

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 p.m. on Tuesday the 27th day of July 2021.

PRESENT:- Councillor Wall (Mayor in the Chair) and Councillors Assouad, Biggins, Brook, Burley, Burns, Callister, Cassidy, D. Edwards, H. Edwards, Gawne, Hall, Hamilton, Husband, Johnston, McClure, McEwan, Maddox, Mooney, Morgan, Pemberton, Preston, Robson, Ronson, Seward, C. Thomson, M. A. Thomson, Tyson, Worthington 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) and Sharron Rushton (Democratic Services Officer).

11 – Apologies for Absence

Apologies for absence had been submitted from Councillors Blezard, McLeavy, Nott, Roberts and Shirley

12 – Declarations of Interest and Dispensations

Councillors Burns, Cassidy, Gawne, Hamilton, McEwan, Wall and Worthington declared an Other Registrable Interest in Agenda Item No. 7 – Local Government Re-organisation (Minute No. 16) as they also served as Members on Cumbria County Council.

Councillor Tyson declared an Other Registrable Interest in any item related to Leisure Arrangements as she was a swim instructor.

13 – Minutes

The Minutes of the Extraordinary Council meeting and Annual General meeting held on 21st April 2021 were taken as read and confirmed.

14 – Announcements

The Chairman announced that retired Mayor, Councillor Kevin Hamilton, had distributed the donations of his Mayor's Charity fund between two charities namely; Women's Community Matters and Abbots Vale Community Centre. Both charities had received £473.00 each. It was noted that collections had halted early due to the Covid-19 Pandemic.

15 – Public Participation

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

16 – Local Government Re-organisation Update

The Chief Executive had submitted a report to update Members on the outcome of the Government's consultation process in respect of Local Government re-organisation and advised on the next steps for the Council.

It had been noted that following Council approval on 8th December, 2020 the full proposal for a Unitary Council for the Bay Area had been submitted to the Secretary of State for Housing, Communities and Local Government. The proposal had also been agreed by Lancaster City and South Lakeland District Councils, and submitted by the required deadline of 9th December, 2020.

The Secretary of State had now concluded the consultation process and had announced his decisions, subject to Parliamentary approval, to implement the proposal for two unitary councils on an East-West geography for the whole of the administrative county of Cumbria, and not to implement the proposal for a single unitary council nor the two other proposals for two unitary councils for the area, which included our Bay proposal. The decision would mean the replacement of all principal authorities with a new unitary Council for the area comprising Barrow, South Lakeland and Eden and one for the area comprising Copeland, Allerdale and Carlisle. A copy of the Ministerial Statement announcing the decisions to Parliament had been attached as Appendix 1.

The Secretary of State now intended to seek Parliamentary approval for the necessary secondary legislation to implement this two unitary East-West proposal and it was intended that a draft Structural Changes Order would be laid in Parliament "around the turn of the year" and that it would include provision for the appropriate transitional arrangements, including for elections in May 2022 for the future unitary councils, and for those councils to assume the full range of local authority responsibilities on 1st April, 2023.

Government would discuss with Chief Executives and Senior Officers in Cumbria details to be included in the Structural Changes Order and meetings were being arranged to discuss these matters further and how the programme of transition would be managed.

Members were asked to receive the update and that the Chief Executive would work with Cumbrian colleagues on transition to a new authority. As arrangements and proposals developed, further reporting would take place as appropriate.

The costs of transition would be funded through the authorities and approval was sought for the use of earmarked reserves to support this process.

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

RESOLVED:-

1. To note the Secretary of State's decision with regards to Local Government Reorganisation as it impacts this Council;

2. To authorise the Chief Executive and appropriate officers, in consultation with the Leader to work with Cumbrian authorities on the implementation of reorganisation, including negotiating the draft Structural Changes Order with MHCLG;
3. To note that further reports would be brought to Council, as appropriate, once there was further information on how reorganisation was to be implemented and that the timetable may require meetings outside of the ordinary schedule of meeting;
4. To approve the use of £250k from earmarked reserves for external consultancy, support and backfilling the establishment to enable key staff to participate in the transition work; and
5. To approve the use of £175K from earmarked reserves for interim support at Assistant Director level whilst the recruitment process completed.

17 – Levelling Up Fund Application

The Director of People and Place had submitted a detailed report requesting Members to consider the recommendations from Executive Committee with regards to the Council's Levelling Up Fund Application.

The Levelling Up Fund would invest in local infrastructure that had a visible impact on people and their communities.

In March 2021 Government sought applications from Local Authorities who could benefit from funding. All local authorities were categorised into priority 1, 2 or 3, with 1 being the highest priority, Barrow Borough Council was the only Priority 1 authority within Cumbria. The deadline for the submission of applications was 18th June, 2021.

The bid for Barrow was focussed around a package of projects aimed at addressing the long term economic strategy for Barrow. These projects were:-

- Improving the Market Hall;
- Improving the frontage and access to the Forum Theatre; and
- Enhancing access to these cultural assets/attractions and connecting them to the rest of the town through better transport infrastructure and improvements to the public realm.

These projects represented a high impact scheme that would transform the character and attractiveness of the town centre and improve accessibility to this area from all modes of transport providing the catalyst to increase footfall and deliver lasting change.

The proposal responds to the government's request to deliver impactful projects that regenerate the town centre, provide investment in cultural facilities; the theatre and Market Hall and upgrade local transport infrastructure, on and

around Duke Street. The public realm/highway elements would be delivered by Cumbria County Council.

Executive Committee agreed the submission of the application to the Levelling Up Fund based on the package of projects as outlined in the report. It also agreed the principle of providing the £1.6m co-funding and recommended approval of this by Full Council.

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

RESOLVED:- To note the Levelling Up Fund application submission and approve the following recommendations:-

1. If the bid was successful that the Council provide up to £1.6m of co-funding to invest in the proposal by revising the Capital Programme. The funding invested would be repaid from new income generation activities or reductions in existing subsidies;
2. If the bid was successful that the Council agrees the inclusion of up to £16m of project funding in the Capital Programme from 2021/2022, a total of £17.6m with the co-funding;
3. If the bid was successful that Barrow Borough Council would act as the Accountable body for the funding; and
4. Authorises the Chief Executive, in consultation with the Director of Resources, Leader and Chair of Executive Committee, to enter into a Grant Funding Agreement with the Government.

18 – Local Council Tax Reduction Scheme

The Director of Resources report requested confirmation of the Local Council Tax Reduction Scheme for the financial year 2022-2023, 1st April 2022 to 31st March 2023.

Since the 1st April 2013, the Council had operated a Local Council Tax Reduction Scheme (also referred to as Council Tax Support) that mirrored the Council Tax Benefit regime. This maintained the links to the Housing Benefit system that would have applied to Council Tax Benefit pre 1st April 2013. The adopted Local Scheme ensured that those receiving Council Tax Support receive the same amount as they would under the Council Tax Benefit regime.

Council Tax Support reduces the amount of funding generated by the Council Tax as it reduces the liability that is collected in cash terms. The cost of the scheme is shared by the preceptors.

Funding for the Local Council Tax Reduction Scheme mainly comes through the financial settlement; in the first year, 2013-2014, this was 90% of the cost but the amount was no longer itemised. Revenue Spending Power reductions have been used as a proxy to determine the cost to the Council.

It was projected that the Council Tax Support award for 2022-2023 would total £6.4m. This £6.4m was shared between the preceptors with the Borough Council share equating to £0.8m; the remaining £5.6m was shared between the other preceptors.

Council Tax Support was currently awarded to 6,268 accounts, this was around 6,000 in January 2020. The number of accounts included in the projection for 2022-2023 was 6,368.

Taking into account the assumed amount of funding for Council Tax Support incorporated into the financial settlement, it was estimated that the cost to the Council in 2022-2023 would be £236k. This cost was higher than the assumption in the Medium Term Financial Plan.

It was proposed that the current Local Council Tax Reduction Scheme continued for 2022-2023.

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

RESOLVED:-

1. To agree the continuation of the current Local Council Tax Reduction Scheme for 2022-2023; and
2. To update the Medium Term Financial Plan for the projected scheme costs.

19 – Community Renewal Fund – The Barrow Way

The Chief Executive had submitted a report seeking authority for Barrow Borough Council to act as Accountable Body for the delivery of the collaborative bid to Central Government's Community Renewal Fund (CRF), entitled The Barrow Way. It also provided details for the themes within the multi-agency bid, and the projects that it would deliver.

The Community Renewal Fund was launched in March 2021 as a pilot programme in advance of the introduction of the UK Shared Prosperity Fund. There was £220m being made available for spend in 2021/22.

The Fund was 90% revenue and aims to support communities to pilot programmes and new approaches. The funding was for new and innovative proposals to deliver the following investment priorities:

- Investment in skills – e.g. Work-based training, retraining, upskilling/reskilling, promote digital skills and inclusion;
- Investment for local business – e.g. Supporting entrepreneurs, to create more jobs, to develop innovation potential, decarbonisation measures;
- Investment in communities and place – e.g. Feasibility studies for delivering netzero/local energy projects, for promoting culture-led

- regeneration, community development, improving green spaces and preserving important local assets, rural connectivity; and
- Supporting people into employment – e.g. Supporting people on their journey towards employment, identifying/addressing barriers to employment/moving closer to the labour market, developing basic skills, testing what works in helping people move towards work.

All areas of the UK were able to apply for the funding, however, as with the Levelling Up Fund, Barrow was identified as one of 100 priority locations for this Fund.

The County Council was identified as the Lead Authority for UK Community Renewal Fund in Cumbria, requesting and assessing bids from local authorities and community groups across the county.

Borough Council officers, in consultation with partners on the Barrow Community Local Resilience Forum (BCLRF), felt that the greatest chance of maximising funding opportunity, and to give the community the greatest chance of success, was to coordinate a collaborative bid, with the Borough Council as the lead organisation. The BCLRF agreed and endorsed the bid prior to it being submitted for assessment to the County Council.

Cumbria County Council assessed the bid and prioritised for submission to the Ministry of Housing, Communities and Local Government (MHCLG) for consideration prior to the 18th June deadline. Borough Council officers were now co-ordinating preparations to commence projects from 1st September, should the bid be agreed by MHCLG. A full copy of the bid could be found in the report and its total value was £1,132,874. It was expected that MHCLG would inform the Borough Council of the outcome of the bid by the end of July 2021, with funding being available and eligible for spend between September 2021 and April 2022.

A core group of officers from the Borough Council, County Council and Cumbria CVS called for local community and third sector organisations to produce project plans which were then filtered and grouped. It became clear that there were four key interconnected themes that formed the holistic bid:

1. Creating the right conditions;
2. Putting young people at the heart of our professional partnership;
3. Barrow community skills model;
4. Culture restoring communities.

The four themes would help bring to life the Borough Council's agreed Covid-recovery strategy, detailed in two previous Growing Forward reports to Executive Committee which had been named The Barrow Way.

It was proposed that Barrow Borough Council was the programme lead and accountable body. A lead organisation had been appointed for each project theme to oversee the delivery partners. Activities would be delivered by their respective individual or partnership organisations, working with the wider theme and project partners to maximise impact. A robust approach to project

management would be undertaken by each theme lead who would coordinate and oversee project delivery in line with the project delivery plans, maintain oversight to monitor outputs and spend, and share good practice and lessons learnt. The theme lead would report to the programme lead on progress including spend and outputs. Programme assurance systems would provide critical oversight and formative evaluation work would ensure good practice and lessons learnt were applied to inform delivery. The following project management costs had been included to help the Borough Council deliver its accountable body status:

Programme costs - amount to £60,000 (5% of total project spend):

- Programme and Assurance, Barrow BC, £20,000
- Project management and reporting, £20,000
- Evaluation, £20,000.

In its prioritisation outcome letter, a number of “prior to funding agreement” conditions were placed on the Borough Council and the most relevant were:-

- Barrow Borough Council to put in place systems to ensure all project delivery partners are aware of, and comply with, the terms and conditions attached to UKCRF funding agreement;
- The applicant to produce a Monitoring & Evaluation Plan to include all outputs and outcomes, and to include the roles and responsibilities of all delivery partners. The plan will also need to include which delivery partner will be responsible for contributing to the achievement of outputs and outcomes;
- Applicant to provide the Terms of Reference for the Grants Panel. Cumbria County Council must be listed as a voting member with an option to veto any decision that would impact on their role as Accountable Body for the Fund;
- Further consideration to the equality impacts of the project is required. Project delivery partners will also need to consider the Public Sector Equality Duty when delivering their element of the project.

Partners on the BCLRF had committed to delivering these projects, as well as a number that were suggested but not permissible to be included in the bid, should the bid be rejected by MHCLG, with a planned working group to look at refining how long term Borough-wide funding of such partnership projects was delivered.

Executive Committee were asked to recommend to Council that they agree the Borough Council acts as Accountable Body, and agree that Officers undertake the work set out in Appendix 2 attached to the report to prepare for implementation and delivery of the project, should the bid to MHCLG be successful.

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

RESOLVED:-

1. To agree that the Borough Council acts as Accountable Body for the full Community Renewal Fund bid;
2. To agree that the Borough Council act as theme lead for Theme 1 – *Create the Right Conditions*;
3. To agree that Officers progress the work set out in Appendix 2 to prepare for implementation and delivery of the project, should the bid to MHCLG be successful;
4. To delegate setting the terms of reference including the award criteria for the Community Investment Fund to the Chief Executive and the Director of Resources;
5. To agree that the Borough Council work with identified theme leads to develop a governance and evaluation structure; and
6. To prepare for a positive response from the Ministry of Housing, Communities and Local Government (MHCLG) for commencement of projects from September 2021.

20 – Proper Officer Appointments

The Monitoring Officer had submitted a report to consider revisions to the Proper Officer appointments following recent establishment changes.

Legislation required the Council to appoint specific officers and to identify officers for particular responsibilities. There was a need to review the Proper Officer appointments to ensure that they were up to date. An updated list was shown in Appendix 1 of the report for approval by Council. The revisions were as highlighted in yellow and referenced below.

Witness and Receipt of Declarations of Acceptance of Office – it was recommended that the Democratic Services Manager be added as an Alternative Proper Officer to witness and receive Declarations of Acceptance of Office.

Regulation of Investigatory Powers Act 2000 – to confirm the Head of Legal and Governance as the Proper Officer with the Director of Resources as Alternative Proper Officer. The amendments would also be reflected under the officer delegations within Part 3(2) of the constitution.

Data Protection Act 2018 – The Data Protection Officer could be an existing employee or externally appointed. It was proposed that this be moved to the Head of Legal and Governance with effect from 1 September 2021.

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

RESOLVED:- To agree the revisions to the Proper Officer Appointments as follows:-

DESIGNATION OF PROPER OFFICERS

The following are the Proper Officers of the Council under the enactments shown below. The alternative Proper Officer is also authorised to act.

Section of the Local Government Act 1972		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.13(3) - Parish Trustee	Monitoring Officer	Deputy Monitoring Officer
s.83 (1) to (4) - Witness and receipt of Declarations of Acceptance of Office	Monitoring Officer	Chief Executive or Democratic Services Manager
s.84 Receipt of Declaration of Resignation of Office	Monitoring Officer	Chief Executive
s.88(2) - Convening of meeting of Council to fill casual vacancy in the office of Chairman	Monitoring Officer	Chief Executive
s.89(1)(b) - Receipt of notices of pecuniary interest	Returning Officer	
s.96(1) - Receipt of notices of pecuniary interest	Monitoring Officer	Deputy Monitoring Officer
s.96(2) - Keeping record of disclosure of pecuniary interest under Section 94 and notices under Section 96(1)	Monitoring Officer	Deputy Monitoring Officer
s. 100B(2) - Circulation of papers and reports	Democratic Services Manager	Chief Executive
s.100B(5) - Withholding of reports containing exempt information	Monitoring Officer	Chief Executive
s.100B(7)(c) - Supply of papers to the press	Democratic Services Officer	Chief Executive
s.100C(2) - Summaries of minutes	Democratic Services Manager	Chief Executive
s.100D - Inspection of background papers	Democratic Services Manager	Chief Executive
s.100F - Members right to papers	Democratic Services Manager	Chief Executive
s.115(2) - Receipt of money due from officers	Director of Resources	Deputy s.151 Officer
s.146(1)(a) and (b) - Declarations and service with	Director of Resources	Deputy s.151 Officer

regard to securities		
Section of the Local Government Act 1972		
Proper officer's Functions	Proper Officer	Alternative Proper Officer
s.151 - Responsibility for the proper administration of the Council's financial affairs	Director of Resources	Deputy s.151 Officer
s.191 - Functions with respect to ordnance survey	Director of People and Place	Development Services Manager
s.210(6) and (7) - Charity functions of holders of offices with existing authorities transferred to holders of equivalent offices with new authorities or, if there is no such office, to Proper Officer	Chief Executive	Director of Resources
s.212(1) - Local Registrar for Land Charges	Director of People and Place	Development Services Manager
s.225(1) - Proper Officer function - deposit of documents	Chief Executive	Monitoring Officer
s.228(3) - Accounts of any Proper Officer to be open to inspection by any Member of the Authority	Director of Resources	Deputy s.151 Officer
s.229(5) - Certification of Photographic copies of Documents	Any member of Management Team and Democratic Services Manager	
s.234 - Authentication of Documents	Officer authorised in that connection by a general delegation or otherwise, or the Monitoring Officer in the absence of such authority	Deputy Monitoring Officer
s.236(9) - To send copies of byelaw for Parish records	Monitoring Officer	Chief Executive
s.236(10) - To send copies of byelaws to the County Council	Monitoring Officer	Chief Executive
s.238 - Certification of byelaws	Any member of Management Team	
s.248 - Keeping of Roll of Freeman	Chief Executive	Monitoring Officer
Schedule 12, Para 4 (2)(b) - Signature of summonses to Council Meetings	Chief Executive	Monitoring Officer
Schedule 12, Para 4(3) - Receipt of notice regarding address to which summonses to meetings are to be sent	Democratic Services Manager	

Schedule 14, Para 25(7) - Certifying resolutions applying or dis-applying provisions of Public Health Acts 1875-1961	Chief Executive	Director of Resources
Local Government Act 1974		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.30 - To give public notice of reports by the Local Commissioner	Monitoring Officer	Officer nominated by the Monitoring Officer as Deputy Monitoring Officer
Representation of the People Acts 1983		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.8 - Electoral Registration Officer	Chief Executive	Deputy Returning Officer (Democratic Services Manager) or as delegated by the Returning Officer
s.35 - Returning Officer	Chief Executive	Deputy Returning Officer (Democratic Services Manager) or as delegated by the Returning Officer
s.81 - To receive returns as to election expenses	Chief Executive	Deputy Returning Officer (Democratic Services Manager) or as delegated by the Returning Officer
s.52(3) - To act as Deputy Electoral Registration Officer	Democratic Services Manager	
Local Government Finance Act 1988		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.114 - Duty to report etc.	Director of Resources	Deputy s.151 Officer
s.116 - To notify the Council's Auditor of a Council meeting to be held under s.15 (meeting to consider any report of the DFO under s.114)	Director of Resources	Officer nominated as Deputy s.151 Officer by the s. 151 Officer
Local Government and Housing Act 1989		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.4 - Head of Paid Service	Chief Executive	
s.5 - Monitoring Officer	Head of Legal and Governance	Deputy Monitoring Officer as appointed by the Monitoring Officer
s. 19 and regulations made thereunder - Notices of Members' Interests.	Monitoring Officer	Deputy Monitoring Officer as appointed by the Monitoring Officer
s.2 and s.3 - Preparation and deposit of politically restricted	Democratic Services Manager	Deputy Monitoring Officer as appointed by the

posts and issue of certificate in respect of politically restricted posts		Monitoring Officer
Party Wall Act 1996		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s.10(8) - Appointing Officer	Development Services Manager (Building Control)	Director of People and Place
Public Health Legislation		
Proper Officer's Functions	Proper Officer	Alternative Proper Officer
s. 74 - Public Health (Control of Diseases) Act 1984 and Health Protection Legislation (England) Guidance 2010	Dr. John Astbury	Grainne Nixon Dr. Nicola Schinaia and other appropriate persons from Public Health England as notified by the Monitoring Officer
Public Health Act 1936 s. 84 and 85 - (Cleansing or destruction of filthy or verminous premises, clothing and articles)		
Public Health Act 1961 s.37 - (Disinfection of verminous articles offered for sale)		
Sections 48, 59 and 61-62 Public Health (Control of Disease) Act 1984; The Health Protection (Notification) Regulations 2010 Regulations 2 (Duty to notify suspected disease, infection of contamination in patients) and 3 and 6 (receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons)		
Legal responsibilities and duties of local authorities in connection with communicable disease control and the protection of public health are derived from the provisions of The Public Health (Control of Disease) Act 1984 (as		

amended by the Health and Social Care Act 2008;		
Health and Social Care Act 2008;		
The Health Protection (Local Authority Powers Regulations 2010; and		
The Health Protection (Part 2A Orders) Regulations 2010 to make notifications and apply controls as required		
Local Government Act 2000 and Regulations made thereunder		
Proper Officer Functions	Proper Officer	Alternative Proper Officer
	Monitoring Officer	Deputy Monitoring Officer as appointed by the Monitoring Officer
Freedom of Information Act 2000		
Proper Officer Functions	Proper Officer	Alternative Proper Officer
s. 36 the 'qualified person'	Monitoring Officer	Chief Executive (in the absence of the Monitoring Officer)
Miscellaneous		
Proper Officer Functions	Proper Officer	Alternative Proper Officer
Section 41 Local Government (Miscellaneous Provisions) Act 1976 Certifying true copies of minutes	Monitoring Officer	Deputy Monitoring Officer
Section 321(3) Highways Act 1980 Certifying copies of approved plans	Director of People and Place	
Section 2 Planning (Listed Buildings and Conservation Areas) Act 1990 Lists of protected buildings	Development Services Manager (Planning and Enforcement)	
Section 4 Housing Act 2004	Property Services Manager	
Proper Officer Functions	Proper Officer	Alternative Proper Officer
Officers authorised to issue authorisations to carry out directed surveillance or to use	Head of Legal and Governance	Director of Resources

<p>covert human intelligence sources under Part II of the Regulations of Investigatory Powers Act 2000</p>	<p>Chief Executive (including Juvenile or Vulnerable Persons CHIS or the acquisition of confidential information)</p> <p>The Director of People and Place is the RIPA Monitoring Officer</p>	
<p>Service of Improvement and Prohibition Notices under the Health and Safety at Work etc. Act 1974</p>	<p>Public Protection Manager and all Environmental Health Officers having satisfied the Council as to their competence.</p>	<p>Such other persons as may be appointed from time to time</p>
<p>Senior Information Risk Officer</p>	<p>Director of Resources</p>	<p>Such other persons as may be appointed from time to time</p>
<p>Regulation of Investigatory Powers Act 2000 Chapter II Designated Person (Access and Disclosure of Communications Data)</p>	<p>Head of Legal and Governance</p>	<p>Such other persons as may be appointed from time to time</p>
<p>The Money Laundering Regulations 2007</p>	<p>Director of Resources</p>	<p>Such other persons as may be appointed from time to time</p>
<p>Anti-Social Behaviour, Crime and Policing Act 2014 Section 104(3) Point of Contact</p>	<p>Monitoring Officer</p>	<p>Such other persons as may be appointed from time to time</p>
<p>Data Protection – To act as the Council’s designated Data Protection Officer as required by the Data Protection Act 2018, s.69 to undertake the duties set out in Section 71 of the Data Protection Act 2018 and Article 39 of the General Data Protection Regulations (GDPR) EU 2016/679.</p>	<p>Head of Legal and Governance</p>	<p>Such other persons as may be appointed from time to time</p>

21 – Political Balance and Allocation of Committee Places

The Head of Legal and Governance & Monitoring Officer reported that following the recent by-elections on 6th May 2021 it was appropriate to review the political balance arrangements under the Local Government and Housing Act 1989. The report dealt with that review and requested changes to Committee membership.

The provisions of the Local Government and Housing Act (LGHA) 1989 included the requirement that, where Members of the council were divided into political groups, then the membership of its committees and sub-committees must reflect the political balance of the council as a whole. Details of the updated political membership of the Council following the recent by-elections were shown in Appendix 1.

Under the LGHA 1989, the number of committee places to be allocated on committees of the Council was proportionate to that of the Council membership. However, the overall allocation must be proportional to the Council membership. The Council was required to approve those allocations. The resulting allocation of committee places was set out in an appendix attached to the report. The final allocations remain as agreed at the Annual Meeting.

The Council was bound to have regard to the wishes of the political groups in appointing councillors to those allocated committee places. Whilst current membership of committees had been agreed by Council at the Annual Meeting in April, some requests for changes had been made and a revised list of Councillors put forward by the political groups would be circulated to members as soon as they were available.

Members were requested to note the revisions to the political balance, and agree the revised appointments to Committees. Council was also requested to consider giving delegated authority to the Head of Legal and Governance (Monitoring Officer) “To give effect to the wishes of the Political Group Leaders in relation to the appointment of Members to Committees and Sub-Committees pursuant to Section 16, Local Government and Housing Act 1989”. This would enable any in year changes to Committee membership to be effected without awaiting a full Council meeting.

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

RESOLVED:-

1. To note the revised political balance calculations as set out and that the revisions do not alter the allocation of seats and substitute seats to political groups as considered by the Annual Meeting;
2. Nominations for any changes to Councillors to serve on each Committee be received; and
3. Subject to allocation of seats being confirmed by Council agree to delegate to the Head of Legal and Governance (Monitoring Officer) authority “to give

effect to the wishes of the Political Group Leaders in relation to the appointment of Members to Committees and Sub- Committees pursuant to Section 16, Local Government and Housing Act 1989”.

22 – The 2023 Boundary Review – Initial Proposals for New Parliamentary Constituency Boundaries

The Head of Legal and Governance & Monitoring Officer reported that the Boundary Commission for England were consulting on its initial proposals for new Parliamentary Constituency Boundaries for a period of eight weeks from 8th June until 2nd August 2021.

The aim of the review was to make constituencies more equal in terms of the number of electors each contains as, due to population changes, since the last review, the number of electors in some constituencies is much higher than in others. The BCE was required by legislation to equalise the number of electors in each constituency. In doing so, the number of constituencies in England would increase from 533 to 543. Full information, including maps, could be found on the BCE’s website at <https://www.bcereviews.org.uk/>

The North West region had been allocated 73 constituencies – a reduction of two from the current number. The Boundary Commission proposals leave ten of the existing 75 constituencies unchanged. A further three constituencies were unchanged, except to realign with new local government ward boundaries. As it had not always been possible to allocate whole numbers of constituencies to individual counties, they had grouped some county council and unitary authority areas into sub-regions. The number of constituencies allocated to each sub-region was determined by the combined electorate of the local authorities they contain. Consequently, it had been necessary to propose some constituencies that cross county or unitary authority boundaries, although they had sought to keep such crossings to a minimum. It was proposed that the Sub-region allocation for Cumbria and Lancashire be reduced from 22 to 20.

In the North West region, they were proposing four constituencies that cross county boundaries. They were also proposing the division of three wards in the Wirral, Cumbria and Greater Manchester. It had been necessary to propose a constituency which crosses the county boundary between Cumbria and Lancashire. They were therefore proposing that the existing Morecambe and Lunesdale constituency would extend north across the county boundary into the District of South Lakeland. Although they had considered Lancashire and Merseyside in separate sub-regions, they were proposing a constituency which crosses the county boundary. A copy of the proposal was attached to the report.

The initial proposals amend the existing Barrow-in-Furness Constituency boundary. It was proposed that the existing Barrow and Furness Constituency be extended eastwards, across the Leven Estuary. It was largely the same as the existing constituency, but would include the Cartmel and Grange wards, and no longer include the Broughton and Coniston ward. The electorate would increase by approx. 5,000.

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

RESOLVED:- To note that the first stage consultation on the BCE's initial proposal ended on 2nd August and that individual Councillors or Political Groups were invited to submit their comments.

23 – Approval of Member Absence

The Head of Legal and Governance & Monitoring Officer's report asked Members to approve a failure by any Member of the Council to attend any meeting of the Council or other relevant bodies for a consecutive period of 6 months while Members' ability to attend meetings was limited due to SARS-CoV2-2 coronavirus (the coronavirus).

Under section 85(1) of the Local Government Act 1972 ("the Act") if a member of the Council failed to attend, throughout six consecutive months, any meeting of the local authority, unless the reason for the failure was approved by the full Council before the expiry of the period, the member ceases to be a member.

Under section 85(2) of the Act a meeting included, in addition to full Council, a committee, sub-committee, joint committee, another body discharging council functions or advising the council on a matter regarding its functions and attendance as a representative of the Council at a meeting of any body of persons.

The recommendation in 2.1 above was intended to prevent any member from ceasing to be a member under section 85 of the Local Government Act 1972 owing to the arrangements to minimise the spread of the coronavirus which had limited member ability to attend a normal schedule of meetings.

England remained under restrictions to minimise the spread of the SARS-CoV-2 coronavirus ("the coronavirus"). However, since 7th May 2021, when the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 expired, meetings of the Council and its committees must be held in a single geographical location, with physical attendance by members, and open to the public except where exempt or confidential information was being considered.

The Ministry of Housing Communities and Local Government had issued guidance to local authorities in the form of a letter to Council Leaders on 25 March 2021 and Covid-19 Guidance for Safe Use of Council Buildings issued on 29 April 2021. The ministerial letter and guidance recognise that local authorities may have concerns about holding meetings while measures to prevent transmission of the coronavirus remain necessary. Both the ministerial letter and guidance suggest that local authorities may rely on existing delegations and single member decision making where Constitutions permit, to minimise the number of face to face meetings, if deemed necessary.

Where meetings are called, measures to minimise the risk of transmission of the coronavirus, such as social distancing were put in place. However there may be reasons why a member cannot attend meetings, which in normal circumstances would have no particular consequence. This presented a risk that some members may fail to attend a meeting for six consecutive months.

To prevent any member ceasing to be a member under section 85(1) of the Local Government Act 1972 owing to the above which reduced members' ability to attend meetings, members were asked to approve the absence of any member who was unable to attend a relevant meeting for a consecutive six month period up to 20th October 2021, the day after the next scheduled meeting of full Council.

Members noted that the approval sought in this report was precautionary and that they should attend meetings where it was possible for them to do so.

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

RESOLVED:- To approve the absence of any member from any meetings of the Council for a period of 6 months ending on 20th October 2021, owing to the limited opportunity of members to attend meetings due to the limits that have been in place to limit the spread of coronavirus.

24 – Overview and Scrutiny Annual Report 2020/21

Councillor Cassidy stated that the report provided Members with the Overview and Scrutiny Committee's Annual report.

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

RESOLVED:- That the Annual Report from the Overview and Scrutiny Committee be accepted.

REPORTS OF COMMITTEES

25 – Planning

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

RESOLVED:- That the reports of the meetings of the Planning Committee held on 13th April, 25th May, 15th June and 13th July 2021 be received.

26 – Licensing Regulatory

It was moved by Councillor Callister, and

RESOLVED:- (i) To note that the meeting to be held on 27th May 2021 had been cancelled; and

(ii) There were no recommendations referred to Council from the meetings of the Licensing Regulatory Committees held on 17th June and 22nd July 2021.

27 – Licensing

The Mayor advised that the meetings of the Licensing Committee scheduled to take place on 27th May, 17th June and 22nd July 2021 had been cancelled.

28 – Executive

It was moved by Councillor Brook, and

RESOLVED:- (i) That the recommendations of the Extraordinary meeting held on 23rd March 2021 had been reported to Council on 23rd March 2021.

(ii) There were no recommendations referred to Council from the meeting held on 26th May 2021; and

(iii) That the reports of the meetings of the Executive Committee held on 16th June and 21st July 2021 be received and that each of the recommendations contained therein had been dealt with under Agenda Item Nos. 8, 9, 10 and 11 as outlined in Minute Nos. 17, 18, 19 and 20 above.

29 – Overview and Scrutiny

It was moved by Councillor Cassidy, and

RESOLVED:- (i) There were no recommendations referred to Council from the meetings held on 25th March and 3rd June 2021; and

(ii) That the report of the meeting of the Overview and Scrutiny Committee held on 8th July 2021 be received and that the recommendation contained therein had been dealt with under Agenda Item No. 15 as outlined in Minute No 24 above.

30 – Questions to the Leader of the Council

Councillor D Edwards asked the Leader of the Council what the total figure remaining in reserves would be standing at following the deduction of recent spending decisions made by Council. The Leader of the Council agreed to provide a written response to Councillor D Edward's question.

Councillor Hall asked the Leader of the Council if a feasibility study on Ford Crossing (crossing between North Scale and Barrow) could be conducted to ascertain works necessary as it was in bad state of repair but could be an asset to the town. The Leader of the Council agreed to investigate further and update Councillor Hall.

Councillor H Edwards requested the Leader of the Council, on behalf of the Council as a whole, write letters of appreciation to Keith Johnson and John Penfold following their recent retirements. The Leader of the Council agreed to write letters of appreciation to Keith Johnson and John Penfold from the Council and would ask Councillor H Edwards to sign jointly.

The meeting closed at 6.10 pm.