**EXECUTIVE COMMITTEE**

Meeting: Wednesday 17th May, 2017

at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Biggins, Cassells (Items 1 to 8 only), Hamilton, R. McClure, McEwan, Maddox, Pemberton and D. Roberts.

Also Present:- Phil Huck (Executive Director), Sue Roberts (Director of Resources) and Jon Huck (Democratic Services Manager and Monitoring Officer).

**1 – Declarations of Interest**

Councillor Maddox declared an Other Registrable Interest in Agenda Item No. 8 – Pre-Submission Draft Local Plan (Minute No. 5) as she is a Member of Dalton with Newton Town Council.

**2 – Apologies for Absence**

An apology for absence was received from Councillor Williams.

Councillor McEwan substituted for Councillor Williams for this meeting only.

**3 – Minutes**

The Minutes of the meeting held on 8th March, 2017 were agreed as a correct record.

**4 – Appointments on Outside Bodies, Panels, Working Groups etc.**

The Executive Director reminded the Committee that at the Annual meeting on 16th May, 2017 the allocation of seats in respect of Forums, Panels, Working Groups etc. and certain Outside Bodies had been considered by Council.

Council had been asked to recommend with the exception of the Housing Management Forum the allocation of seats on Outside Bodies, Forums, Panels, Working Groups etc. be delegated to the appropriate Committees to make the necessary appointments.

Group Leaders had supplied details of the recommended appointments for confirmation by the Committee.

Referring to the Appointment to the Billincoat Charity Trust, Members had been appointed for a period of four years (until May 2019), and therefore, no nominations were requested.

RESOLVED:- (i) To approve the under-mentioned Outside Bodies in accordance with Notional Seat Allocations; and

(ii) To agree the under-mentioned appointments to Outside Bodies, Forums, Panels and Working Groups:-

**REPRESENTATIVES ON OUTSIDE BODIES, ETC. 2017/2018**

(1) AIR TRAINING CORPS (NO. 128 SQUADRON)

The Mayor

(2) ASKAM AND IRELETH COMMUNITY CENTRE MANAGEMENT COMMITTEE

Councillors Blezard, Heath, Murray and Thurlow

(3) BAE SYSTEMS MARINE LTD LOCAL LIAISON COMMITTEE

Councillors Cassidy, Johnston and Sweeney

(4) BARROW AND DISTRICT COMMUNITY ACTION SAFETY GROUP

Councillors Biggins and Proffitt

(5) BARROW CHILDREN’S CENTRES ADVISORY GROUP

Councillor Brook

(6) BARROW HEALTH AND WELLBEING FORUM

Councillors Brook, W. McClure and Sweeney

(7) BARROW-IN-FURNESS SEA CADET CORPS COMMITTEE

The Mayor

Substitute:- Deputy Mayor

(8) BARROW WASTEWATER TREATMENT WORKS LOCAL FORUM

Councillors Cassells, R. McClure and Wall

(9) BILLINCOAT CHARITY TRUST (4 year appointment until May 2019)

Councillors Blezard, Harkin, Heath, Maddox, Murray and Thurlow

(10) BUCCLEUCH HALL MANAGEMENT COMMITTEE

Councillor Heath

(11) CENTRICA LIAISON COMMITTEE

Councillors Johnston, Murphy and Proffitt

(12) CHILDREN’S AND YOUNG PEOPLE’S WORKING GROUP

Councillors Brook and Proffitt

(13) CITIZENS' ADVICE BUREAU TRUSTEE BOARD

Councillor Barlow and Cassells

(14) CUMBRIA ALCOHOL AND DRUG ADVISORY SERVICE BOARD

The Mayor

(15) CUMBRIA HOUSING EXECUTIVE GROUP

Councillor Hamilton

(16) CUMBRIA PENSIONS FORUM

Councillor Proffitt

(17) CUMBRIA STRATEGIC WASTE PARTNERSHIP

Councillor M. A. Thomson

(18) DALTON COMMUNITY ASSOCIATION

Councillor Thurlow

(19) DUDDON ESTUARY PARTNERSHIP

Councillor Biggins and Murphy

(20) FURNESS ABBEY FELLOWSHIP

Councillor Wall

(21) FURNESS LINE COMMUNITY RAIL PARTNERSHIP

Councillor Sweeney

(22) FURNESS MARITIME TRUST

Council of Trustees: - Councillors Cassidy, Murphy, C. Thomson and Wall plus the Executive Director and Director of Resources

(23) HEALTH AND WELLBEING SCRUTINY COMMITTEE

Councillor Cassells

Substitute: Councillor Cassidy

(24) INTERNATIONAL NUCLEAR SERVICES LIMITED: RAMSDEN DOCK TERMINAL STAKEHOLDER GROUP

Councillors Biggins, Johnston, Pidduck and Proffitt

(25) JOINT RURAL COMMITTEE

Councillors Maddox and Thurlow

(26) KEEPING OUR FUTURE AFLOAT

Councillor Pidduck

(27) LAKES WORLD HERITAGE SITE STEERING GROUP

Councillor Murphy

(28) LIBERATA PARTNERSHIP BOARD

Councillors Barlow, Roberts and Sweeney

(29) LOCAL GOVERNMENT ASSOCIATION: GENERAL ASSEMBLY

Councillor Pidduck

(30) LOCAL GOVERNMENT ASSOCIATION NUCLEAR ISSUES SPECIAL INTEREST GROUP

Councillor Sweeney

Substitute: Councillor Pidduck

(31) NORTH WEST OF ENGLAND AND THE ISLE OF MAN RESERVE FORCES CADETS ASSOCIATION

Councillor McEwan

(32) NORTH WESTERN LOCAL AUTHORITIES' EMPLOYERS' ORGANISATION

Councillor Brook

(33) SOUTH CUMBRIA COMMUNITY SAFETY PARTNERSHIP

Councillors Pidduck and Sweeney.

**OUTSIDE BODIES AGREED BY COUNCIL**

Allotments Liaison Committee (9 seats - 7:2)

Councillors Barlow, Gawne, Heath, Husband, Johnston, Murphy, C. Thomson and Thurlow plus one vacancy

Barrow Local Committee – Highways Advisory Group (3 seats – 2:1)

Councillors Barlow, Brook and D. Roberts

Barrow Borough Sports Council (3 seats – 2:1)

Councillors Barlow, Callister and Pemberton

Wildlife and Heritage Advisory Committee (9 seats – 7:2)

Councillors Barlow, Cassells, Gawne, Gill, Johnston, Murphy, M. A. Thomson, Thurlow and Wall.

**MEMBERSHIP OF FORUMS, PANELS, WORKING GROUPS ETC. 2017/2018**

**EXECUTIVE COMMITTEE**

Appeals Panel

4 Members selected by Executive Director in accordance with proportionality rules

Barrow Market Liaison Committee (3:1)

Councillors Barlow, Burns, Gawne and Pidduck

Constitution Working Group (3:1)

Councillors Brook, Pidduck, Roberts and Sweeney

Cumbria Local Nature Partnership Board (1:0)

Councillor Wall

Cumbria Police and Crime Panel (1:0)

Councillor Hamilton

Early Retirement/Voluntary Redundancy Panel (3:1)

Councillors McLeavy, Pidduck, Sweeney and M. A. Thomson

Grading Appeals Panel (3:1)

Selection of four Councillors from the following:-

Councillors Barlow, R. McClure, Pemberton, Pidduck, Sweeney and M. A. Thomson

Health and Safety Management Board (4:1)

Councillors Barlow, Pidduck, Proffitt, D. Roberts and C. Thomson

Medical Assessment/Housing Applications Appeals Panel

3 Members selected by Executive Director in accordance with proportionality rules

Member Training Working Group (3:1)

Councillors Brook, Derbyshire, Gill and Pidduck

Planning Policy Working Group (4:2)

(Two Members Executive Committee and four Members Planning Committee)

Labour – Councillors Pidduck, Sweeney, C. Thomson and M. A. Thomson

Conservative – Councillor Gawne and McLeavy

Private Rented Accommodation Group (Accredited Letting Scheme and Proposed Licensing)

3 Members selected by Executive Director in accordance with proportionality rules

Renovation Grants Panel (3:1)

To be appointed for 2017/18 in accordance with proportionality rules

Review Board – Housing Register/Homeless Applicants

3 Members selected by Executive Director in accordance with proportionality rules

**5 – Pre-Submission Draft Local Plan**

The Committee considered a detailed report regarding the Pre-Submission Draft Barrow Borough Local Plan.

The Committee was informed that the Pre-Submission Draft Barrow Borough Local Plan was now at a stage where the Council considered it was the final version of the Plan and was ready for submission to the Secretary of State for independent examination. In line with the guidance set out in the National Planning Policy Framework the Plan was considered ‘sound’ in that it was positively prepared, justified, effective and consistent with national policy.

The Plan would now be subjected to a six week public consultation to invite comments from consultees on whether they agreed that the Plan was sound. Any comments received would then be sent on to the Planning Inspectorate along with the Draft Plan and Proposals Map, Sustainability Appraisal and other supporting evidence. An independent Inspector would then be appointed to hold an examination in public to examine the document and to make any minor amendments in order that it be found sound and adopted by the Council.

The Committee was informed that the site boundary shown in Appendix H of Appendix 1 was incorrect and the Senior Planning Officer requested that the correct boundary be included in the Pre-Submission Draft Local Plan March 2017.

A copy of the Plan was considered and the Proposals Map and Sustainability Appraisal were available on the Councils website and in the Members Room.

Immediately after the vote was taken Councillor Maddox requested that it be recorded in the Minutes that she abstained from voting.

RESOLVED:-

1.To agree that the content of the Pre-submission Draft Local Plan as amended be approved for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;

2. To agree that delegated authority be granted to the Executive Director to make any minor editorial and technical amendments to the Plan prior to submission, where they do not materially affect its content;

3. To agree that delegated authority be granted to the Executive Director to then proceed with submitting the Draft Local Plan to the Secretary of State for independent examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, to request that an Inspector be appointed to examine the Draft Plan, and to agree any minor amendments as necessary to make the Plan sound; and

4. To agree that once published for consultation the Pre-submission Draft Local Plan could be given weight as a material consideration when undertaking decision making on planning applications in accordance with paragraph 216 of the NPPF.

**6 – Expressions of Interest in Running Leisure Services**

Members were reminded that Council Policy, as part of the 2016-2020 Budget Strategy was to outsource The Forum and Park Leisure Centre and the background work required to implement that was well underway.

Sections 81-86 inclusive of the Localism Act, 2011 – ‘The Community Right to Challenge’ gave groups, including local authority employees the right to express an interest in taking over the running of a local authority service. Where the right was exercised the Local Authority must consider and respond to the expression of interest and where it was accepted, run a procurement exercise for the service in which the challenging organisation could bid.

The Council’s position in relation to S81-86 was somewhat unusual in that the consequence of the Community Right to Challenge was to require that a procurement exercise be undertaken when the Council had already agreed that would be the case. To date, no Expressions of Interest in running either the Park Leisure Centre or The Forum (or both) had been received.

In order to conduct an orderly procurement process, the Localism Act, 2011 and its accompanying regulations, gave Councils the opportunity to set deadlines for receipt of Expressions of Interest beyond which they would not be accepted. That allowed Councils and others to be clear about the specification of services.

Council needed clarity on the lots that would be available to tenderers well in advance of the formal tendering process and that a deadline for receipt of Expressions of Interest for both the Park Leisure Centre and The Forum under Sections 81-86 of the Localism Act be set.

RESOLVED:- To agree the deadline of Friday 16th June, 2017 be set for receipt of Expressions of Interest under Sections 81-86 of the Localism Act, 2011 in respect of services provided by The Forum and Park Leisure Centre.

**7 – Risk Management**

The Executive Director informed the Committee that he had reviewed and had identified key corporate and operational risks for the Council and had circulated them to Management Board Members for approval. The updated risk registers had reflected Management Board’s assessment of significant risks to the Council.

The Corporate Risk Management Register had been reviewed and the following changes had been made:

Corporate Risk 1 – 2017/1 (Impact of legislative changes on HRA income). The Potential Impact had been updated to reflect the increased number of “Right to Buy” applications.

Corporate Risk 2 – 2017/1 (Future stability and sustainability of the Council). Had been amended to reflect the increase in projected deficit due to the anticipated reduction in New Homes Bonus. The mitigating action had been revised to reflect alignment with the Council’s plan.

Corporate Risk 4 – 2017/1 (Levels of sickness worsen). There had been an addition to the mitigating actions which recognised the contribution the measures introduced in 2016/17 had made to reducing sickness levels. That would be further monitored before reviewing the risk score.

Corporate Risk 5 – 2017/1 (Impact of welfare reform changes). The Potential Impact had been amended to reflect the increased impact on the Housing Revenue Account. The Mitigating action had been amended to recognise the on-going financial contribution to external bodies to help support residents.

Corporate Risk 6 – 2017/1 (Delivery of the water front regeneration programme). The Mitigating Action had been updated to reflect current progress.

Corporate Risk 7 – 2017/1 (Maintain H&S arrangements). The Mitigating Action had been updated to reflect the proposed, improved inspection regime for properties.

Corporate Risk 9 – 2017/1 (Information Technology security breach). The Potential impact had been amended to reflect the increased vulnerability from aggressive phishing and use of malware. The Mitigating Action had been amended to reflect actions taken by IT Services.

The Corporate and Operational Risk Registers for 2017/18 were considered by the Committee.

The Operational Risk Register had been reviewed and one amendment had been made.

Operational Risk 1 2017/1 (Not having adequate staffing to deliver key services) had been amended to reflect agreed changes to leisure services.

RESOLVED:- To approve the Corporate and Operational Risk Registers for 2017/18.

The meeting closed at 3.30 p.m.