

## **EXECUTIVE COMMITTEE**

Meeting: Wednesday 9th March, 2022  
at 2.00 pm. (Banqueting Hall)

**PRESENT:-** Councillors Brook (Chairman), Barlow, H. Edwards, Hamilton, McClure, Maddox, Morgan, Pemberton and Roberts.

**Officers Present:-** Sam Plum (Chief Executive), Steph Cordon (Director of People and Place, Susan Roberts (Director of Resources), Janice Sharp (Deputy Director of People and Place), Debbie Storr (Head of Legal and Governance & Monitoring Officer), Caroline Wagstaff (Head of People and Communities) (Minute Nos.121, 123 to 124, 128 and 132), Graham Barker (Head of Public Protection) (Minute Nos.121, 123 to 125), Helen Houston (Head of Regeneration and Planning Policy) (Minute Nos.121, 123 to 126), Les Davies (Head of Asset Management) (Minute Nos.121 to 126 and 129) and Jon Huck (Democratic Services Manager).

### **121 – Apologies for Absence**

An apology for absence had been received from Councillor Biggins.

### **122 – Declarations of Interest**

Councillor Hamilton declared an Other Registrable Interest in Agenda Item 10 – Update on Town Centre Regeneration and Levelling Up Fund. He was a member of Cumbria County Council.

### **123 – Minutes**

The Minutes of the meeting held on 9th February, 2022 were agreed as a correct record.

### **124 – Public Participation**

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

### **125 – Food Safety and Service Plan 2022-2023**

The Public Protection Manager reminded the Committee that the Council was required to prepare a documented Food Safety Service Plan for the areas of food law that it had a duty to enforce and set out how the authority intended to deliver Official Controls within the Borough.

The Committee considered a copy of the Food Safety Service Plan 2022-2023.

He reported that the Food Safety Service Plan had been reviewed following the publication of the Foods Standards Agencies (FSA) Recovery Plan in June 2021 and had incorporated the FSA's recovery Plan for the period 31 March 2023.

The food hygiene inspection programme had recommenced in July 2021 as part of the FSA's recovery plan. The plan also recognised the continued need to rely on temporary staff and qualified agency contractors to assist the service in delivering Official Controls.

It was moved by Councillor Roberts and seconded by Councillor Barlow, and

RESOLVED:- To agree the Food Safety Service Plan for 2022-2023 as attached to the report.

### **126 – Update on Town Centre Regeneration & Levelling Up Fund**

The Head of Regeneration and Planning Policy's report provided an update on the delivery programme of regeneration for Barrow Town Centre, following the Council being notified of its successful award from the Levelling Up Fund on 27 October 2021 and strategic alignment of Towns Deal Projects to ensure economies of scale, consistency of design and effective delivery.

It was moved by Councillor Hamilton and seconded by Councillor Barlow, and

RESOLVED:-

1. To note that the Levelling Up Fund Memorandum of Understanding had been signed and an update on the programme delivery and reporting arrangements had been agreed with DLUHC;
2. To agree that delegated authority be given to the Director of People and Place in consultation with the Director of Resources to enter into a Co-operation Agreement with Cumbria County Council; and
3. To agree the procurement and award of a contractor for Design and Build works for the Levelling Up Fund, Town Centre Community Hub Project and Place Development Project be delegated to the Director of People and Place.

### **127 – Council Finances Quarter 3 2021-2022**

The Committee considered a summary of the General Fund financial monitoring as at 31 December, 2021 and other related matters including Treasury Management, Reserves and Capital Programme. The monitoring report was the last prior to the outturn for 2021-2022.

It was moved by Councillor Barlow and seconded by Councillor Roberts, and

RESOLVED:-

1. To note the General Fund financial monitoring at 31 December 2021;
2. To approved the revised Capital Programme; and
3. To note the proposed transfers and projection of Reserves at 31 March 2022.

**REFERRED ITEM**

**THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION**

**128 – Equality, Diversity and Inclusion Strategy**

The Head of People and Communities report provided the Committee with an updated Equality, Diversity and Inclusion Strategy 2022-2024 (Appendix 1) with an Equality, Diversity and Inclusion Action Framework (Appendix 2) and Equality, Diversity and Inclusion Pledge (Appendix 3) for the Borough of Barrow-in-Furness.

The Strategy had been developed with reference to the Local Government Association Equalities Framework, which sets out best practice. It sets out what the Council needed to do to ensure all customers had a positive experience when engaging with the Council ensuring engagement with communities via appropriate channels which were available and promoted.

As an employer the Council would embed equality, diversity and inclusion into all respects of the Council developing a sustainable culture promoting personal responsibility for equality, diversity and inclusion rooted in respect and dignity.

It was moved by Councillor Hamilton and seconded by Councillor Barlow and,

RESOLVED:- To recommend the Council:-

1. To agree the Equality, Diversity and Inclusion Strategy 2022-2024 as part of the Council's Policy framework;
2. To agree the Equality, Diversity and Inclusion Action Framework; and
3. To agree the Equality, Diversity and Inclusion Pledge.

**129 – Review of Corporate Health and Safety Policy, Framework and Risk Assessment Procedure**

The Head of Asset Management reported that the Council through its health and safety governance structures had reviewed the existing Health and Safety policies and procedures to ensure that they remained compliant.

In October 2021, Bob Pedley Safety Services (BPSS) had been appointed to provide interim health and safety support to ensure continuity of health and safety management within the Council.

The proposal for health and safety support from BPSS had included:

- Securing information on the council departmental structure and understanding how the internal processes are intended to operate;
- Carrying out a desktop review of procedures currently in use and preparing updates and/or edited versions as required;

- Evaluating the current use and understanding of the procedures and their application amongst the teams; and
- Providing advice and support to the team on health and safety.

As part of the health and safety review process, BPSS had identified a number of areas of good practice as well as some areas for improvement.

The good practice identified by BPSS had included:-

- willingness by the management group to engage and share their local needs for support;
- As part of the transfer of the Leisure Centre into the new Barrow Forward organisation a due diligence review of the arrangements for the management of health and safety was undertaken. The results of the review had shown the team to be competent, well organised with good processes in place to continue to manage the operation of the facility;
- The team at Forum had engaged with BPSS over the Christmas period for support in reviewing the arrangements and risk assessments for three events, the Barrow Christmas lights switch on, fireworks at Askam and the Barra Culture events over the weekend of 4th and 5th December at the town square and Dock Museum. Good processes were in place for people to approach the council for support in organising and running events of this type. The team at the Forum were experienced and professional in their approach with the ability to guide organisers and interface with support groups when considering the safety arrangements for such public events.

The areas for improvement generally related to risk management and the need to ensure safety management systems define roles and responsibilities within the Council.

As a result of this review, BPSS had prepared a number of key policies and procedure for consideration and implementation, including:-

- Health and Safety Policy (Appendix 1);
- Managerial Arrangement for Health and Safety (Appendix 2); and
- Risk Assessment Procedure (Appendix 3)

The revised health and safety policy formed an overarching strategic document which was underpinned by a Health and Safety Management Framework document based on BS ISO 45001:2018. Both documents reflected the Council's recent restructure and looked to ensure Heads of Service take the lead responsibility for health and safety management within their respective teams.

It was moved by Councillor Hamilton and seconded by Councillor Maddox; and

RESOLVED:- To recommend the Council:-

1. To approve the Health and Safety Policy at Appendix 1;
2. To approve the Health and Safety Framework at Appendix 2; and

3. To approve the Risk Assessment Procedure at Appendix 3.

### **130 – Financial Policy and Strategy Updates**

The Director of Resources report contained the financial plans and strategies for 2022-2023 based upon the approved revenue budgets. The plans and strategies contained were the Medium Term Financial Plan, the Treasury Management Strategy Statement, the Capital Strategy, the Reserves and Balances Policy and the Pay Policy.

The key messages were; it was likely that 2021-2022 budget pressures would be met from in-year underspends and additional grant funding; the 2022-2023 budget balanced from additional grant funding and once that was removed there was a core deficit which increased each subsequent year due to inflationary pressures outpacing the increases in the funding that could be generated; the Capital Programme was reliant on expected usable capital receipts and was thereafter fully funded; reserves may be sufficient to fund the Medium Term Financial Plan.

The materialisation of financial plans came from effective monitoring, management and reacting to address/mitigate budgetary pressures. There was more pressure on the budget to perform as there was a core deficit stemming from 2021-2022. The Council's financial plans and strategies would be used in building the budgets for the Westmorland and Furness Council.

It was moved by Councillor Barlow and seconded by Councillor Roberts; and,

To recommend the Council: -

1. To approve the Medium Term Financial Plan for 2022-2025;
2. To approve the Reserves and Balances Policy;
3. To approve the Capital Strategy and the Capital Programme for 2022-2025;
4. To approve the Treasury Management Strategy Statement 2022-2023;
5. To set the Authorised Limit for borrowing at £54.9m for 2022-2023; and
6. To approve the Pay Policy for 2022-2023.

### **131 – Annual Review of the Constitution**

The Monitoring Officer's report considered suggested changes to the Constitution as part of the annual review process.

It was moved by Councillor H Edwards and seconded by Councillor McClure and,

RESOLVED:- To recommend the Council:-

1. To note the annual review of the Constitution;

2. To agree that membership of the Overview and Scrutiny Committee should not include the Leader of the Council;
3. To approve the revisions to the Financial Regulations and Contract Standing Order as attached as Appendix 1 to the report; and
4. To agree the additional revisions to the Constitution and Officer Delegation Scheme and update to the Planning Panel references as details in Paragraphs 3.6-3.8 of the report and Appendix 2.

### **132 – Extension of Public Space Protection Order**

The Head of People and Communities reported that the Public Space Protection Orders (PSPOs) had been introduced in the Anti-Social Behaviour, Crime and Policing Act 2014. A PSPO had been designed to deal with a particular nuisance or problem in an area. The behaviour must be having a detrimental effect on the quality of life of those in the community; it must be persistent or continuing and it must be unreasonable.

The Council's current PSPO was due to expire on 1 April 2022. At any point before the expiry of the Order, the Council could extend it by up to three years if they considered it is necessary to prevent the original behaviour from occurring or recurring. They should consult with local police and any other community representatives they think appropriate before doing so.

The report revisited the terms of the Order (attached at Appendix 1), reviewed its potential impact, considered the results of the consultation carried out with the police, and interested community groups and considered the case for extending the Order for a further three years.

It was moved by Councillor Hamilton and seconded by Councillor Morgan, and

RESOLVED:-

1. To note the consultation exercise undertaken on the proposed three year extension of the Public Spaces Protection Order, which supported the extension of the Proposed Order; and

To recommend the Council:

2. To approve the extension of the Order, as set out in Appendix 1, with the minor additional wording as set out in Paragraph 3.9 of the report for a further three years to 1 April 2025.

The meeting closed at 2.55 pm.

## EXECUTIVE COMMITTEE

Extraordinary Meeting: Tuesday 22nd March  
2022 at 9.30 am. (Banqueting Hall)

PRESENT:- Councillors Brook (Chairman), Assouad, Biggins, Hamilton, McEwan and Morgan.

Officers Present:- Sam Plum (Chief Executive), Steph Cordon (Director of People and Place, Susan Roberts (Director of Resources), Debbie Storr (Head of Legal and Governance – Monitoring Officer), Les Davies (Head of Asset Management) (Minute Nos.133 to 140), and Jon Huck (Democratic Services Manager).

### **133 – Apologies for Absence/Attendance of Substitute Members**

Apologies for absence had been received from Councillors H Edwards, Maddox and Roberts.

Councillors Assouad and McEwan had substituted for Councillors Roberts and Maddox for this meeting only.

### **134 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006 – Urgent Item**

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following item of business not specified on the agenda should be considered at the meeting as a matter of urgency in accordance with Section 100(B)(4)(b) of the Local Government Act 1972.

<u>Item</u>	<u>Reason</u>
Housing Maintenance Contract Extension (Minute No. 138)	To enable the contract to be extended prior to the next scheduled meeting of the Committee.

### **135 – The Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 and Access to Information (Variation) Order 2006**

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 5 (Minute Nos. 139 and 141) and Paragraph 3 (Minute No. 140) of Part One of Schedule 12A of the said Act.

### **136 – Declarations of Interest**

Councillor Hamilton declare an Other Registrable Interest in agenda item 9 (Service Delivery). He was a member of Cumbria County Council and GMB.

Councillor McEwan declared an Other Registrable Interest in agenda item 9 (Service Delivery). He was a member of Cumbria County Council.

### **137 – Public Participation**

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

### **138 – Housing Maintenance Contract - Extension**

The Head of Asset Management reported that on 11th June 2015, Members had agreed to the appointment of Hughes Brothers and Sure Group to provide a range of responsive and gas maintenance services for Council tenants. In the six-year period since the appointment both contractors continued to deliver their respective services in line with the contract requirements and tenants in general appeared satisfied with the quality of the services provided. The actual target cost of the contracted services provided by Sure Group and Hughes Brothers had increased by a small amount of 2.4% over the duration of the 6-year contract period and as such continued to offer the Council “Best value”.

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

RESOLVED:- To agree to the continuing appointment of Hughes Brothers and Sure Group for a further period of two years in line with the contract documentation.

### **Local Government Act 1972 - Excluded Items**

It was moved by Councillor Hamilton and seconded by Councillor McEwan that the meeting moved into Part Two, and

RESOLVED:- That the items to be taken in Part Two of the Agenda be dealt with following the exclusion of the press and the public.

### **139 – Neighbourhood Shop Upgrade**

The Head of Asset Management reported that the Housing Department had recently invited tenders to carry out refurbishment works to its shop parades on Walney, Newbarns and Ormsgill Housing Estates.

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

RESOLVED:-

1. To note the progress made to date with regard to the proposed contract for refurbishment works to the Housing shop parades; and

2. To agree the Director of People and Place be authorised to confirm the appointment of the successful tenderer to undertake the work following the expiry of the statutory 30-day standstill period and complete the award.

#### **140 – Town Centre Community Hub – Private Sector Contribution**

Executive Committee had endorsed a report on 9th March 2022 which provided an update on the regeneration of Barrow Town Centre.

Agreement had been given for Officers to undertake a joint procurement exercise for aligned elements of Levelling Up Fund and Town Deal projects to ensure economies of scale, consistency of design and effective delivery.

Subsequently a private sector funder had indicated they wished to contribute capital funding to the Town Centre Community Hub. That funding would be used for upgrading the specification and delivery of the Hub and would result in additional outcomes being achieved for the programme.

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

**RESOLVED:-** To agree to enter into an agreement as detailed within the report to accept additional capital funding for supplementary activity on the Town Centre Community Hub.

<p style="text-align: center;"><b>REFERRED ITEM</b></p>
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<p style="text-align: center;"><b>THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION</b></p>
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#### **141 – Service Delivery**

The Director of People and Place gave the Committee a Service Delivery update.

**RESOLVED:-** That the resolutions as set out in the exempt minute be agreed.

The meeting closed at 9.52 am.