

COPELAND BOROUGH COUNCIL**MINUTES OF MEETING HELD ON 26 FEBRUARY 2015**

Present: Councillors Keith Hitchen, in the Chair; David Banks; Geoffrey Blackwell; Jackie Bowman; John Bowman; Yvonne Clarkson; George Clements; Margarita Docherty; Anne Faichney; Allan Forster; Geoffrey Garrity; Fred Gleaves; Phil Greatorex; Stephen Haraldsen; Reg Heathcote; Ian Hill; Joan Hully; John Jackson; Alan Jacob; Peter Kane; David Moore; William Southward; Peter Stephenson; Graham Sunderland; Gillian Troughton; Peter Tyson; Paul Whalley; Doug Wilson; Felicity Wilson; Elaine Woodburn; Carole Woodman; Henry Wormstrup

Apologies for absence were received from Councillors: Eileen Eastwood (Mayor); Hugh Branney; Peter Connolly; Brian Dixon; Jon Downie; John Fallows; Lena Hogg; Allan Holliday; John Kane; Michael McVeigh; Alistair Norwood; Dave Smith; Jeanette Williams;

C 51 Appointment of Chair for the Meeting

In the absence of both the Mayor and Deputy May it was moved by Councillor Elaine Woodburn duly seconded and

RESOLVED – That Councillor Keith Hitchen be appointed Chair for the meeting.

C 52 Minutes

The minutes of the meeting of the Council held on 4 December 2014 were signed by the Chairman as a correct record.

C 53 Declarations of Interest

Prior to commencement of consideration of the remaining items of the agenda the monitoring officer confirmed that a dispensation was in place which enabled Members to participate fully in the consideration Agenda Item 8 Budget Proposals 2015/16..

C 54 Mayor's Announcements

The Mayor referred to the list of engagement distributed by the Mayor prior to the meeting.

C 55 To Receive Petitions under Procedure Rule 19

There were no petitions.

C 56 Questions from Members of the Public

There were no questions from Members of the Public.

C 57 Questions from Members of the Council

Councillor David Moore asked the following question to the Leader of the Council

“Last year we were told that the BEC social fund of £400,000 would be used to fund the NCL contract, the remainder would be spent equally across the wards, can we have break down of what was spent in each ward.”

The Leader of the Council Councillor Elaine Woodburn replied as follows: -

“Thank you Chair and Councillor Moore actually the final figure from the social fund was around £500k. The priority, as you will recall, was to spend the majority to keep our leisure facilities open which was agreed by full Council when trying to secure external funding the rest was to be used as agreed to lessen the impact of the withdrawal of Council services. The added bonus by doing this was that we retrained a lot of people who unfortunately weren’t working, who are now working with the project and gaining new skills from it. You can imagine where the majority of the withdrawal of the Councils services were in the Whitehaven area so the majority of spend was in the Whitehaven area. I can provide the breakdown of spend specifically if you would like it.”

Councillor David Moore replied as follows:-

“Can I thank the Leader for her reply. I think that when we said that the impacts faced in the last budget were mainly in the Whitehaven area I think what we are forgetting is that those budgets over the last year were mainly in the Whitehaven area I think what we are forgetting is that those budgets over a number of years had been removing services across the whole of the Borough mainly starting in the rural areas and the final removal being here in Whitehaven itself. I had hoped that this social fund which I was lead to believe would be spread equally throughout the Borough and therefore I would like to see a breakdown by individual ward but I will be disappointed if it has all been spent in one area.”

The Leader of the Council undertook to provide spend by individual ward.

C 58 Budget Proposals 2015/16

Consideration was given to recommendations from the Executive to approve the proposals for the Council’s budget 2015/16.

It was moved by Councillor Gillian Troughton that Council: -

1. Revenue Budget 2015/16:

- (i) Approve the policy decisions in Paragraph 3 and resulting savings proposals for 2015/16 of £1,039k set out in Para 3.1, which together with the use of reserves set out in Appendix B (and Recommendation 2. xi)), seek to balance the Council’s budget and address the 2015/16 £1.6m projected budget shortfall.
- (ii) Approve the proposals for increases in Fees and Charges set out in Appendix AB

- (iii) Approve the increase in Council Tax of 1.95% for 2015/16 set out in paragraph 3.2(i) with the implication that the Council will not accept the Council Tax freeze grant of 1% from Government.
- (iv) Delegate the setting of the council tax to the Council Tax Setting Committee each year, and which this year will meet on 3 March 2015, as detailed in paragraph 3.4.
- (v) Approve the continuation of the Local Council Tax Support (LCTS) as detailed in paragraph 3.2 of this report
- (vi) Approve that the decisions on the National Non Domestic Rate return, the calculation of the Collection Fund surplus and the calculation of the Council Tax Base as set out in Appendices AC, AD and AE remain delegated to the Council's Section 151 Officer.
- (vii) Approve the commissioning approach outlined at Para 3.7 being adopted to ensure delivery of the Council's Medium Term Financial Strategy; and authorise the Chief Executive, in consultation with the Leader and the Interim Director of Resources and Strategic Commissioning, to undertake the appropriate procurement processes in line with the Council's Contract Procedure rules.
- (viii) Approve the continued use of the new homes bonus of £609k to underpin the costs of existing council services in 2015/16 (Para 3.8)
- (ix) Delegate the decision on acceptance of the Transformation Challenge Award funding to the Chief Executive and s151 Officer in consultation with the Portfolio holder.

2. Review of Reserves 2015/16

- (x) Approve the use of Earmarked Reserves, as set out in paragraph 4.2 and detailed in Appendix BC, which includes the release of £376k for specific projects.
- (xi) Approve the impact of the proposals on General Reserves as set out in paragraph 4.2 and detailed in Appendix BB which includes the use of £237k to balance the Council's budget and address the 2015/16 projected budget shortfall.

And that as a result of the recommendations at 1 and 2 above, approves:

- (xi) A Copeland Borough Council Net Revenue Budget (excluding parish council precepts) requirement of £8.537m comprising net expenditure on Services of £9.150m with net contributions from Reserves of £613k as set out in paragraph 4, Table 4.

3. Capital Programme 2015/16:

- (xi) Approve the Capital Programme for 2015/16 at £1.97m and future years at £888k for 2016/17 and £643k for 2017/18 as set out in Appendix C and summarised in paragraph 5.1(i).
- (xii) Approve the funding of the proposed programme as summarised in paragraph 5.1, subject to an annual review by the s151 Officer during the preparation of the annual Statement of Accounts to optimise the use of Council Resources.

4. Treasury Management Strategy 2015/16

- (xiii) Approves the Treasury Management Strategy 2015/16, incorporating the Annual Investment Strategy 2015/16 and the Minimum Revenue Provision Statement for 2015/16 as set out in Appendix D.

The motion was duly seconded and a recorded vote taken

For the Motion Councillors Keith Hitchen; David Banks; Geoffrey Blackwell; Jackie Bowman; John Bowman; Yvonne Clarkson; George Clements; Margarita Docherty; Anne Faichney; Allan Forster; Geoffrey Garrity; Fred Gleaves; Phil Greatorex; Stephen Haraldsen; Reg Heathcote; Ian Hill; Joan Hully; John Jackson; Alan Jacob; Peter Kane; David Moore; William Southward; Peter Stephenson; Graham Sunderland; Gillian Troughton; Peter Tyson; Paul Whalley; Doug Wilson; Felicity Wilson; Elaine Woodburn; Carole Woodman; Henry Wormstrup

Against the Amendment – None

Abstention from the vote – None

On a vote of **37** For, **0** Against and **0** Abstentions the Motion was declared **CARRIED**.

It was therefore:

RESOLVED - That

1. Revenue Budget 2015/16:

- (i) the policy decisions in Paragraph 3 and resulting savings proposals for 2015/16 of £1,039k set out in Para 3.1, which together with the use of reserves set out in Appendix B (and Recommendation 2) be approved;
- (ii) the proposals for increases in Fees and Charges set out in Appendix AB of the report be approved;
- (iii) the increase in Council Tax of 1.95% for 2015/16 set out in paragraph 3.2(i) of the report with the implication that the Council will not accept the Council Tax freeze grant of 1% from Government be approved;
- (iv) the setting of the council tax be delegated to the Council Tax Setting Committee each year, a and which this year will meet on 3 March 2015, as detailed in paragraph 3.4 of the report;
- (v) the continuation of the Local Council Tax Support (LCTS) as detailed in paragraph 3.2 of this report be approved;
- (vi) it be approved that the decisions on the National Non Domestic Rate return, the calculation of the Collection Fund surplus and the calculation of the Council Tax Base as set out in Appendices AC, AD and AE of the report remain delegated to the Council's Section 151 Officer;
- (vii) it be approved that the commissioning approach outlined at Para 3.7 being adopted to ensure delivery of the Council's Medium Term Financial Strategy; and authorise the Chief Executive, in consultation with the Leader and the Interim Director of Resources

- and Strategic Commissioning, to undertake the appropriate procurement processes in line with the Council's Contract Procedure rules;
- (viii) the continued use of the new homes bonus of £609k to underpin the costs of existing council services in 2015/16 (Para 3.8) of the report be approved;
 - (ix) the decision be delegated on acceptance of the Transformation Challenge Award funding to the Chief Executive and s151 Officer in consultation with the Portfolio Holder.

2. Review of Reserves 2015/16

- (x) the use of Earmarked Reserves, as set out in paragraph 4.2 and detailed in Appendix BC, of the report which includes the release of £376k for specific projects be approved;
 - (xi) the impact of the proposals on General Reserves as set out in paragraph 4.2 and detailed in Appendix BB of the report which includes the use of £237k to balance the Council's budget and address the 2015/16 projected budget shortfall be approved;
- and that as a result of the recommendations at 1 and 2 above;
- (xi) A Copeland Borough Council Net Revenue Budget (excluding parish council precepts) requirement of £8.537m comprising net expenditure on Services of £9.150m with net contributions from Reserves of £613k as set out in paragraph 4, Table 4 of the report be approved.

3. Capital Programme 2015/16:

- (xi) the Capital Programme for 2015/16 at £1.97m and future years at £888k for 2016/17 and £643k for 2017/18 as set out in Appendix C and summarised in paragraph 5.1(i) of the report be approved;
- (xii) the funding of the proposed programme as summarised in paragraph 5.1 of the report be approved, subject to an annual review by the s151 Officer during the preparation of the annual Statement of Accounts to optimise the use of Council Resources;

4. Treasury Management Strategy 2015/16

- (xiii) the Treasury Management Strategy 2015/16, incorporating the Annual Investment Strategy 2015/16 and the Minimum Revenue Provision Statement for 2015/16 as set out in Appendix D of the report be approved.

C 59 Report of the Independent Remuneration

Consideration was given to recommendation of the Independent Remuneration Panel which had reviewed the scheme of member allowances in preparation for the new Council's term of office commencing May 2015. In addition, in line with the decision of Council of 19 June 2014, the panel was asked to recommend an indicative salary for the Directly Elected Mayor with the salary to be finalised by Council on 1 June 2015.

It was moved by Councillor George Clements way of an amendment that the current Member Allowance Scheme be retained with the exception of: -

1. Elected Mayor's salary be set at £30,000
2. Executive pot remain at £38,152.08 but individual executive allowances to be set at Annual Council on 1 June 2015
3. That a full review of the Member Allowance Scheme be undertaken by the Independent Remuneration Panel during early 2016 and a report be presented to Council

the amendment was duly seconded.

Councillor David Moore moved an amendment to the new substantive motion that

1. Elected Mayor's salary be set at £50,000
2. Executive pot remain at £38,152.08 but individual executive allowances to be set at Annual Council on 1 June 2015
3. That a full review of the Member Allowance Scheme be undertaken by the Independent Remuneration Panel during early 2016 and a report be presented to Council

the amendment was duly seconded.

Due to a public disturbance occurring in the public gallery (Standing Order 17 refers) the Leader of the Council Councillor Elaine Woodburn moved under Standing Order 14 (l) that the meeting be adjourned to clear that part of the public gallery. The motion was duly seconded and the meeting stood **ADJOURNED**

RECONVENED meeting

Councillor David Moore's amendment, having been moved and seconded was put to a vote

On a vote of **15 For; 21 Against** and **1 Abstention** the amendment was **LOST**

Councillor Clements' motion, having been moved and seconded was put to a vote

On a vote of **21 For; 15 Against** and **1 Abstention** the amendment was **CARRIED**

The substantive motion was then put to a vote

On a vote of **21 For; 14 Against** and **2 Abstentions** the substantive vote was **CARRIED**

In accordance with Standing Order 15.5 (b) Councillor Phil Greatorex moved by way of amendment that

The final remuneration of the successful candidate for Directly Elected Mayor be set at the Annual Meeting on the 1 June 2015.

the amendment was duly seconded and put to a vote

On a vote of **4 For; 31 Against** and **1 Abstention** the amendment was **LOST**

RESOLVED - That that the current Member Allowance Scheme be retained but with the following amendments: -

1. the Elected Mayor's salary be set at £30,000
2. the Executive pot remain at a maximum £38,152.08 with individual executive allowances to be set at the Annual meeting of Council in June 2015; and
3. a full review of the Member Allowance Scheme be undertaken by the Independent Remuneration Panel and a report be presented to Council during early 2016.

C 60 Changes to the Constitution - Stage 1

To consider recommendations from the Constitution Working Group who have considered updates that are required to the Council's constitution to reflect the Directly Elected Mayor model of governance that will be in place from May 2015.

During consideration of this item it was noted that the Strategic Nuclear and Planning Manager was referred to as the Head of Nuclear Energy and Planning and amendment to 14.3 (c) should read

"c) If a motion under rule ~~15 (k)~~ ~~14 (k)~~ **13 (k)** to put the question immediately to the vote is tabled it shall be at the ~~Mayor's~~ **Chair's** discretion as to whether the motion is accepted. Any such motion which is tabled during a Member's speech shall immediately be ruled out of order by the ~~Mayor~~ **Chair**."

RESOLVED - that subject to the Head of Nuclear Energy and Planning being amended to Strategic Nuclear and Planning Manager ; and to 14.3 (c) being amended to

" If a motion under rule ~~15 (k)~~ ~~14 (k)~~ **13 (k)** to put the question immediately to the vote is tabled it shall be at the Mayor's Chair's discretion as to whether the motion is accepted. Any such motion which is tabled during a Member's speech shall immediately be ruled out of order by the Mayor Chair."

1. with effect from 11 May 2015

- (i) Chapter 5 – Full Council functions
- (ii) Chapter 2 – Article – Chairing the Council
- (iii) Chapter 2 – Article – The Executive
- (iv) Chapter 10 - Planning Participation Scheme

of the constitution be amended as appended to the report; and

2. authority be delegated to the Democratic Services Manager, in consultation with the Constitution Working Group, to make any consequential amendments to the Constitution arising from these approved changes.

C Pay Policy Statement

Consideration was given to the proposed Pay Policy Statement for 2015/16 as required by Section 38(1) of the Localism Act 2011 to publish a Pay Policy Statement articulating its policies towards a range of issues relating to the pay of the workforce, particularly its senior staff (“Chief Officers”) and its lowest paid employees. This report updates the Policy in line with structural changes and guidance from Department for Communities and Local Government.

During consideration of this item it was noted that “Fees for the Returning Officer duties in respect of local elections are calculated at £100 per contested ward” should have been included in the statement.

RESOLVED – That subject to the Fees for the Returning Officer duties in respect of local elections calculated at £100 per contested ward being included the Council’s Pay Policy Statement for 2015/16 be approved.

The Meeting closed at 4.10 pm

Mayor