

At a meeting of the Council held in Zoom Virtual Meeting on Wednesday 3 March 2021 at 7.00 pm

Members

Councillor Malcolm Grainger (Chair)	Councillor Mary Bainbridge
Councillor Tony Annison	Councillor Herbert Briggs
Councillor Carmel Bell	Councillor John Cook
Councillor Markus Campbell-Savours	Councillor Allan Daniels
Councillor John Crouch	Councillor Marion Fitzgerald
Councillor Janet Farebrother	Councillor Iain Greaney
Councillor Peter Gaston	Councillor Alan Hedworth
Councillor Michael Heaslip	Councillor Daniel Horsley
Councillor Vaughan Hodgson	Councillor George Kemp
Councillor Mike Johnson	Councillor Janet King
Councillor Peter Kendall	Councillor Sally Lansbury
Councillor Adrian Kirkbride	Councillor Peter Little
Councillor Jim Lister	Councillor Louise Maguire
Councillor Elaine Lynch	Councillor Owen Martin
Councillor Anthony Markley	Councillor Ron Munby MBE
Councillor Carni McCarron-Holmes	Councillor Joe Sandwith
Councillor Alan Pitcher	Councillor Andrew Semple
Councillor Paul Scott	Councillor Stephen Stoddart
Councillor Alan Smith	Councillor Will Wilkinson
Councillor Alan Tyson	

Apologies for absence were received from Councillor Carole Armstrong, Councillor Nicky Cockburn, Councillor Hilary Harrington, Councillor Blain Sansom and Councillor Lynda Williams

Staff Present

B Carlin, A Gilbert, J Irving, L Jardine, C Nicholson, G Roach, A Seekings, S Sewell and L Tomlinson

343. Minutes

The minutes of the meeting held on 27 January 2021 were agreed as a correct record.

344. Declaration of Interests

None declared.

345. Exclusion of the Press and Public

There were no items on the agenda for which the press and public should be excluded.

346. Questions and Petitions

None received.

347. Urgent Motion - To elect a Leader of the Council

The Monitoring Officer advised that an urgent motion had been submitted to be considered by Council and approved by the Deputy Mayor under Procedural Rule 4.18.1 of the Constitution.

Councillor Alan Pitcher submitted a motion to elect a Leader of Allerdale Borough Council.

Councillor Pitcher moved his motion and said 'My reasoning is for quite a while now the position of Leader has been carried out by the Deputy Leader, Mike Johnson.

In view of the local elections (Cumbria County Council) being cancelled also that the Local Government Review has been put out to consultation I feel we are now coming up to a crucial time, not least with 5 by-elections looming, also its budget time which requires stability.

We are 2 months from the AGM and important policy decisions are to be made, which will definitely require consistent and steady leadership.

I firmly believe the Council has been lead with a certain degree of clarity and stability over this last year but some others clearly do not'.

Councillor A Pitcher nominated Councillor Mike Johnson for the position of Leader. This was seconded by Councillor T Markley.

Councillor I Greaney nominated Councillor Alan Smith for the position of Leader. This was seconded by Councillor S Stoddart.

Councillor A Smith requested to withdraw from his nomination.

The Monitoring Officer explained that a withdrawal would require the consent from the proposer and seconder. Members were asked to note that Councillor Smith, if elected as Leader, may resign thereafter.

Councillor I Greaney moved a procedural closure motion to adjourn the meeting, this was seconded by Councillor P Scott.

The Deputy Mayor adjourned the meeting at 7.25pm.

The Deputy Mayor reconvened the meeting at 7.39pm.

The Deputy Mayor moved not to uphold a motion to adjourn the meeting to allow for consideration of the statutory items on the agenda.

There was a 13 minute break in the meeting to allow for members experiencing connection issues to re-join the meeting.

A vote was taken, 15 in favour of Councillor Mike Johnson as Leader, 0 in favour of Councillor Alan Smith as Leader and 16 abstentions.

Councillors Briggs, Gaston, Greaney, Little, Sandwith, Scott, Stoddart and Wilkinson were not present during the item to vote.

Councillor Mike Johnson was elected as Leader of Allerdale Borough Council.

348. Notices of Motion

Councillor A Kirkbride requested to defer his motion for a future meeting of Council.

With the consent of the Council the motion was deferred.

349. Councillor Speeches

None received.

350. Announcements from the Mayor, Leader or Head of Paid Service

The Leader of the Council made reference to the recent Government decision on Local Government Reorganisation for Cumbria. An 8 week consultation had been launched on all four unitary proposals put forward by the Cumbrian authorities. All proposals could be found on the Councils websites and he encouraged all members, businesses and organisations to submit a response before the closure on 19 April.

To ensure members had an opportunity to have their say, governance processes were to be established quickly with an all-party working group. Group Leaders were asked to provide 3 members to sit on the working group.

The Leader also thanked everyone involved in the Workington Town Deal submission, the submitted bid had been successful and the Council had been awarded £23.1m for projects within the town.

351. Portfolio Holder updates

The Leader of the Council presented the Portfolio Holders update report.

Questions were asked around the Freeport status, Maryport town centre, street cleaning in Wigton, fly tipping at Oldside in Workington and ongoing issues with blue bin lids.

Councillor J Farebrother requested some further details on the proposed reforms to Public Procurement, and asked did they include, in particular, advice on how to safeguard against incidents of modern slavery and reducing our carbon footprint?

Councillor M Johnson agreed to provide a full response following the meeting.

Councillor P Litter asked for an update from the Housing Options Team on the number of homeless in Allerdale.

Councillor M Fitzgerald agreed to provide figures following the meeting.

352. Reference from Executive 24/02/21 - Budget 2021-22 - Revenue and Capital

The Chief Officer Assets submitted a report to present the draft revenue and capital budget and formal advice on the robustness of the estimates included in

the budget and the adequacy of the reserves which supported the Council's budgetary plans.

The report had been considered by Executive on 24 February 2021. Executive had recommended that Council be requested to approve the recommendations within the report.

Councillor J Lister introduced the report and moved the recommendations. This was seconded by Councillor M Johnson.

A recorded vote was held on the motion, viz -

In Favour – Councillors Annison, Bainbridge, Bell, Campbell-Savours, Cook, Crouch, Daniels, Farebrother, Fitzgerald, Grainger, Heaslip, Hedworth, Hodgson, Johnson, Kendall, Lansbury, Lister, Lynch, Maguire, Markley, Martin, McCarron-Holmes, Munby, Pitcher, Semple, Smith and Tyson.

Against – Councillors Kemp, Kirkbride and Wilkinson.

Abstentions – Councillors Greaney, Horsley, King and Little.

27 in Favour, 3 Against and 4 Abstentions. The motion was carried.

Resolved

That –

- i. The total planned revenue expenditure be £16,092,480 including parish precepts of £2,567,162
- ii. £15,879,831 be approved as the Council's net budget requirement for 2021-22
- iii. Allerdale's share of council tax be increased by £5 on band D Properties, with proportionate increases being applied to properties in other council tax bands
- iv. No changes be made to the Council's Council Tax Reduction discount scheme and that the current scheme remains in place for 2021-22
- v. The revenue estimates as approved be used in the calculation of the basic amount of tax under Section 31 of the Local Government Finance Act 1992
- vi. The minimum level of non-earmarked general fund balances be set at £2.7m and that no maximum level be set
- vii. The three-year capital budget (2021-22 to 2023-24) of £44,285,072 (comprising £13,330,379 in 2021-22, £19,109,427 in 2022-23 and £11,845,266 in 2023-24) be approved
- viii. The proposed three-year capital budget for 2021-22 be financed as follows:
 - a. grants and contributions£42,932,461
 - b. borrowing.....£1,042,026
 - c. capital receipts£310,585
- ix. The revision of the 2020-21 capital budget from £11,628,748 to £11,792,253 be approved.

Councillor R Munby left the meeting

353. Council Tax Resolution Report 2021/22

The Chief Officer Assets submitted a report which sought members to approve the necessary resolutions for Council Tax setting in accordance with Sections 31-36 of the Local Government Finance Act 1992.

Councillor J Lister moved the recommendations contained within the report. Councillor A Pitcher seconded the motion.

A recorded vote was taken in respect of the motion, viz. –

In Favour - Councillors Annison, Bainbridge, Bell, Campbell-Savours, Cook, Crouch, Daniels, Farebrother, Fitzgerald, Grainger, Heaslip, Hedworth, Hodgson, Johnson, Kendall, Lansbury, Lister, Lynch, Maguire, Markley, Martin, McCarron-Holmes, Pitcher, Semple, Smith and Tyson.

Against - Councillors Greaney, Kemp, Little and Wilkinson.

Abstentions - Councillors Horsley, King and Kirkbride.

26 in Favour, 4 Against and 3 Abstentions. The motion was carried.

Resolved

That the resolutions, as set out in Appendix A of the report be approved.

354. Reference from Executive 24/02/21 - Capital Investment Strategy 2021-22

The Chief Officer Assets submitted a report which required the Council to approve the Capital Investment Strategy for 2021-22.

This report had been considered by the Executive on 24 February 2021. The Executive had recommended that Council be requested to approve the recommendation within the report.

Councillor J Lister moved the recommendation within the report. Councillor M Johnson seconded the motion.

The motion was unanimously agreed.

Resolved

That the Capital Investment Strategy as set out in Appendix A be approved.

355. Reference from Audit 25/02/21 - Treasury Management Strategy Statement, Annual Investment Strategy & Minimum Revenue Provision Policy Statement 2021/22

The Chief Officer Assets submitted a report which required the Council to approve the proposed Treasury Management Strategy Statement & Investment

Strategy for 2021/22, the Minimum Revenue Provision Policy Statement and the prudential and treasury indicators - including the Council's Authorised Borrowing Limit, as was required by the provisions contained in the Local Government Act 2003, statutory guidance issued by the Department for Communities and Local Government and codes of practice issued by the Chartered Institute of Public Finance and Accountancy.

The report had been considered by Audit Committee on 25 February 2021. The Audit Committee had recommended that Council be requested to approve the recommendations within the report.

Councillor A Tyson moved the recommendations within the report. Councillor M Bainbridge seconded the motion.

The motion was unanimously agreed.

Resolved

That -

- a) The proposed Treasury Management Strategy Statement and Investment Strategy for 2021-22, included in sections 2 and 3 of Appendix 1, be approved
- b) The MRP Policy Statement, set out in section 4 of Appendix 1, be approved
- c) The prudential and treasury indicators, including the Councils Authorised Borrowing Limit, set out in section 5 of Appendix 1, be approved.

356. Reference from Licensing Committee 09/02/21 - Review of Fees and Charges

This report was considered by the Licensing Committee on 9 February 2021.

Councillor A Kirkbride moved the recommendations in the report; this was seconded by Councillor D Horsley.

The motion was unanimously agreed.

Resolved

That -

1. The statutory fees that the Council is required to charge in respect of the specified licences under the Licensing Act 2003 and the Gambling Act 2005 as set out in Part A of Appendix 1 and implements these fees (or if subject to statutory amendment, the relevant amended fees) on 1st April 2021 be noted
2. The Council implements, with any necessary modification and with effect from 1st April 2021 the proposed fees as set out in Part B of Appendix 1 that relate to those licences and licensing related activities where the authority has the discretion to determine the fees

3. The Council implements, with any necessary modification and with effect from 1st April 2021 the proposed fees as set out in Part C of Appendix 1 that relate to those licences and licensing related activities where the authority has the discretion to determine the fees with the exception of those fees in a) and b) below which are subject to advertisement
 - a) That the Council vary the fees relevant to driver, hackney carriage, private hire vehicle and operator licences as set out in Part C of Appendix 1, with any necessary modification and instructs the Licensing Department, in accordance with the provisions of s70 Local Government (Miscellaneous Provisions) Act 1976 to publish in the local newspaper, a notice setting out those fees that it is proposed will be varied and specifying a period from 12th April 2021 (this being not less than 28 days) within which and the manner in which objections to the proposed fees can be made.

AND

- b) Where no objections to the proposed variation in fees are received by 12th April 2021 or if all objections so made are withdrawn by the said date, the Council agrees to implement the proposed variation to the fees on 12th April 2021 or where objections to the proposed variation to the fees are received by 12th April 2021 the Council agrees to consider the objections at a meeting on 19th May 2021 with a view to setting the date of 19th May 2021 (being a date not later than two months after 12th April 2021 when the proposed variation to the fees shall come into force with or without further modification.
4. The Council introduces hackney carriage and private hire driver licences for the duration of 3 years in accordance with the Deregulation Act 2015 from 12th April 2021 should there be no objections as per 2.4(b) above, or 19th May 2021 in the event that there are objections as per 2.4(b) above and;
5. The Council introduces private hire operator licences for the duration of 5 years from 12th April 2021 in accordance with the Deregulation Act 2015 should there be no objections as per 2.4(b) above, or 19th May 2021 in the event that there are objections as per 2.4(b) above.

357. Reference from Executive 24/02/21 - Workington Town Centre Supplementary Planning Document

This report was considered by the Executive on 24 February 2021.

Councillor M Fitzgerald moved the recommendation in the report; this was seconded by Councillor M Johnson.

The motion was unanimously agreed.

Resolved

That the Workington Town Centre Supplementary Planning Document be approved.

358. Overview and Scrutiny Committee Update Report

Councillor M Heaslip, Co-chair of the Overview and Scrutiny Committee moved an update report for Council to note and provided a verbal update on the Committees work plan.

359. Governance Updates

The Chief Officer Place and Governance submitted a report which sought to update members on all delegated decisions taken during the Covid-19 pandemic since the last report to Council on 9 December 2020, and for members to consider suggested changes to the Councils Constitution, as set out in paragraph 4.3 of the report.

Councillor M Fitzgerald moved the report and the recommendations. This was seconded by Councillor M Johnson.
The motion was unanimously agreed.

Resolved

That –

1. The summary of all CEO Urgent Action decisions and Special Urgency Executive decisions detailed in section 4.0 of the report be noted
2. The changes to the Constitution as set out in paragraph 4.3 of the report be approved.

The meeting closed at 9.50 pm

1. From Councillor J Farebrother

Can you give some further details of the proposed reforms to Public Procurement?

Do they include, in particular, advice on how to safeguard against incidents of modern slavery and reducing our carbon footprint?

Response from Councillor M Johnson circulated on 5 March.

2. From Councillor J Farebrother

Can you give further details of the government's strategy on waste and recycling? What are the features that have been included in the Council's new Waste Policy?

Response from Councillor T Markley:

In summary the strategy sets out the government's commitment to going further and faster to reduce, reuse, recycle and cut waste.

It is trying to move away from a "Throw Away" society and drive up domestic recycling and moving to a more circular economy.

It is a very detailed strategy but a few of the main points are:

- Polluter pays principle – those responsible pay for disposal of packaging
- Create better choices and reduce barriers to re-use
- Give priority on food waste collections
- And tackling Waste Crime – illegally dumped etc

The key features that have been included in the Council's new Waste Policy

- 1) This is the first formal policy adopted by ABC.
- 2) In its aims to formalise and make sense of some of the operations that have been carried out using wheeled bins for almost 33 years the key features that run through the document provide an aide to all stakeholders in regards to what the council can deliver, why it delivers in various ways and how the residents and business can help the council with its aims.
- 3) Lots of examples where perhaps users of the service and perhaps those who deliver the service may not have been aware of the rational regards how decisions are made.
- 4) Some very basic operational policies are therefore linked to
 - Collection times
 - Collection points
 - Size of bins
 - Frequency of collections

A feature that is included in this document is linked to enforcement which mirrors the government's strategy in how it aims over the coming years to improve the environment through a range of measures which includes enforcement alongside the other measures outlined in the first question such as the producer playing a greater role in the management of waste after production and the proposed national deposit return scheme.

3. From Councillor J Farebrother

Has there been any response to the motion passed at Council on 23rd November 2020, for the attention of central government, to delay the proposals on local government re organisation, due to the pandemic, which makes consultation with the residents of Allerdale extremely difficult? The motion emphasised that the Council was not against re organisation but that the rush to start the process at this time, identifying just three local authorities, was ill advised.

Response from Councillor M Fitzgerald:

The Council has not yet received a response to its letter

4. From Councillor P Little

Please can I be provided with an update from the Housing Options Team on the number of homeless in Allerdale

Response from Councillor M Fitzgerald:

I have spoken to the team who are aware of two individuals, one gentleman is often seen around the district and despite being offered accommodation turns it down, however, he seems to have moved on now, and hasn't been seen here for some time. The other has been reported to us but we haven't been able to locate him.

The team are always on the lookout for clients when out and about so if Councillor Little would be so kind as to pass on the details of the people he mentioned to the Team we will attempt to make contact and offer accommodation as appropriate.