

COPELAND BOROUGH COUNCIL

MINUTES OF MEETING HELD ON 6 DECEMBER 2012

Present: Councillors Geoffrey Garrity; (Deputy Mayor in the Chair); David Banks; Geoffrey Blackwell; John Bowman; Jackie Bowman; Hugh Branney; Yvonne Clarkson; George Clements; Peter Connolly; Karl Connor; Margarita Docherty; Eileen Eastwood; John Fallows; Phil Greateorex; Stephen Haraldsen; Reg Heathcote; Ian Hill; Lena Hogg; Allan Holliday; Joan Hully; John Jackson; Alan Jacob; John Kane; Peter Kane; Michael McVeigh; David Moore; Alistair Norwood; Jack Park; Sam Pollen; David Riley; Gilbert Scurrah; Dave Smith; Peter Stephenson; Graham Sunderland; Norman Williams; Carole Woodman; Elaine Woodburn; Henry Wormstrup

Apologies for absence were received from Councillors Peter Tyson (Mayor); Brian Dixon; Jon Downie; Anne Faichney; Fred Gleaves; Keith Hitchen; Robert Salkeld; William Southward; Gillian Troughton; Paul Whalley; Jeanette Williams; Doug Wilson; Felicity Wilson.

C 56 Minutes

The Minutes of the Meeting held on 11 October 2012 were signed by the Mayor as a correct record.

C 57 Declarations of Interests

Councillor Yvonne Clarkson declared a Disclosable Pecuniary Interest in Agenda Item 13 Gambling Act due to having a tenant with a licenced premise and left the meeting during its consideration.

Councillor Henry Wormstrup declared a Disclosable Pecuniary Interest in a question asked by Councillor Lena Hogg on grass cutting due to being a resident in an affected area.

Councillor Joan Hully declared a Non Disclosable Pecuniary Interest in agenda item 12 Budget Process due to being in receipt of benefits.

Councillor Elaine Woodburn declared a Non Disclosable Pecuniary Interest in agenda item 17 – Notice of Motion Living Wage Campaign due to her brother being in receipt of the minimum wage.

C 58 Mayor's Announcements

The Deputy Mayor referred to the various engagements he had fulfilled. It was moved by the Mayor duly seconded and

RESOLVED - that Agenda items be considered in order of Items 8, 10 and 9.

C 59 Petitions

There were no petitions under Procedure Rule 19.

C 60 Questions from Members of the Public

There were no questions from members of the public

C 61 Questions from Members of the Council under Procedure Rule 13.1

There were no questions under Procedure Rule 13.1.

C 62 Executive Report

In moving the Executive report the Leader of the Council updated Member that:-

- a) 500 new jobs had been announced at Sellafield Ltd;
- b) a meeting had been arranged with the hospital trust to get assurances that all promises made would be delivered;
- c) the budget consultation exercise had generated 233 responses to date;
- d) the Government Autumn Statement had been received and implications for the Council would be looked at.

The Council then received and noted the Executive report.

C 63 Report on Urgent Action – Howbank Road, Egremont

A report was submitted and noted on actions taken by Chief Executive in consultation with the Portfolio Holder for Finance and Resources on grounds of urgency in ensuring the safe treatment of the collapsed Gillfoot Mine Shaft No2.

C 64 Update on Flooding

Arising from the Executive report and in response to a request from Councillor David Moore the Leader of the Council confirmed that County Council had produced 72 reports on flooding in Copeland 19 of which were classed as significant and would be subject of meetings with the Parishes and communities in the new year.

Arising from comments made by Members the Leader of the Council undertook to thank all those who had assisted during the recent floods.

C 65 Coastal Regeneration and Destination Management

Arising from the Executive report (Coastal Regeneration and Destination Management) and in response to a question from Councillor David Moore the Portfolio Holder – Regeneration and Economic Development Councillor Phil Greateorex undertook to provide a written reply on how and how wide the training was advertised for local businesses to make them Local Town Ambassadors.

C 66 Mineshaft Collapse

Arising from the Executive report and in response to a question from Councillor Yvonne Clarkson Leader of the Council Councillor Elaine Woodburn undertook to look into whether by extracting ore from mines which resulted in their collapse could be negligent.

C 67 Localism Act 2012 – Neighbourhood Planning

Consideration was given to a report seeking approval for the designation of the Parishes of St Bees and Millom Without as “Neighbourhood Areas” under the Neighbourhood Planning (General) Regulations 2012 authorising each Parish to produce a Neighbourhood Plan.

RESOLVED – That a) the Civil Parish of St Bees be designated as a “Neighbourhood Area”; and

b) subject to there being no public opposition to the application currently subject to public consultation Millom Without be designated as a “Neighbourhood Area”.

C 68 Budget Process 2013/14 – Update on Key Issues

Consideration was given to a report on the impact on the 2013/budget process from the delays in Government announcement on key information required to finalise the Councils budget proposals.

RESOLVED - That

- (i) the formal approval of the new Localised Council Tax Support scheme (LCTS) will be delayed to a special Council on 22nd January 2013 due to Government delays in publishing the detailed Regulations (Para 2.2) be noted.
- (ii) the formal calculation of the Council Tax Base for the purposes of setting the Council Tax be delegated to the S151 officer in consultation with the Portfolio Holder for this and future years.
- (iii) a revision to the Constitution in respect of the Budget and Policy Framework to amend the formal budget statutory consultation period from a period of 6 weeks to a period of between 4 to 6 weeks. This change will enable the consultation period to be achieved for the current year and also will give flexibility in future years should the same situation occur again (Para 5.1) be approved.

C 69 The Gambling Act 2005 – Adoption of a Three Year Licensing Policy

Consideration was given to the approval for the adoption of a Licensing Policy, made under the Gambling Act 2005, and containing the required statement of principles under Section 349 of that Act, and to the delegation of functions under that Act.

RESOLVED - That (a) the draft Licensing Policy as annexed and made under Section 349 of the Gambling Act 2005 (and being a statement of principles that the Council as licensing authority proposes to apply in exercising their functions under the said Act) be approved;

(b) that the delegation of functions to Council, the Executive, the Licensing Committee, Licensing Sub-Committees and the Legal Services Manager as set out in Appendix 4 to the Policy referred to in (a) be approved; and

(c) that the Policy referred to in (a) be published in accordance with statutory requirements.

C 70 Involvement of Parishes in Local Determination of Complaints

Consideration was given to a recommendation from the Audit and Governance Committee to make an amendment to the arrangements for determining allegations of breaches of the Code of Conduct, in cases where the member who is the subject of the allegation is a Town or Parish Member.

RESOLVED – That a) Audit and Governance Committee be asked to develop a person spec for applicants;

b) the Council write to all Parishes seeking applications from Elected and Co-opted Members and Audit and Governance Committee be authorised to make arrangements for shortlisting and interviewing candidates for recommendation to Council for appointment;

c) subject to a & b above the arrangements for assessment and determination of complaints be amended as detailed in Appendix “B” of the report to provide for consultation with parish representatives in cases where a complaint has been made about a Parish or Town Member.

C 71 Dispensations – Proposals for Further Delegation

Consideration was given to a report seeking delegated authority to grant dispensations to Members to the Monitoring Officer in certain circumstances

RESOLVED – That the Monitoring Officer be delegated authority to grant dispensations to Members to participate in discussions or voting, or both, at meetings where they would be otherwise unable to due to a Disclosable Pecuniary Interest, in circumstances set out in categories (i) and (iv) in paragraphs 2.1 only, and where it is not practicable to report requests for such dispensations to Audit and Governance Committee, and subject to any such dispensations being reported to the next meeting of Audit and Governance Committee.

C 72 Boundary Commission for England – Revised Proposals for Parliamentary Constituents

Consideration was given to a recommendation from the Electoral Review Working Party on a proposed response to the Boundary commissions revised proposals for the review of boundaries of parliamentary constituencies in England.

RESOLVED – That taking on board Members comments regarding sense of place and geography of the area representations be made to the Boundary Commission for England to the effect that Seascale Ward should be included in the West Cumbria Constituency and Dalton Ward in the Penrith and Solway constituency.

C 73 Notices of Motion

Notices of Motion Under Procedure Rule 13

It was moved by Councillor Sam Pollen duly seconded and

RESOLVED – That Copeland Borough Council resolves to:-

Support the Living Wage and commits to becoming a living wage Employer, setting an example to all employees in Copeland, delivering fairness in tough times and laying the foundations of a stronger economy that works for working people.

The meeting closed at 4.30pm

Mayor