and consideration.

Members had been requested to consider the report and approve the improvement plan to address the recommendations made and to ensure that progress was monitored and managed effectively.

The Chair of the Audit and Governance Committee, Councillor Burns, had thanked Gareth Kelly for attending the meeting and presenting the Grant Thornton report. She stated that it was a serious matter for the Council and confirmed that the Audit and Governance Committee would closely monitor the Improvement Plan.

She added that the Improvement Plan actions outlined by the Section 151 Officer would all be completed by December, 2022. This would be possible because the Council had implemented new procurement rules from April 2022 that had addressed the previous audit concerns.

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

RESOLVED:-

1. To receive the statutory recommendations of Grant Thornton made under section 24 of the Audit and Accountability Act 2014; and
2. To approve the Improvement Plan to address the recommendations made and the proposed reporting mechanisms to ensure progress was managed effectively.

46 UK Shared Prosperity Fund (UKSPF) Investment Plan

The Director of People and Place had submitted a report seeking agreement that the Council would act as the Accountable Body for UKSPF, upon confirmation of the Investment Plan for Barrow Borough until 1st April, 2023 when it would transfer to Westmorland and Furness unitary Authority.

The UKSPF was part of the UK Government's Levelling Up agenda and a significant component of its support for places across the UK. It provided £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula, rather than a competition.

The Fund was launched on 13th April, 2022 and £2,477,528 had been allocated to Barrow Borough Council, with around £8.3m collectively for Barrow, Eden and South Lakeland District Councils.

Investment Plans had been submitted to Government by all three District Councils on 1st August, 2022 setting out how the funding would be spent. The Fund had three investment priorities around with Investment Plans should be based as follows:-

- Community and Place;
- Supporting Local Business; and
- People and Skills

Agreement had been given by Executive Committee in May 2022 to prepare a draft Investment Plan and in July 2022 to submit the prepared Plan. The work had been

undertaken in collaboration with Eden and South Lakeland District Councils, in conjunction with local stakeholders.

A Local Partnership Group for Westmorland and Furness had been established who would act in an advisory capacity to ensure the strategic fit and deliverability of the Investment Plan and funded projects.

Government guidance had made specific reference to Local Government reorganisation within Cumbria and stated that consent of Westmorland and Furness Council in shadow form would be needed for the Investment Plans and that plans should include some joint elements, notably delivery arrangements, which would aid transition post vesting day when the District Investment Plans would be merged into plans for the new Council. It had been noted that the Barrow UKSPF Investment Plan had been endorsed by the Westmorland and Furness Shadow Executive on 22nd July, 2022.

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

RESOLVED:-

1. To receive the update on the UK Shared Prosperity Fund Investment Plan;
2. To confirm that Barrow Borough Council would act as the Accountable Body and to enter into a grant funding agreement with Government; and
3. To confirm authorisation to the Director of People and Place, in consultation with the Director of Resources and the Chair of the Executive Committee, to enter into grant funding agreements with delivery partners for the individual project elements.

REPORTS OF COMMITTEES

47 Planning

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

RESOLVED:- That the minutes of the meetings of the Planning Committee held on 9th August, 13th September and 4th October, 2022 be received.

48 Licensing Regulatory

It was moved by Councillor Callister, and

RESOLVED:- That the minutes of the meetings of the Licensing Regulatory Sub-Committee held on 11th July and the Licensing Regulatory Committee held on 8th September, 2022 be received.

49 Licensing Sub-Committee

It was moved by Councillor Callister, and

RESOLVED:- That the minutes of the meetings of the Licensing Sub-Committee held on 23rd August and 8th September, 2022 be received.

50 Executive

It was moved by Councillor Roberts, and

RESOLVED:-

That the minutes of the meetings of the Executive Committee held on 27th July, 14th September, 29th September (Extraordinary) and 12th October, 2022 be received and that the recommendations contained therein had been dealt with under Agenda Item No. 8 as outlined in Minute No. 46 above.

51 Audit and Governance

It was moved by Councillor Burns, and

RESOLVED:- That the minutes of the meeting of the Audit and Governance Committee held on 28th July, 2022 be received.

52 Overview and Scrutiny

It was moved by Councillor Cassidy, and

RESOLVED:- That the minutes of the meeting of the Overview and Scrutiny Committee held on 15th September, 2022 be received.

53 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.

No questions had been asked at the meeting.

The meeting closed at 6.10 pm.