

# **BOROUGH OF BARROW-IN-FURNESS**

## **EXECUTIVE COMMITTEE**

Meeting, Wednesday, 9th December, 2009  
at 2.00 p.m. (Committee Room No. 4)

**NOTE:** Group Meetings at 1.15 p.m.

## **A G E N D A**

### **PART ONE**

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Disclosure of Interests.

A Member with a personal interest in a matter to be considered at this meeting must either before the matter is discussed or when the interest becomes apparent disclose

1. ***The existence of that interest to the meeting.***
2. ***The nature of the interest.***
3. ***Decide whether they have a prejudicial interest.***

A note on declaring interests at meetings, which incorporates certain other aspects of the Code of Conduct and a pro-forma for completion where interests are disclosed accompanies the agenda and reports for this meeting.

5. To confirm the Minutes of the meeting held on 11th November, 2009 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

### **FOR DECISION**

- (D) 7. To note the Minutes of the Grants Sub-Committee held on 7th October, 2009 (copy attached).

- (D) 8. Minutes of the Early Retirement Panel (copy attached).
- (D) 9. Recommendations of the Housing Management Forum, 26th November, 2009.
- (D) 10. Council Tax Base 2010-2011.
- (D) 11. Risk Policy 2009.
- (R) 12. Presentation of Waste.
- (R) 13. Sale of Council Land – Land adjoining 2 Broadway, Barrow-in-Furness.
- (D) 14. Housing Association New Build Progress.
- (D) 15. South Lakeland District Council Local Development Framework Core Strategy.
- (D) 16. Local Authority Special Grant Funding in 2010/11 for the National Bus Concession in England.

**PART TWO**

- (R) 17. Grounds Maintenance Contract.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

- (R) 18. Building Cleaning Contracts 2010/12.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

**NOTE (D) - Delegated  
(R) - For Referral to Council**

**Membership of Committee**

Councillors Guselli (Chairman)  
Williams (Vice-Chairman)  
Barlow  
J. Hamezeian  
Marcus  
Millar  
Pemberton  
Pidduck  
Richardson  
Stephenson  
Waiting.

**For queries regarding this agenda, please contact:**

Jon Huck  
Democratic Services Manager  
Tel: 01229 876312  
Email: [jwhuck@barrowbc.gov.uk](mailto:jwhuck@barrowbc.gov.uk)

Published: 1st December, 2009

## EXECUTIVE COMMITTEE

Meeting: 11th November, 2009  
at 2.00 p.m.

PRESENT:- Councillors Guselli (Chairman), Williams (Vice-Chairman), Barlow (all items except Item 21), J. Hamezeian (Items 1-16 and Urgent Items only), Marcus, Millar, Pemberton, Pidduck (Items 1-14 and Concessionary Fares item), Richardson and Waiting.

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

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following items 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>                                                                                        |
|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Redistribution of Special Grant Funding for Concessionary Fares 2010/11 (Minute No. 83)              | To enable a robust response to be prepared to the consultation to the next meeting of the Committee. |
| On Street Parking – Proposal by Cumbria County Council to introduce charging in 2010 (Minute No. 84) | To enable a response to be submitted to Cumbria County Council.                                      |
| Sale of Council Land – Land adjoining 2 Broadway, Barrow-in-Furness (Minute No. 85).                 | Item was withdrawn.                                                                                  |

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

Discussion arising hereon it was

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 involve the likely disclosure of exempt information as defined in Paragraph 1 (Minute Nos. 90, 91, 92 and 94) and Paragraph 3 (Minute No. 93) of Part One of Schedule 12A of the said Act.

## **74 – Disclosure of Interests**

Councillor Guselli declared a personal and prejudicial interest in Agenda Item 10 – Barrow Dial a Ride (Minute No. 87), Agenda Item 14 – Morecambe Bay Primary Care Trust (Sure Start) (Minute No. 81) and the Urgent Item – On Street Parking – Proposal by Cumbria County Council to Introduce Charging in 2010 (Minute No. 84). He was a Member of Cumbria County Council. He left the meeting during consideration of the items.

Councillor J. Hamezeian declared a personal interest in Agenda Item 14 – Morecambe Bay Primary Care Trust (Sure Start) (Minute No. 81). He also declared a personal interest in the Urgent Item – On Street Parking – Proposal by Cumbria County Council to introduce charging in 2010 (Minute No. 84). He was a Member of Cumbria County Council.

Councillor Marcus declared a personal and prejudicial interest in Agenda Item 10 – Barrow Dial a Ride (Minute No. 87), Agenda Item 14 – Morecambe Bay Primary Care Trust (Sure Start) (Minute No. 81) and the Urgent Item – On Street Parking – Proposal by Cumbria County Council to Introduce Charging in 2010 (Minute No. 84). He was a Member of Cumbria County Council. He left the meeting during consideration of the items.

Councillor Williams declared a personal and prejudicial interest in Agenda Item 8 – Members Allowances Scheme – Report of the Independent Remuneration Panel (Minute No. 86). His accountant was a member of the Independent Remuneration Panel. He also declared a personal and prejudicial interest in Agenda Item 16 – Barrow and Dalton Town Centre Shop Front Grants (Minute No. 89). He was an owner of a property in the Town Centre. He left the meeting during consideration of the items.

## **75 – Minutes**

The Minutes of the meeting held on 14th October, 2009 were agreed as a correct record.

## **76 – Apologies for Absence**

An apology for absence was received from Councillor Stephenson.

## **77 – Council Finances Report – Quarter 2 2009-2010**

The Committee considered a detailed report of the Borough Treasurer regarding financial information for the second quarter of the financial year. It contained summary information and key data for the General Fund, Treasury Management, Capital Expenditure and Financing, Housing Revenue Account, Collection Fund,

Bad Debt Provisions and Write Offs, Reserves, Balances and Provisions, and Benefits Performance.

RESOLVED:- To note the information contained in the report of the Borough Treasurer.

### **78 – Housing Market Renewal Programme – North Central Renewal Area – Sutherland Street**

The Committee considered a detailed report regarding the Housing Market Renewal Programme – North Central Renewal Area. Members were made aware of the Group Repair Scheme. It was reported that the block of properties had included 84 Sutherland Street, which was a former shop with a flat above. That property had been empty for a number of years and had suffered fire damage.

It was considered to be uneconomic to retain that property, which would require substantial work to bring it back into use. It was proposed to demolish that and the adjoining property, 82 Sutherland Street, which was also owned by the Council, to create a small area of amenity land. That would contribute to the creation of a less dense built environment in the Renewal Area.

The Committee was also informed of progress on preparing the CPO, and that at the time of writing, 100 out of the 126 properties had been earmarked for demolition were owned by the Council. Terms had been agreed on a further seven.

The empty properties owned by the Council presented an ongoing security problem, and were increasingly becoming a focus for anti-social behaviour and vandalism. Some work had been done to demolish a number of back yard walls in an attempt to reduce fly tipping and vandalism. Whilst that had a degree of success, anti-social behaviour had continued. It was considered that it would be prudent to demolish empty properties where it was practical to do so.

Within a few weeks, the Council would own all but three of the properties in the block 1-81 Sutherland Street (odds). He recommended that, as far as reasonably practicable, all of the Council owned properties in that terrace be demolished as soon as possible.

Carrying out partial demolition would require a transfer of funds from 2010/11 to 2009/10.

It was noted that carrying out demolition incrementally was not the most cost effective way to do work of that nature. A Structural Engineer would need to be engaged to ensure that properties that remain were left in a stable condition. The demolition contractor would also be unable to maximise economies of scale.

It was also noted that there would be savings, both in cash and in staff resources that would arise. These savings would arise from a reduction in rental property security doors and reduction in removal costs of fly tipping.

It was considered that the best value to the Council was gained by carrying out the proposed partial demolition.

Members were reminded that Arcus Consulting had been appointed to manage the Group Repair Scheme and that the appointment had followed a competitive tendering exercise. Arcus Consulting had agreed to offer the same rate to manage the proposed demolition work. He recommended that Arcus be appointed on that basis as an extension to their existing contract.

It was important to consider carefully the strategic implications of carrying out the proposed partial demolition. That demolition work would reinforce the Council's commitment to the approved Renewal Area scheme, and in that sense add weight to its case in seeking confirmation of a CPO. However, it should not, and indeed cannot, prejudice the outcome of the CPO process. The corporate risks involved in recommending the work needed to be considered.

It was considered that the Council had a strong case in seeking the confirmation of a CPO, but that could never be guaranteed. In carrying out the demolition was the best option even in the event that the CPO was not confirmed. Previous options appraisal work carried out in the preparation of the Renewal Area Declaration Report had showed that wholesale refurbishment of existing properties in that part of North Central represented poor value for money. That remained the case, and the position would have worsened as many of the properties had now been vacant for a considerable period of time. It followed that there was no sensible reason to retain the properties that the Council currently owned.

The proposed demolition should proceed based on an agreed interim plan, with a long term fall back position in the event that the CPO was not confirmed.

In the interim, he recommended that the stability of the remaining properties was ensured, and that a simple landscaping scheme be carried out, either by leaving a surface of topsoil, or a bound hard surface to provide a more even surface than the crushed rubble that would remain from the demolition work.

As a long term fall back position, it would be possible to carry out a mixed scheme including a mixture of landscaping and a limited amount of new housing. That could be developed in more detail at a future date if necessary. It was important to recognise that would not be the optimum scheme, either from the point of view of value for money, or of achieving the strategic objectives of regenerating the housing market in North Central. Clearly the better scheme was that agreed as part of the declaration of the Renewal Area, and which would follow in the case of a CPO being confirmed.

Members also noted that the course of action had been similar to that taken in the Hindpool Renewal Area, where partial demolition had been carried out in advance of the CPO being confirmed.

RESOLVED:- (i) To note the report;

(ii) To note the progress made within the Renewal Area;

(iii) To approve the Group Repair Scheme details for Sutherland Street (even numbers) including the demolition of 82 and 84 Sutherland Street;

(iv) To authorise Officers to make the necessary arrangements to demolish properties on Sutherland Street (odd numbers), where these properties were owned by the Council and where the Chief Executive deemed that the work was practical;

(v) To appoint Arcus Consulting as project managers for the work; and

(vi) To agree to make the necessary adjustments to the Capital Programme.

## **79 – Guidelines for the Installation of Memorial Seats in Borough Cemeteries**

The Director of Regeneration and Community Services informed the Committee that there had been a significant increase in the number of requests from the families and friends of those buried within the Borough's Cemeteries to install memorial seats.

The Cemetery Department had always tried to accommodate the wishes of the bereaved in that regard, but the variability of the types of memorial being ordered and the availability of space had become a cause for concern.

The quality of the seats being purchased and installed varied to the point where some posed issues related to safety from the date of installation, and many do not stand up to the rigours of being placed in the outdoor environment for too long.

On a more sensitive note, just as the quality varied so to did the design, and whilst what may seem comforting to some bereaved people was often seen as inappropriate by many other visitors to the Cemeteries

The report asked Members to approve the introduction of a short set of guidelines aimed at regulating the introduction of memorial seats within the Borough's Cemeteries. These guidelines were as follows:

In order to regulate size and type, memorial seats with a standard size plaque may only be purchased through the Cemetery Department office. (These seats would be hardwood in construction and four feet in width). The approximate cost would be £400 per seat.



Seats would be allowed in any areas of the cemeteries but must not infringe on other graves or memorials. The location of the seat must be approved by the cemetery office.

Seats would be permitted for a five year lease. That was to ensure that seats do not fall into disrepair. After that period families had the option of purchasing a new seat should it be required. (The cemetery office reserved the right to repair/remove seats as necessary should they fall into disrepair during that period.)

The applicant must sign an application form agreeing to the policy

It was suggested that the Council involve Community Organisations to see if the Memorial Seats could be sourced locally.

RESOLVED:- To approve the introduction of the guidelines for the installation of Memorial Seats in Borough Cemeteries from 1<sup>st</sup> December, 2009.

### **80 – Newton Community Association – Ground Lease**

The Director of Corporate Services informed the Committee that Newton Community Association had occupied land in Newton-in-Furness and it was the site of Newton Village Hall.

The land had been held under the terms of a 40 year lease granted in 1963. That lease had terminated in March 2003.

Newton Community Association had requested the granting of a new lease on a 25 year term at a rent of £1 per annum. All other terms as per the existing lease.

RESOLVED:- To note the current position and agree to the granting of a new lease to lease land at Newton Community Association on the terms reported.

(COUNCILLOR WILLIAMS IN THE CHAIR)

### **81 – Morecambe Bay Primary Care Trust (Sure Start)**

The Director of Corporate Services informed the Committee that Sure Start Barrow, under the direction of Morecambe Bay Primary Care Trust, had occupied Ormsgill Community Centre and 108-122 Mill Lane on the following terms:

Ormsgill Community Centre: Nine year lease from 11<sup>th</sup> May 2005 to 10<sup>th</sup> May 2014 – Rent of £1 per annum

108-122 Mill Lane: 15 year lease from 11<sup>th</sup> May 2005 to 10<sup>th</sup> May 2020 – Rent of £100 per annum

Sure Start Barrow, known as Furness Children Centres, now came under the direction of Cumbria County Council.

Cumbria County Council and Morecambe Bay Primary Care Trust had approached the Council with a request to update the lease documentation on Ormsgill Community Centre and 108-122 Mill Lane.

The proposed new terms were that the existing leases to Morecambe Bay Primary Care Trust be surrendered; two new leases of twenty years duration be entered into between the Council and Cumbria County Council and all other terms are per previous agreements.

RESOLVED:- (i) To note the current position and agree to the granting of two new leases to Cumbria County Council on the terms reported; and

(ii) To instruct the Chief Executive to write to Cumbria County Council expressing the Council's concern that community organisations had been excluded from using the facility and that County Officers liaise with Barrow County Councillors to see how the facility could be used by the community.

(COUNCILLOR GUSELLI IN THE CHAIR)

## **82 – Land to the rear of Teal Close, Parklands, Askam-in-Furness**

The Director of Regeneration and Community Services informed the Committee that on completion of the residential development at Parklands, Askam-in-Furness it had been agreed that the Council would take, under lease, a small area of land from Neil Price Limited to maintain as Public Open Space.

The main terms of the lease were that the term of the lease would be for 99 years at a rent of £1 per annum (if demanded). The land would be used as Open Space/Amenity Land and there was no requirement for the Council to maintain the land other than as open space.

RESOLVED:- To note the current position and agree to the terms of the ground lease of land to the rear of Teal Close, Parklands, Askam-in-Furness as reported.

## **83 – Redistribution of Special Grant Funding for Concessionary Fares 2010/11**

The Chief Executive informed the Committee that the Minister for Transport had written to the Council giving notice of consultation on redistribution of special grant funding for concessionary fares 2010/11. The Minister had indicated his intention to withdraw £200,000 of special grant from Barrow. Consultation closed in eight weeks.

The special grant had been created in 2008 to meet the additional costs of extending free off-peak travel to anywhere in England.

The Government had calculated that Barrow had required £380,000 to meet that cost, and had been given assurances of the grant level for three years. In response to complaints from a number of authorities, the Minister had decided to redistribute grant for 2010/11 – the final year of the three year allocation and his civil servants had recalculated Barrow's entitlement as £180,000, a reduction of £200,000.

The LGA had recommended the payment of a supplementary grant to cover shortfalls rather than redistribution but it was clear from the letter received from the Chair of the LGA that they were resigned to redistribution of grant. The Minister had reduced the consultation period from twelve weeks to eight weeks, which gave a clear signal that he anticipated only minor changes to his proposed revisions.

A detailed response to the consultation would be prepared for the next meeting of the Committee, but it would be prudent to plan the 2010/11 budget on the basis of a reduction in grant of £200,000. All of the Ministers calculations had been based on 2008/09 data. Perversely, demand for concessionary fares was increasing, and it was likely that the Council's net budget of £1,000,000 for fares had been exceeded. Budget growth in 2010/11 was likely, to exceed the £200,000 loss of grant.

It was estimated that the cost of enhancing the national concession to include peak travel (before 9.30 a.m.) to be £80,000.

He did not see how the Council could continue to offer the enhanced concession in face of the drastic reduction in grant. Carlisle and South Lakeland no longer offered peak time concession and it would probably be necessary to withdraw the peak time concession if the Minister confirmed the Council's reduced grant.

**RESOLVED:-** To instruct the Chief Executive to prepare a robust response to the consultation on redistribution of special granting funding for Concessionary Fares 2010/11 to the next meeting of the Committee.

(COUNCILLOR WILLIAMS IN THE CHAIR)

#### **84 – On Street Parking – Proposal by Cumbria County Council to Introduce Charging in 2010**

The Chief Executive informed the Committee that the County Council had issued its 2010/11 budget consultation, and had given notice of its intention to introduce charging for on street parking. No indication of the level of charge had been given, but the County had anticipated net income in 2011/12 of around £700,000, following initial capital investment of £2.1M. The Council had received no prior indication of the policy change.

He had requested details of the level of charge used to underpin these calculations.

At present the Council administered Residents' Permits on behalf of the County Council, and historically the Council had opposed charging for the service as it concentrated in the most deprived wards.

Members were reminded that notice had been given on the Council's parking agreement with Cumbria, because of inequitable subsidy arrangements with the six District Councils. The County had responded by allocating £45,000 as requested for the financial year 2009/10. No commitment had been given for 2010/11. Instead the County was investigating the costs and benefits of establishing a single on street and off street parking management structure for the whole of Cumbria. Carlisle City Council was preparing a business plan for such an operation. The Counties budget proposals appeared to assume that the unified system would be in place.

**RESOLVED:-** To instruct the Chief Executive to write to Cumbria County Council on the following terms:-

- (i) To express the Council's concern at the lack of consultation regarding the proposal to introduce charging for on street parking in 2010; and
- (ii) To note that the Council were opposed to the introduction of charging for on street parking including Residents' Permits and that the Council would not collaborate with the introduction of that Policy.

#### **85 – Sale of Council Land – Land adjoining 2 Broadway, Barrow-in-Furness**

**RESOLVED:-** To agree that the item be withdrawn.

|                       |
|-----------------------|
| <b>REFERRED ITEMS</b> |
|-----------------------|

|                                                                   |
|-------------------------------------------------------------------|
| <b>THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION</b> |
|-------------------------------------------------------------------|

(COUNCILLOR GUSELLI IN THE CHAIR)

#### **86 – Members' Allowances Scheme – Report of the Independent Remuneration Panel**

The Chief Executive informed the Committee that a Council can amend its scheme of allowances as long as any proposals were in accordance with the regulations governing Members' Allowances and the Council had considered the views of its Independent Remuneration Panel (IRP) on the proposals.

The adopting of an allowances scheme for Members was a function of the Council (Article 4.02 of the Constitution).

The Council's Members' Allowances Scheme had last been reviewed in 2006. The current scheme expired on 31<sup>st</sup> March, 2010.

The Scheme of Allowances sets out the rates payable to Members for Basic, Special Responsibility, Travel and Subsistence, Co-optees and Dependants' Carers' Allowances. Where reference was made to reasonable expenses the Chief Executive would use the County Council's guide to reasonableness.

A copy of the IRP was considered by the Committee.

RECOMMENDED:- To recommend the Council to accept all the recommendations of the Independent Remuneration Panel (IRP) with the exception of recommendation 6(i).

(COUNCILLOR WILLIAMS IN THE CHAIR)

### **87 – Barrow Dial-a-Ride**

The Chief Executive informed the Committee that Barrow Dial-a-Ride was provided under contract to Cumbria County Council and provided bespoke transportation to the disabled community. The Council and Cumbria County Council currently shared the costs of subsidising the Barrow dial-a-ride service. The Council had contributed £25,000 and the County Council £29,308. In Carlisle the County Council had contributed £29,408.

Demand for the service was broadly flat with around 250 members. Additional fuel costs had driven up the costs of the service and the current year required additional subsidy of £3,500. The County Council had asked the Council to meet the cost because of the differential in grants paid by each authority at this time.

The service was now unique in Cumbria and the Council was unique among Cumbrian Districts in funding such a scheme.

A similar scheme had operated in Carlisle, but following tender was now provided through a mixed fleet taxi operation rather than a dedicated driver and vehicle. That change of service had produced savings in the cost of the service and the County Council had indicated their intention of tendering the Barrow service for a new contract commencing in September 2010.

The costs to the County Council were similar in Barrow and Carlisle because the Barrow service operated with two dedicated drivers and vehicles, whereas the Carlisle service was historically provided by a single driver and vehicle.

The Carlisle service catered for around 2,000 trips each year, whereas Barrow dial-a-ride catered for approximately 4,000 trips each year.

RECOMMENDED:- To recommend the Council to agree a supplementary estimate of £3,500 to increase the dial-a-ride subsidy in the current year and assume an overall grant of £28,500 for 2010/11.

(COUNCILLOR GUSELLI IN THE CHAIR)

### **88 – Amendment to Delegation Agreement with regard to Building Control Matters**

The Director of Regeneration and Community Services informed the Committee that the Council was required to make charges to cover costs in carrying out statutory Building Control functions. Charges had been reviewed and publicised annually as a Scheme of Fees and Charges which represented reasonable cost recovery for most projects.

Since 1997 local authorities had to compete for Building Control regulation work with private sector Approval Inspectors. During that period it had become relatively common for the Principal Building Surveyor to assess fee structures not on the Scheme of Fees and Charges by calculating the actual cost of the plan approval and inspection regime required by the specific project. That was particularly the case with very high value projects.

Having reviewed the Delegation Agreement with regards to Building Control matters which gave the Principal Building Surveyor in the Building Control team authority to act on behalf of the Council it had been suggested by the Director of Corporate Services that the Delegation Agreement should be amended to reflect a specific delegation to negotiate charges for services in consulting with him to ensure compliance with competition and procurement legislation.

RECOMMENDED:- To recommend the Council that Paragraph E be inserted into the Delegation Agreement with regard to Building Control Matters detailed in the Council's Constitution.

(E) In consultation with the Director of Corporate Services to negotiate individual charges for Building Control fees commensurate with the principles of cost recovery in cases where work might otherwise be lost to an Approved Inspector.

### **89 – Barrow and Dalton Town Centre Shop Front Grants**

The Chief Executive reminded the Committee that the current recession was having a detrimental effect on retailing outlets in Barrow and Dalton Town Centres.

In Barrow the Council had been using earmarked funding such as the Working Neighbourhoods Fund to support retailers and there was limited funding to support refurbishment of listed buildings. The Council continued to intervene in vacant properties such as 104 Abbey Road and a scheme for temporary improvement of empty retail window displays was in the process.

Independent retailers were finding it increasingly difficult to find funding to meet the costs of maintaining attractive and contemporary shop fronts and there was a danger that investment in public realm such as Dalton Road would be compromised by deteriorating retail units.

In order to encourage independent retailers to upgrade their shop fronts and present a well styled street scene, the Council needed to consider direct intervention to stimulate investment and implement low cost improvements without placing an added burden on small businesses.

The Council currently enjoyed a strong capital position and the existing three year programme had included £3m of general contingencies. He suggested that it would not be imprudent therefore to allocate £200,000 to support a Shop Front Grants Scheme for Barrow and Dalton Town Centres.

The scheme should be principally targeted at small retailers where modest investment could yield maximum benefit. It was proposed to introduce a non-contributory grant of up to £2,000 for shop front improvements. That would allow the Town Centre Manager to target small shops with poor frontages using expert advice to provide an enhanced trading environment.

Larger units, and there were some very large units currently empty, would require much more investment and to encourage this it was proposed to offer an additional grant of 50% up to a maximum of £20,000 contribution by the Council.

Assuming 50% of funding was taken up through small grants, that investment would allow for the improvement of a minimum of 50 small retail units and four larger refurbishments.

The scheme would be open to small independent businesses only. All work must be designed to the Council's satisfaction and competitively procured. High quality design was essential and all applications would be supported through the Barrow by Design initiative. Grants would only be available to improve the principle trading elevation or elevations of the property.

**RECOMMENDED:-** To recommend the Council that £200,000 from capital reserves be allocated to provide non-contributory grants of up to £2,000 and 50% grants up to a maximum contribution of £20,000 to encourage upgrading and refurbishment of independent retailers shop fronts in Barrow and Dalton Town Centres.

## **90 – Treasurer's Department – Additional Post**

The Borough Treasurer informed the Committee that the demands on the professional resources of the department had significantly increased due to pressures from the Accounting Bodies and HM Treasury to converge with International Financial Reporting Standards (IFRS) which were completely new to

Local Authorities. That was in addition to the continuous annual changes in accounting practice.

The need had been identified for a new post which would release valuable time for the Deputy Borough Treasurer to devote the necessary attention to the new requirements. In addition, at present, there was no capacity within the department to maintain the services provided during absences of any length and an Accountant (post FAC120) had resigned which would require minor amendments to the establishment.

**RECOMMENDED:-** To recommend the Council:-

- (i) To establish a post of Systems and Control Accountant on the grade PO9-12 to be funded from the budget released by the retirement of post FIT030, Assistant IT Manager, and the downgrading of post FAC120;
- (ii) To amend the grade of part time post FAC120 from PO9-12 to full time PO6-9 and re-designate to Service Accountant and to remove the essential car user allowance from the post;
- (iii) To reassign the essential car user allowance from post FAC120 to post FAC050;
- (iv) To re-designate post FAC147 to a Trainee Accountant;
- (v) To delete post FIT030 from the establishment; and
- (vi) To agree that the item be referred to a special Council meeting on 24<sup>th</sup> November to expedite the recruitment process.

## **91 – Admin. Services Staffing**

The Director of Corporate Services informed the Committee that over the summer, a review of printing had been carried out across all Council departments. Three external print suppliers had been invited to conduct a study of how printers were used and where efficiencies might be gained.

Their suggestions, when fully implemented could result in savings of up to £9,000 per year on the council's internal printing and copying costs.

Whilst the review had been carried out, recruitment to the vacant posts in Admin Services had been frozen, as it had been proposed that the internal print unit be disbanded.

In order to now progress the changes, the staffing in Admin Services needed to be addressed.



It was proposed that the vacant Print Assistant post be redesignated as an Office Support post and filled on a part time basis and that the vacant General Assistant post be deleted. In addition, the temporary gradings for the Office Support posts be confirmed. That would provide a saving on staff costs of £16,569.

RECOMMENDED:- To recommend the Council:-

(i) To approve the revised structure:-

| Post No | Post Title             | Grade     | Hours |
|---------|------------------------|-----------|-------|
| FIT100  | Office Support Manager | Scale 5/6 | 37    |
| FIT130  | Office Support Officer | Scale 2/3 | 22    |
| FIT135  | Office Support Officer | Scale 2/3 | 19    |
| FIT150  | Office Support Officer | Scale 2/3 | 30    |
| FIT165  | Office Support Officer | Scale 2/3 | 18.5  |
| FIT180  | Office Support Officer | Scale 2/3 | 22    |
| Totals  |                        |           | 148.5 |

(ii) To agree that the vacant Office Support Officer post be filled as soon as possible.

## **92 – Proposed Staffing Changes – Commercial Services Environmental Health Department**

The Director of Regeneration and Community Services reminded the Committee that that the Council had recently been subject to an audit of food safety procedures by the Food Standards Agency. The audit team in the main had been complimentary of the work carried out by the Council, however, seven recommendations for improvement had been suggested which had now been included in an action plan approved by this Committee.

The need to focus on improvements in food safety regulations highlighted by the Food Safety Audit had coincided with an Environmental Health Officer (EHO) in the Commercial Services team reducing her hours of work to 30 hours per week following maternity leave. That employee was an experienced Environmental Health Officer who had routinely undertaken a case load of food safety and health and safety premises inspections.

That reduction in her working hours had initiated a review of general working arrangements within the section to ensure that all statutory inspection responsibilities were satisfied.

He proposed minor changes to the establishment within the Commercial Section to ensure that the momentum on food safety improvements was maintained and that

inspection programmes under the Health and Safety at Work and Licensing legislation were not neglected.

The proposal was to promote postholder DEH045, currently an EHO in the Commercial Services team to Senior EHO (Health and Safety/Licensing) with a remit to support the management of the Commercial Services team in respect of the specialist officers undertaking enforcement of Health and Safety at Work and Licensing legislation.

That change would allow the food safety officers within the Commercial Services, to concentrate on progressing the improvement plan agreed with the Food Safety Agency without risk to other aspects of the work of the Commercial Services team.

He was satisfied that postholder DEH045 had the appropriate experience and competence to undertake the proposed changes to his responsibilities as he had recently successfully completed an HND Diploma in Health and Safety Management and he was an experienced occupational health and licensing regulation enforcing officer.

He recommended that the post be re-graded to SO2/PO5 in line with other senior officers within the Department. He confirmed that the recommendation could be funded from the savings to the salary budget arising from the recently agreed reduction in working hours as indicated above producing an overall saving of £3,593 during the current financial year and £6,071 during 2010/11.

**RECOMMENDED:-** To recommend the Council that postholder DEH045 be re-designated Senior Environmental Health Officer on salary grade SO2/PO5 at the earliest opportunity.

### **93 – Barrow Borough Council and South Lakeland District Council Waste, Recycling and Street Cleansing Contract 2010-2017 (24)**

The Director of Regeneration and Community Services informed the Committee that tender submissions had been received in respect of Lot 1 Barrow Borough Council and South Lakeland District Council Waste, Recycling and Street Cleansing Contract 2010-2017 (24) following a competitive bidding process undertaken by the Council in collaboration with South Lakeland District Council.

Each tender had been evaluated in accordance with the Tender Evaluation Model in the Instructions to Tender. A summary of the Tender Evaluation Model was considered by the Committee.

**RECOMMENDED:-** To recommend the Council:-

(i) To approve the decision made by a project team of Borough Council Officers to award Biffa Waste Services Limited the highest points score following the Tender Evaluation Process;

(ii) To authorise the Director of Corporate Services to oversee the Award of Contract procedure as detailed in the Instructions to Tender and should there be no substantive challenge to that intention he be authorised to formally award the contract to Biffa Waste Services Ltd; and

(iii) To authorise the Director of Corporate Services to enter into discussions with Officers of South Lakeland District Council to explore the potential for joint working following the awarding of Lot 2 of the same contract by South Lakeland District Council.

#### **94 – Changes to Establishment**

The Committee considered a report from the Housing Manager the purpose of which was to agree an approach to succession planning to reflect impending change to personnel in the Housing Service.

The Chief Executive informed the Committee that consideration was required in response to the Tenancy Services Manager requesting flexible retirement and the Community Involvement Manager retiring at the end of the financial year.

It was proposed that the Customer Services Manager post be deleted and an Operations Manager's post be created. The post of Area Surveyor (post no. OHS505) be amended and upgraded to take responsibility for the management of the Mobile Caretaker Unit. To maintain continuity of service it was suggested that there be an overlap of the Customer Involvement Manager Post for a maximum of eight weeks.

**RECOMMENDED:-** To recommend the Council:-

(i) The post of Customer Services Manager be deleted;

(ii) The post of Operations Manager be created;

(iii) The post of Area Surveyor (post no. OHS505) be amended and upgraded to SO1/SO2 to take responsibility for the management of the Mobile Caretaker Unit; and

(iv) To agree an overlap of the Community Involvement Manager and the future management of the post by the Housing Manager.

The meeting closed at 4.40 p.m.

# BOROUGH OF BARROW-IN-FURNESS

## GRANTS SUB-COMMITTEE

Meeting, 7th October, 2009  
at 2.00 p.m.

PRESENT:- Councillors Williams (Chairman), Guselli, Husband, Irwin, McEwan and Wood.

### **9 – 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 100B(4)(b) of the Local Government Act, 1972.

| <u>Item</u>                                                      | <u>Reason</u>                                                                                                             |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Consideration of NDR Hardship Relief Application (Minute No. 15) | To enable consideration of this application urgently as there was no other meeting of the Grants Sub-Committee scheduled. |

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

Discussion arising hereon it was,

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 8 (Minute No. 8) of Part One of Schedule 12A of the said Act.

### **11 – Disclosures of Interest**

Councillor Wood declared a personal interest in Award for NDR Relief for Citizens Advice Bureau (Minute No. 14), he was an appointed Council Member to this Board.

He also declared personal and prejudicial interests in Award for NDR Relief for the Sea Cadets (Minute No. 14), he was a member of the Management Team; and NDR Relief for Thrift (Minute No. 14), a number of charities that he was involved with had received money from Thrift.

## **12 – Minutes**

The Minutes of the meeting held on 27th July, 2009 were taken as read and confirmed.

The Borough Treasurer referred to Minute No. 7 of the last meeting where the Committee resolved that £2,850 would be held back for the Sports Panel and £2,500 would be held back for the Arts Panel, however, Mr D. Brook had requested that Members review their decision.

Following advice from the Borough Treasurer, the Sub-Committee;

**RESOLVED:-** Members agreed that those two elements of the Grants Budget should be taken out of the Grants Sub-Committee Budget and reported to the Executive Committee separately.

## **13 – Attendance of Substitute Member**

Councillor McEwan had attended as a substitute for Councillor Begley for this meeting only.

## **14 – Award of NDR Relief for the Year 2009/10**

The Borough Treasurer reported that the budget for the award of relief on Non Domestic Rates for charitable and non profit making organisations was £80,000 for 2009/10. Applications totaling £213,427.89 had been received. If all of applications were approved, the cost to the Council was £94,309.54. The balance would be met by the National Non Domestic Rates Pool. The applications were attached as appendices to the Borough Treasurer's report.

In arriving at a decision, Members were referred to the following approved Terms of Reference which were intended to give guidance to Members, however, it should be noted that the award of grants was at the discretion of the Sub-Committee within the limit of the available approved budget for the financial year:-

1. Only local organisations should be considered for discretionary relief;
2. The percentage of the discretionary relief awarded should reflect the levels of bank balances and other resources available to the organisation; and
3. The percentage of the discretionary relief awarded should reflect the levels of bar takings generated by the organisation.

The applications for the NDR Relief were as follows:

Appendix 1 listed applications from charitable organisations. The total amount applied for was £59,118.33 of which £44,338.90 (75%) would be covered by the revenue budget.

Appendix 2 listed applications from non-profit making organisations. The total amount was £115,818.21 of which £28,954.56 (25%) would be covered by the revenue budget.

Appendix 3 listed applications from sports clubs. The total applied for was £21,480.18 of which £16,110.14 (75%) would be met by the revenue budget.

Appendix 4 listed applications from village organisations. The total amounts to £1,249.79 of which £627.70 would be met by the revenue budget.

Appendix 5 listed backdated applications. They amounted to £15,761.38 of which £4,278.24 would be covered by the revenue budget.

Following discussions the Sub-Committee resolved to:-

- (i) Only award Discretionary Relief to Local Organisations over all five appendices;
- (ii) Reduce Discretionary Relief for the Community Amateur Sports Clubs listed Appendix 3 from 20% to 10% for all applications with a bar turnover of over £30,000;
- (iii) That the appropriate Officer calculates a percentage to reduce the amount of relief for all other Local Charitable Organisations listed in Appendix 1 to bring the relief award within the budget of £80,000.

## **15 – Consideration of NDR Hardship Relief Application**

The Borough Treasurer reported that the Section 151 Officer had delegated authority to consider and decide on whether to award NDR Hardship Relief. However he felt it would be appropriate to seek Members views on the applications received.

Under Section 49 of the Local Government Act 1988 the Council had the power to award full or partial relief from business rates. The cost of the relief was 75% funded by the Government and 25% by the local Council Tax Payers. Therefore the decision to award the relief must be for the benefit of local community and must show that not awarding the relief would have a negative impact on the local economy or services provided in the area.

The Borough Treasurer reported on an application for the NDR Hardship Relief and requested Members to consider whether to grant any relief.

**RESOLVED:-** That the request for NDR Hardship Relief be refused as the Sub-Committee felt that the business in question was not an essential service to the community.

The meeting closed at 2.37 p.m.

## **EARLY RETIREMENT PANEL**

Meeting: 6th November, 2009  
at 2.00 p.m.

PRESENT:- Councillors Pidduck, Richardson, Solloway and Williams.

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

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 (Minute No. 7) of Part One of Schedule 12A of the Local Government (Access to Information) Act 1985 and Access to Information (Variation) Order 2006.

### **6 – Minutes**

The Minutes of the meeting held on 17th July, 2009 were agreed as a correct record.

### **7 – Application for Flexible Retirement**

The Panel considered an application for Flexible Retirement which had been received from postholder OHS260.

He requested that his working week be reduced from full-time (37 hours) to two days per week (15 hours) with effect from 1<sup>st</sup> January 2010. That would reduce the manpower costs of the post by £23,633 per annum.

Due to the postholder being aged over 60 there were no costs associated with granting flexible retirement.

Plans had been formulated to accommodate the request which involved a change to the Management Structure of the department. The plans would be subject to consultation with Unison once they had been considered by the Council's Executive Committee on 11<sup>th</sup> November.

If these proposals were approved and subject to successful consultation, there would be a net reduction to the manpower budget of £18,000 per annum.

RESOLVED:- To agree that the application for Flexible Retirement received from the holder of post number OHS260 be approved with effect from 1st January, 2010.

The meeting closed at 3.08 p.m.

**BOROUGH OF BARROW-IN-FURNESS**

**EXECUTIVE COMMITTEE**

**9th December, 2009**

**(D) AGENDA ITEM NO. 9**

**RECOMMENDATIONS**

**OF THE**

**HOUSING MANAGEMENT FORUM**

**26th November, 2009**

**\*Subject to the protocol agreed by Council**



The recommendations of the meeting of the Housing Management Forum held on 26th November, 2009 are attached.

**COPIES OF THE DETAILED REPORTS ON THESE ITEMS HAVE BEEN CIRCULATED PREVIOUSLY TO ALL MEMBERS OF THE COUNCIL.**

The Council has agreed that the following protocol should operate:-

- The Executive Committee shall automatically agree any such recommendation or refer it back for further consideration.
- If on re-submission the Executive Committee is still unwilling to approve the recommendation, it is automatically referred to full Council for decision.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>HOUSING MANAGEMENT FORUM</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>(D)</b> |
| <b>Date of Meeting: 26th November, 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>(i)</b> |
| <b>Reporting Officer: Housing Manager</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            |
| <p><b>Title: Planning of Investment and Maintenance Services</b></p> <p><b>Summary and Conclusion:</b></p> <p>The purpose of the Housing Manager's report is to consider and agree the Council's approach to planning its Maintenance Services. It provides proposals regarding planning future investment and also for the completion of preparatory work with regard to a review of the Responsive Repairs Contract.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To agree that the Stock Condition Survey be completed during the current financial year; and</li> <li>2. To agree to appoint Consultants to complete a review of the current Responsive Repair Contract in consultation with the Tenant Compact Working Party.</li> </ol> |            |

|                                                                                                                                                                                                                                                                     |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>HOUSING MANAGEMENT FORUM</b>                                                                                                                                                                                                                                     | <b>(D)</b>  |
| <b>Date of Meeting: 26th November, 2009</b>                                                                                                                                                                                                                         | <b>(ii)</b> |
| <b>Reporting Officer: Housing Manager</b>                                                                                                                                                                                                                           |             |
| <b>Title: Miscellaneous Properties</b>                                                                                                                                                                                                                              |             |
| <b>Summary and Conclusion:</b>                                                                                                                                                                                                                                      |             |
| <p>The purpose of the Housing Manager's report is to provide information requested at the HMF meeting on 27<sup>th</sup> August 2009 regarding miscellaneous properties managed by the Housing Service and arrangements for their maintenance.</p>                  |             |
| <b>Recommendations:</b>                                                                                                                                                                                                                                             |             |
| <ol style="list-style-type: none"><li>1. To note the information regarding the management of miscellaneous properties; and</li><li>2. To agree the proposals to include the investment requirements of these properties through a Stock Condition Survey.</li></ol> |             |

|                                                                                                                                                                                                                                                                    |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>HOUSING MANAGEMENT FORUM</b>                                                                                                                                                                                                                                    | <b>(D)</b>   |
| <b>Date of Meeting: 26th November, 2009</b>                                                                                                                                                                                                                        | <b>(iii)</b> |
| <b>Reporting Officer: Housing Manager</b>                                                                                                                                                                                                                          |              |
| <b>Title: Gas Servicing</b>                                                                                                                                                                                                                                        |              |
| <b>Summary and Conclusion:</b>                                                                                                                                                                                                                                     |              |
| A landlord is required to complete a gas safety check every twelve months. The purpose of this report is to suggest and agree a ten month cycle to ensure this is completed on a 100% basis.                                                                       |              |
| <b>Recommendations:</b>                                                                                                                                                                                                                                            |              |
| <ol style="list-style-type: none"><li>1. To note information contained in the report regarding gas servicing; and</li><li>2. To agree that the Housing Service adopt a 'ten month' cycle to further ensure services were completed within twelve months.</li></ol> |              |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>HOUSING MANAGEMENT FORUM</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>(D)</b>  |
| <b>Date of Meeting: 26th November, 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>(iv)</b> |
| <b>Reporting Officer: Housing Manager</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             |             |
| <p><b>Title: Adaptations for Tenants with Disabilities</b></p> <p><b>Summary and Conclusion:</b></p> <p>The purpose of the Housing Manager's report is to consider and agree an extension of the current contract arrangements for completing adaptations for tenants living in Council owned property.</p> <p><b>Recommendations:</b></p> <p>To agree the extension of the current contract arrangement with AB Mitchell for a further two year period, commencing on 1<sup>st</sup> April 2010.</p> |             |

|                                                                                                                                                                                                                                                                                                                                                         |                           |                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                         |                           | <b>Part One</b>                       |
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                              |                           | <b>(D)<br/>Agenda<br/>Item<br/>10</b> |
| <b>Date of Meeting:</b>                                                                                                                                                                                                                                                                                                                                 | <b>9th December, 2009</b> |                                       |
| <b>Reporting Officer:</b>                                                                                                                                                                                                                                                                                                                               | <b>Borough Treasurer</b>  |                                       |
| <p><b>Title: Council Tax Base 2010-2011</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report informs committee that I have calculated the Council Tax Base for the purpose of setting the Council Tax for the year 2010-2011.</p> <p><b>Recommendations:</b></p> <p>To agree the Council Tax Base for setting the Council Tax for 2010-11.</p> |                           |                                       |

### **Report**

The Council Tax Base calculation is based on the number of dwellings on the valuation list adjusted by estimates for additions to and deletions from the list. Adjustments are also made for exempt dwellings, disabled reductions, discounts and successful appeals.

The Council Tax Base for the financial year 2010-2011 has been set at:

|                                  |           |
|----------------------------------|-----------|
| The whole Borough area           | 21,545.98 |
| Barrow unparished area           | 17,661.84 |
| Dalton with Newton Town Council  | 2,493.53  |
| Askam and Ireleth Parish Council | 1,123.35  |
| Lindal and Marton Parish Council | 267.27    |

The base will be used to set the Council Tax for the financial year 2010-2011.

(i) **Legal Implications**

The Tax Base must be annually set to calculate the Council Tax.

(ii) **Financial Implications**

Not Applicable.

(iii) **Health and Safety Implications**

Not Applicable.

(iv) Key Priorities or Corporate Aims

Not Applicable.

(v) Risk Assessment

Not Applicable.

(vi) Equal Opportunities

Not Applicable.

Background Papers

Nil

|                                                                                                                                                                                                                                                                                                                                                                                                                                         |                              |                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                              |                              | <b>Part One<br/>(D)<br/>Agenda<br/>Item<br/>11</b> |
| <b>Date of Meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>9th December, 2009</b>    |                                                    |
| <b>Reporting Officer</b>                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Policy Review Officer</b> |                                                    |
| <p><b>Title: Risk Policy 2009</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report provide the Executive Committee with the updated version of the Councils Risk Policy</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To consider the policy and agree to the changes; and</li> <li>2. To agree that the Leader of the Council should be the member responsible for risk management.</li> </ol> |                              |                                                    |

### **Report**

The 2009 Risk Policy (**Appendix 1**) has been updated to include the following changes:

1. The minimum score above which mitigating action is required has been reduced from 16 to 15 to include risks with uncertain likelihood but a major impact (page 4).
2. The responsibilities have changed to reflect that the Corporate Services Overview and Scrutiny Committee will receive quarterly monitoring reports (page 6).
3. The responsibilities have changed to reflect that Management Team will sign the Assessment and Evaluation forms for high level risks as recommended by Internal Audit (page 6).
4. Removal of risk of not being able to report against National Indicators or LAA targets because robust arrangements are now in place (page 5).

### **Members are invited to consider and approve the amended Risk Policy**

The policy requires the identification of a member champion for Risk Management. It is **recommended** that the Leader of the Council should assume this role.

The Council's current risk register is attached as **Appendix 2**.



(i) Legal Implications

Not Applicable.

(ii) Financial Implications

Not Applicable.

(iii) Health and Safety Implications

Not Applicable.

(iv) Key Priorities or Corporate Aims

Supports risk assessment of the Key priorities

(v) Risk Assessment

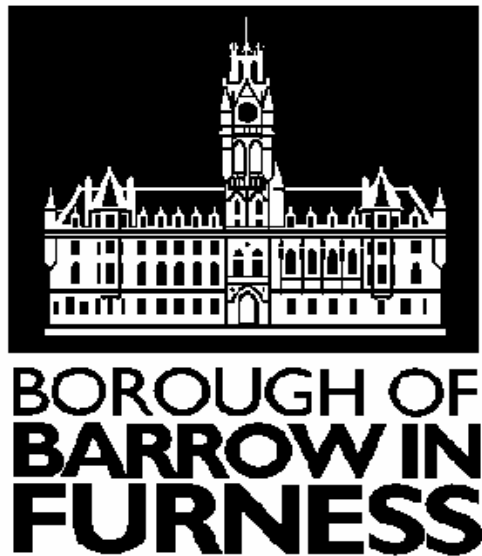
Not Applicable.

(vi) Equal Opportunities

Not Applicable.

Background Papers

Nil



## **Risk Management Policy 2009**

**Author**  
**Date published**  
**Review date**

**Policy Review officer**  
**April 2009**  
**March 2010**

Personnel and Performance Department  
Town Hall  
Duke Street  
Barrow-in-Furness  
Cumbria  
LA14 2LD

[performance@barrowbc.gov.uk](mailto:performance@barrowbc.gov.uk)  
[www.barrowbc.gov.uk](http://www.barrowbc.gov.uk)

## **Version Control**

Changes from previous version:

- 1: The minimum score above which mitigating action is required has been reduced from 16 to 15 to include risks with uncertain likelihood and major impact (page 4).
- 2: The responsibilities have changed to reflect that the Corporate Services O&S committee will receive quarterly monitoring reports (page 6).
- 3: The responsibilities have changed to reflect that Management Team will sign the Assessment and Evaluation forms for high level risks as recommended by Internal Audit (page 6).
- 4: Removal of risk of not being able to report against National Indicators or LAA targets because robust arrangements are now in place (page 5).

## **Contents**

|                                                     |   |
|-----------------------------------------------------|---|
| Risk Management Policy 2009 .....                   | 1 |
| Introduction and purpose .....                      | 2 |
| Barrow Borough Council's approach .....             | 3 |
| Delivery of effective risk management.....          | 4 |
| Corporate risks.....                                | 4 |
| Delivery of the annual objectives .....             | 5 |
| Health and safety risks.....                        | 6 |
| Staff and Member responsibility .....               | 6 |
| Executive Committee .....                           | 6 |
| Member with responsibility for risk management..... | 6 |
| Management Team.....                                | 6 |
| Risk owner .....                                    | 6 |
| All staff .....                                     | 6 |
| Policy Review Officer .....                         | 6 |

## **Risk management policy**

### **Introduction and purpose**

Barrow Borough Council is committed to delivering a balanced approach to risk management. We recognise that good risk management will support and enhance the decision making process, increase the likelihood of the council meeting its objectives and enable it to respond quickly to new pressures and opportunities.

Risk management is about understanding those things that could help or hinder us in trying to deliver our objectives.

Understanding and managing our threats or risks comes down to four questions:

- What's the worst that could happen to us?

- What's the likelihood of it happening?
- What would be the impact if it did? and
- What can we do about it (i.e. how can we prevent it from happening or what can we put in place to manage it if it should?)

Good risk management will also help us to explore and take up opportunities as they are identified.

Good risk management does not mean that we are required to take greater risks, nor that we avoid taking risks. Rather, good risk management gives us a better understanding of the risks and opportunities that we face and how we can best manage them.

The real value of good risk management lies in the benefits it will deliver. Those benefits will be varied in their nature and extent and some might be more measurable than others, but they will all be important to the council's reputation and ability to deliver improved and value for money public services.

Some of the benefits we can expect to realise include:

- Supporting and enhancing the decision making process;
  - Improved public confidence in our ability to deliver services (our reputation);
  - Early warning of problems;
  - Prioritisation of resources;
  - Improved business planning by focussing on the outcome not the process;
- and

### **Barrow Borough Council's approach**

The Council's approach to risk management has been developed to support the key requirements of good corporate governance:

**Strong leadership:** Senior managers and Elected Members will support and promote good risk management across the organisation.

**Consistent:** There will be consistency in our approach to risk management across the organisation. We will use a risk management framework to equip and support our staff so they can manage risks appropriately.

The approach to effective risk management will be based four very simple questions:

**Identifying the risk:** What's the best or worst that could happen to us?

**Assessing the risk:** What's the likelihood of it happening?  
What would be the impact if it did?

**Managing the risk:** How can we prevent it from happening or what can we put in place to manage it if it should happen?

**Recording the risk:** How do we make sure that everyone is aware of the risk and how we are going to manage it?

**Open and Transparent:** Our approach to managing risks will be open and transparent and blame will not be attributed if decisions made in good faith turn out to be wrong. Staff and Members, should have access to information on our current risks and opportunities and how we are managing them. Corporate risks will be recorded in the Council's Risk Register, which will be published on the Council's intranet.

**Accountable:** There will be clear accountability for our risks across the whole of the organisation. Our risks will be open to regular internal audit and audit inspection by external agencies. Appropriate risk-taking and innovation will be encouraged and promoted through a 'no blame' culture.

## Delivery of effective risk management

### Corporate risks

Management Board has identified a process for assessing corporate risks.

Risks will be identified in advance of the start of the municipal year and will be reviewed on a quarterly basis.

Risks will be scored using a five square matrix;

|                  | 1:<br>Insignificant | 2: Minor | 3: Moderate | 4: Significant | 5: Major |
|------------------|---------------------|----------|-------------|----------------|----------|
| 1: Almost always |                     |          |             |                |          |
| 2: Likely        |                     |          |             |                |          |
| 3: Uncertain     |                     |          |             |                |          |
| 4: Unlikely      |                     |          |             |                |          |
| 5: Almost never  |                     |          |             |                |          |

For risks with a score of 15 or greater a SMART action plan will be developed to eliminate or mitigate the risks.

All risks will be recorded on a risk register that will be published on the Council's website

Barrow Borough Council will manage risks appropriately.

When managing and controlling our risks, our actions should be proportionate - the cost and time of our efforts should be in balance with the potential impact of the risk.

We should adopt four approaches to dealing with significant risks:

**1: Tolerate the risk.** As an organisation we should accept that sometimes it is appropriate to continue with activities even though we know that involve taking a risk. We should tolerate risks that we consider to be acceptable when:

- We can put controls in place to mitigate the risk.
- The risk cannot be mitigated cost effectively
- Although there is a risk with the activity the benefits significantly outweighs the disadvantage.

When identifying controls remember to establish the cost of the controls before implementing them

**2: Treat the risk.** This involves reducing the risk to an acceptable level either by containment actions or contingent actions.

Mitigating actions involve actions that can reduce the likelihood of occurrence or reduce the impact if it does occur. These are applied before the risk materializes.

Contingent actions involve having an action plan of what we can do to minimize the impact if the risk occurs. These are applied after the risk has materialized.

**3: Terminate the risk:** This involves doing things differently and thus removing the risk. This option is more applicable to operational risks but is limiting in terms of strategic risks

**4: Transfer the risk to a third party:** Examples of this include insurance or paying contractors to undertake some of the Council's functions. This is a good way of mitigating financial risks and buying in expertise from other organisations

## **Delivery of the annual objectives**

The Council will use a similar approach for managing the risks that may affect delivery of the Council's annual objectives. The Policy Review Officer will agree risk assessment for the Council's objectives with appropriate managers.

If there is a high risk of an objective not being achieved Management Team will determine whether an action plan is required to mitigate the risk.

**Health and safety risks**

Health and Safety risks will be covered in a separate policy.

**Staff and Member responsibility**

|                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Executive Committee</b>                                | Approve the statement of the council's Risk Management Policy Statement and subsequent revisions<br>Consider the risk management implications when making decisions<br>Agree the council's appropriate response to its highest risks                                                                                                                                                                                                  |
| <b>Corporate Services Overview and Scrutiny Committee</b> | Receive quarterly reports on risk management activity                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Member with responsibility for risk management</b>     | Be responsible for overview of the Council's risk management activities.                                                                                                                                                                                                                                                                                                                                                              |
| <b>Management Team</b>                                    | Ensure that there is a robust framework in place to identify, monitor and manage the council's strategic risks and opportunities<br>Management and quarterly review of the corporate risk register<br>Receive regular reporting on corporate risks and identify necessary actions<br>Demonstrate commitment to the embedding of risk management across the organisation.<br>Sign Assessment and Evaluation forms for high level risks |
| <b>Risk owner</b>                                         | Have responsibility for management of including development and implementation of action plans                                                                                                                                                                                                                                                                                                                                        |
| <b>All staff</b>                                          | Be aware of the risks and control mechanisms within their area of work<br>Report any new risks to their line manager                                                                                                                                                                                                                                                                                                                  |
| <b>Policy Review Officer</b>                              | Develop and maintain risk register.<br>Monitor the implementation of action plans<br>Prepare reports for senior managers and Members<br>Prepare Assessment and Evaluation forms for high level risks.                                                                                                                                                                                                                                 |





| Risk | Risk description                                                          | Likelihood | Impact | Score | Impact                                                                                                                                                                                                                       | Mitigating actions                                                                                                                                                  | Contingency actions                                                                                     | Responsible Officer                             |
|------|---------------------------------------------------------------------------|------------|--------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 1    | Number of invalidity benefit claimants remains above the national average | 5          | 5      | 25    | Significant strain on the local economy, higher levels of poverty and ill-health                                                                                                                                             | The LSP through Furness Enterprise have developed a programme to reduce benefit claimants and remove the barriers to employment for people with limiting conditions |                                                                                                         | Director of Regeneration and Community Services |
| 2    | There is a significant increase in job seeker allowance claimants         | 5          | 4      | 20    | Significant strain on the local economy, higher levels of poverty and ill-health                                                                                                                                             | The LSP through Furness Enterprise have developed a programme to create jobs                                                                                        | The Council has delivered an advanced workspace programme to attract businesses to the Borough          | Director of Regeneration and Community Services |
| 3    | Failure to deliver Waterfront Barrow regeneration programme               | 4          | 4      | 16    | This will damage the profile of barrow as a place to live and work. There will be a loss of local confidence and ineffective use of private sector resources                                                                 | The Cumbria Vision Board has agreed the action plan and has engaged the private sector in the development                                                           | There is an option to delay the project by five years until alternative funding becomes available       | Director of Regeneration and Community Services |
| 4    | Shared services fail to deliver improvements and savings                  | 4          | 4      | 16    | The Council will not meet its own targets for shared services and will not realise the benefits of shared services                                                                                                           | The Council will continue to undertake effective partnership working to improve efficiency                                                                          | The Council will undertake market testing of IT services to improve efficiency                          | Director of Corporate Services                  |
| 5    | Impact of pay review                                                      | 4          | 4      | 16    | Potential staff unrest.<br>Increase in staff costs.<br>Failure to agree the outcomes of the job evaluation process.                                                                                                          | Suitable pay protection arrangements are in place. The Council has consulted fully with trade unions throughout the process.                                        |                                                                                                         | Director of Corporate Services                  |
| 6    | Council fails to achieve recycling targets                                | 3          | 5      | 15    | There will be a shortfall in the budget because of the cost of the additional recycling service. The council will fail to meet LAA targets leading to an elevated level of waste to landfill that could incur LATs penalties | A new recycling service has been introduced and the level of recycling is being monitored                                                                           | External funding is available for additional promotion to help maintain these improved recycling levels | Director of Regeneration and Community Services |

|    |                                                                                                                                                                                                                                   |   |   |    |                                                                                                                                                                                                                                                                                            |                                                                                                             |                                                                                                                                                                                                              |                                                 |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 7  | The current recession continues indefinitely                                                                                                                                                                                      | 3 | 5 | 15 | This will has a significant impact on the Council's revenue streams                                                                                                                                                                                                                        | The Council monitors the budget on a regular basis and can review service delivery if required              | Barrow BC addressing issue of Town Centre via Golden Hello grants, promotional activity. Amey have just commenced on £4.2 million repaving and enhancement scheme for Town Centre - Council bidding for more | Management team                                 |
| 8  | The Council is unable to fund the budget in future years                                                                                                                                                                          | 3 | 5 | 15 | This may result in increased Council tax levels and a reduction in services                                                                                                                                                                                                                | This reviewed in the medium term budget planning process                                                    |                                                                                                                                                                                                              | Management team                                 |
| 9  | Failure of external partner/service provider                                                                                                                                                                                      | 3 | 5 | 15 | This is likely to result in the suspension of some service while alternative service providers are identified                                                                                                                                                                              | The Council monitors the position of service providers through regular client meetings                      |                                                                                                                                                                                                              | Management team                                 |
| 10 | Failure to progress clearance of HMR area                                                                                                                                                                                         | 3 | 5 | 15 | There may be financial claw back by the NWDA. The future of town centre housing will become uncertain                                                                                                                                                                                      | The Council would sell the properties that it has acquired or transfer them to private sector landlords     |                                                                                                                                                                                                              | Director of Regeneration and Community Services |
| 29 | Impact of H1N1 (swine flu) pandemic                                                                                                                                                                                               | 4 | 4 | 16 | My impact on the Council's capacity and capability to deliver its functions                                                                                                                                                                                                                | The Council is providing information to all staff to minimise the risk of catching and spreading the virus. | The Council has business continuity arrangements in place to minimise the impact of such events.                                                                                                             | Chief Executive                                 |
| 12 | Reduction in Working neighbourhood funding and the implications for the Neighbourhood Management Team. Current Neighbourhood Element funding finishes in March 2010 and as a result there will be no external funding for the NMT | 4 | 4 | 16 | The NMT has delivered significant improvements to the amenity of these deprived wards and provided diversionary activities which have contributed to a reduction in anti-social behaviour and environmental crime. Loss of the NMT will impact on the sustainability of these improvements | The Council has applied for Local Area Agreement Reward Grant funding                                       | The Council will review delivery of the service                                                                                                                                                              | Director of Regeneration and Community Services |
| 11 | The Council incurs significant uninsured losses                                                                                                                                                                                   | 3 | 4 | 12 | The Council believes that the risk of incurring significant uninsured losses in minimal                                                                                                                                                                                                    |                                                                                                             |                                                                                                                                                                                                              | Borough Treasurer                               |

|    |                                                                                           |   |   |    |                                                                                                                                            |                               |  |                                                 |
|----|-------------------------------------------------------------------------------------------|---|---|----|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--|-------------------------------------------------|
| 13 | Level of sickness worsens                                                                 | 4 | 3 | 12 | The Council has put a number of measures in place to maintain the current low levels. The impact of elevated levels would only be moderate |                               |  | Director of Corporate Services                  |
| 14 | The Council has a poor relationship with the County Council                               | 4 | 3 | 12 | The Council is working towards strengthening its relationship with the County Council through LAA and CAA                                  |                               |  | Chief Executive                                 |
| 15 | Job losses at BAE                                                                         | 2 | 5 | 10 | The likelihood of significant job losses has reduced                                                                                       |                               |  | Director of Regeneration and Community Services |
| 16 | Not having annual governance arrangements in place                                        | 2 | 5 | 10 | The Council continues to strengthen its governance arrangements                                                                            |                               |  | Director of Corporate Services                  |
| 17 | Failure to maintain H&S arrangements                                                      | 2 | 5 | 10 | The establishment of the Technical Services Team has strengthened the Council's H&S arrangements                                           |                               |  | Director of Corporate Services                  |
| 18 | Unable to recruit specialist staff                                                        | 3 | 3 | 9  | The Council has a diverse skill set and will be able to attract additional skills if required                                              |                               |  | Director of Corporate Services                  |
| 19 | The Council's Food Standards arrangements are found to be inadequate in forthcoming audit | 2 | 4 | 8  | The Council has robust food standards arrangements in place                                                                                | <b>Deleted September 2009</b> |  | Director of Regeneration and Community Services |
| 20 | Audit or Scrutiny functions are ineffective                                               | 2 | 4 | 8  | Both functions are operating effectively and have the capability and capacity to continue                                                  |                               |  | Director of Corporate Services                  |
| 21 | Capital programme not delivered                                                           | 2 | 4 | 8  | The Council has a good track record in delivering its capital programme                                                                    |                               |  | Director of Regeneration and Community Services |
| 22 | The Council's treasury management is ineffective                                          | 2 | 3 | 6  | The Council demonstrates effective treasury management                                                                                     |                               |  | Borough Treasurer                               |
| 23 | The Council's asset management is ineffective                                             | 2 | 3 | 6  | The Council demonstrates effective asset management                                                                                        |                               |  | Director of Corporate Services                  |

|    |                                                       |   |   |   |                                                                                                                                                                                                                                                                                                        |  |  |                                                 |
|----|-------------------------------------------------------|---|---|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|-------------------------------------------------|
| 24 | The Council's resource management is ineffective      | 2 | 3 | 6 | The Council demonstrates effective resource management                                                                                                                                                                                                                                                 |  |  | Director of Corporate Services                  |
| 25 | The Council's performance management is ineffective   | 2 | 3 | 6 | The Council demonstrates effective performance management                                                                                                                                                                                                                                              |  |  | Director of Corporate Services                  |
| 26 | Barrow specific LAA targets not met                   | 2 | 3 | 6 | Performance against the LAA targets is monitored regularly and we have the capacity to achieve them                                                                                                                                                                                                    |  |  | Director of Regeneration and Community Services |
| 27 | Hung Council results in lack of direction             | 1 | 4 | 4 | The Council has been under No overall Control for a number of years and continues to operate effectively                                                                                                                                                                                               |  |  | Chief executive                                 |
| 28 | Failure to implement Housing Benefit improvement plan | 1 | 4 | 4 | The implementation of the plan is monitored and reported on a regular basis                                                                                                                                                                                                                            |  |  | Borough Treasurer                               |
| 30 | Workforce planning is ineffective                     | 2 | 4 | 8 | This will have a medium to long term impact on the delivery of quality services. The Council has signed up for a skills award which includes the development of an action plan for:<br>Succession planning<br>The collection of information to assess current skill levels<br>An apprenticeship scheme |  |  | Assistant Director of Personnel and Performance |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                              |                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                              | <b>Part One<br/>(R)<br/>Agenda<br/>Item<br/>12</b> |
| <b>Date of Meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>9th December, 2009</b>    |                                                    |
| <b>Reporting Officer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Policy Review Officer</b> |                                                    |
| <p><b>Title: Presentation of Waste</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report provide the Executive Committee with the output from review undertaken by the Overview and Scrutiny Committee – Regeneration and Community Services regarding the Chief Environmental Health Officer report on the presentation of waste for collection.</p> <p>The Overview and Scrutiny Committee supports the Chief Environmental Health Officer’s recommendation.</p> <p><b>Recommendation:</b></p> <p>To recommend the Council that the Enforcement Protocol – Sections 46/47 Environmental Protection Act 1990 – Presentation of Waste (Domestic and Commercial) as amended be adopted as Borough Council Policy effective from April 2010.</p> |                              |                                                    |

### **Report**

The Overview and Scrutiny Committee – Regeneration and Community Services considered the report from the Chief Environmental Health Officer regarding the presentation of waste for collection. The Committee agreed to support his recommendation based on the following:

- In April 2009 this Council introduced an enhanced kerbside recycling service, which is supported by the weekly collection of non-recyclable waste. The new service requires residents to segregate more of their waste and their response has been excellent with more than 75% of properties now participating in recycling which had led to over 36% of our waste being recycled in the first six months.
- There is increasing pressure on Cumbria to recycle even more waste because of diminishing capacity for land filling material and stringent requirements for the Mechanical Biological Treatment plant that Cumbria County Council are proposing for the disposal of waste from 2013 onwards.
- To ensure we continue to improve our recycling levels we need to provide support for those residents who do not yet participate in recycling. An on-going monitoring programme by our recycling rangers has indicated that

some residents feel that there is no need to recycle because we do not apply any restrictions to the amount of side waste that we collect and that this has a negative impact on recycling.

- The amendment to the Council's Enforcement Protocol which will require residents to present waste in containers provided by the Council or its contractors only will support the Council's approach to recycling. The benefits are that the rangers will be better enabled to support residents who do not participate in recycling and it will also help us to identify and support households that currently recycle their waste but still find that their capacity for non-recyclable waste to be inadequate.

### **Chief Environmental Health Officer's report**

To ensure that residents continue to recycle waste to the maximal potential I am seeking your support in implementing controls that can be used to limit the amount of waste that is presented as 'side waste' for disposal to landfill, being waste not segregated for recycling and presented as waste for landfill in containers provided by residents themselves. This is typically un-segregated waste in black bag, cardboard boxes or similar loosely presented waste.

The legislative control that local authorities can use to ensure compliance with waste collection arrangements is provided by Sections 46/47 Environmental Protection Act 1990 as amended by the Clean Neighbourhood and Environment Act 2005. Members will be aware that in spring 2007 this power was used to establish an Enforcement Protocol imposing restrictions on residents in respect of times when waste receptacles should be presented. As would be expected in enforcement matters such as this our approach has been one of education first and enforcement as a last resort and I can confirm that to date no formal action has been taken for waste presented at inappropriate times.

In considering the provision of controls to ensure that residents are encouraged to maximise the recycling of waste materials I propose to amend the existing Enforcement Protocol to take into consideration matters relating to waste presented in containers not provided by the Council. The minor change to the existing Enforcement Protocol is highlighted in bold in a revised version which is appended to this report for your consideration.

You will see that the revised Enforcement Protocol provides for an additional offence of presenting waste in containers not provided by the Council for the purpose of collection of waste. This change is considered necessary to encourage residents to use the containers provided by the Council for disposal of waste and to minimise waste to landfill additional to that disposed of in the 120 litre wheeled bin.

As with the powers delegated by Members in the original Enforcement Protocol it is not the intention of the Council to unreasonably penalise residents. The powers are considered as a necessary last option where residents refuse to comply with reasonable requests to use containers provided by the Council for waste disposal. I would remind Members that since the new recycling services and smaller residual wheelbin scheme commenced in May this year we have

approved over 700 applications from residents to retain the larger wheelbin were family size and circumstances necessitate. Our policy for such retention being based on a family size of five or more; families with two children or more in nappies; residents suffering medical conditions.

Should Members agree to the proposed change to the Enforcement Protocol it is intended that a programme of publicity and promotional events will be carried out prior to the change to the Enforcement Protocol coming into force from April 2010.

**ENFORCEMENT PROTOCOL – SECTION 47/48 ENVIRONMENTAL PROTECTION ACT 1990– PRESENTATION OF WASTE (DOMESTIC AND COMMERCIAL)**

This protocol has been developed in accordance with the principals of the Enforcement Concordant and the Borough Council's General Enforcement Policy.

- 1) From October 2007 it will be an offence for occupiers of premises to leave any waste receptacle on the highway, (pavements, roads and backstreets) other than at times stipulated **and in containers provided** by the Borough Council or it's contractor in order to facilitate refuse and recycling collection services. Receptacles may be placed on the highway from midday on the eve of collection until midnight on the day of collection. At all other times waste receptacles must be removed from the highway and stored within the boundary of the premises. Failure to comply with the above may result in receipt of a £100 Fixed Penalty Notice or prosecution through the courts, maximum fine £1,000.
- 2) When authorised officers become aware that wheeled bins or other waste receptacles are being presented or stored in a way that conflicts with the above requirements an informal notice by way of a warning sticker will be attached to the container. (see attached example of warning notice). A record of the action taken will be recorded in a central database.
- 3) Waste presented in containers not provided by the Borough Council or its contractor will be collected by the contractor unless notice is given to the resident and the Borough Council by the contractor after which a visit will be made by authorised officers to evidence the circumstances and take appropriate action as in 2 above.
- 4) If further evidence of non-compliance is noted at the same premises an informal notice by way of letter will be sent to the occupier of the premises.

A record of the action taken will be recorded in a central database.

- 5) Should further evidence of non-compliance from the same premises be noted an authorised officer will visit the premises to confirm the name of the occupier of the premises and a formal warning against further non-compliance will be given and noticed in the central database.

- 6) Should further evidence of non-compliance be confirmed a Fixed Penalty Notice under Section 47ZA Environmental Protection Act 1990 will be issued with all relevant details noted in the central database.
- 7) Should the Fixed Penalty Notice not be paid within 14 days of the date of issue, legal proceedings for prosecution will be initiated.
- 8) Payment by way of instalments will be allowed and no legal proceedings initiated provided the Fixed Penalty Notice is paid in full within 10 weeks from the date of the issue of the Fixed Penalty Notice.

(i) Legal Implications

Legal implications are covered in the Environmental Protection Act

(ii) Financial Implications

No additional costs are anticipated

(iii) Health and Safety Implications

There are health and safety implications

(iv) Key Priorities or Corporate Aims

This supports Key Priority 1: Create a Safer, Cleaner, greener Borough

(v) Risk Assessment

There is no financial risk. Operational risks will be covered in the departmental risk assessments

(iv) Equal Opportunities

There is no Equal Opportunities impact

Background Papers

Nil.



|                                                                                                                  |                                       |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>                                                                                       | <b>(R)<br/>Agenda<br/>Item<br/>13</b> |
| <b>Date of Meeting: 9<sup>th</sup> December, 2009</b>                                                            |                                       |
| <b>Reporting Officer: Director of Corporate Services</b>                                                         |                                       |
| <b>Title: Sale of Council Land – Land adjoining 2 Broadway, Barrow-in-Furness</b>                                |                                       |
| <b>Summary and Conclusions:</b>                                                                                  |                                       |
| The report addresses the proposed sale of the land mentioned above to an elected Member Councillor Ken Williams. |                                       |
| <b>Recommendation:</b>                                                                                           |                                       |
| To recommend the Council to approve the sale of the land adjoining 2 Broadway, Barrow to Councillor Williams.    |                                       |

### **Report**

This matter is being reported to this Committee as it involves the sale of a Council owned asset to an elected member.

Councillor Williams has applied to purchase a piece of land owned by the Council. The land comprises a triangular shaped shrub measuring 5.13 square metres and adjoins the rear of property known as 2 Broadway, Barrow which is owned by Councillor Williams. A copy of the plan is attached at **Appendix 3**.

By virtue of its location this land is of no particular benefit to the Council nor does it offer any special amenity to the community. It is unlikely to be of interest to anyone else but the owner of 2 Broadway. The Council currently maintains the land and cuts the grass under its grounds maintenance contract. With its sale the Council will no longer be required to maintain the land.

The District Valuer gave a formal valuation of this land at £150.00 in September 2009.

The land will be sold subject to its use being for domestic purposes and only to be used in conjunction with 2 Broadway, Barrow. A tree currently situated on the land will be maintained by the purchaser.

(i) **Legal Implications**

This matter is reported to Committee as the prospective purchaser is an elected member of the Council.

(ii) Financial Implications

The Council will derive some income albeit modest from this sale

(iii) Health and Safety Implications

There are no Health and Safety implications.

(iv) Key Priorities or Corporate Aims

No key priorities are supported by this transaction

(v) Risk Assessment

Not Applicable.

(iv) Equal Opportunities

The proper procedure for the disposal of Council land has been followed.

Background Papers

Nil



Plan title: Land adjoining 2 Broadway, Barrow.

Case type:

Map title: SD2169SE  
Scale: 1:500

Coordinates: 321758,469048  
Area: Perimeter:

Key

Plan for identification purposes only.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>(D)<br/>Agenda<br/>Item<br/>14</b> |
| <b>Date of Meeting: 9th December, 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                       |
| <b>Reporting Officer: Housing Manager</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                       |
| <p><b>Title: Housing Association New Build Progress</b></p> <p><b>Summary and Conclusion:</b></p> <p>The purpose of this Report is to update Members on current developments in the Borough and consider supporting a further development opportunity that has arisen.</p> <p><b>Recommendations:</b></p> <p>The Committee is requested:-</p> <ol style="list-style-type: none"> <li>1. To note the information contained in the report; and</li> <li>2. To support the development of a new build scheme at Bradford Street in conjunction with Accent Housing Association and Lecks, subject to funding from the Homes and Communities Agency.</li> </ol> |                                       |

### Report

The purpose of this Report is to update Members on current developments in the Borough and consider supporting a further development opportunity that has arisen.

Working in partnership with Accent Housing Association, a number of developments are currently in progress. The schemes are being financed with the assistance of funding from the Homes and Communities Agency or Recycled Capital grants. Details of the schemes are as follows:

|           |                                                  | <b>Complete</b>                            |
|-----------|--------------------------------------------------|--------------------------------------------|
| Accent HA | Frail Elderly Scheme 42 units (28 frail/elderly) | Summer 2010                                |
| Accent HA | Greengate Street<br>6 family houses              | April 2010                                 |
| Accent HA | Albert Street<br>6 family houses                 | PP applied; start on site by end of 09/10. |
| Accent HA | Wordsworth Street<br>2 units                     | Scheme being progressed                    |

All the above schemes have been supported by the Council and reflect the needs identified either through the most recent Housing Needs Survey, or the Supported Housing Needs Assessment.

With regard to future development, there are constraints caused by the shortage of development opportunities and our ability to secure funding.

In discussion with Accent Housing, a development opportunity has now arisen on Bradford Street, which adjoins the Council's Ormsgill estate. The land is in ownership of Lecks.

Initial discussions involve the site being developed with up to 20 units by Lecks with the properties being sold on completion to Accent as social housing.

Based on the most recent Housing Needs Survey I would suggest the most appropriate development would be for predominantly three bedroomed houses for rent, with family sized bungalows for families with a disability. This could, however, be subject to financial remodelling by Accent HA.

I would ask the Council to give support to this opportunity in order that Officers can pursue the scheme's development.

(i) Legal Implications

Not Applicable.

(ii) Financial Implications

This scheme will require grant funding from the Homes and Communities Agency. Accent will part fund it from their own resources.

No contribution will be required from the Council.

(iii) Health and Safety Implications

Not Applicable.

(iv) Key Priorities or Corporate Aims

Meets the housing needs of the Borough and makes decent housing more accessible.

(v) Risk Assessment

Not Applicable.

(vi) Equal Opportunities

Not Applicable.

Background Papers

Nil.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                 |                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                 | <b>Part One</b>                       |
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 | <b>(D)<br/>Agenda<br/>Item<br/>15</b> |
| <b>Date of Meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>9th December, 2009</b>       |                                       |
| <b>Reporting Officer:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Director of Regeneration</b> |                                       |
| <p><b>Title: South Lakeland District Council Local Development Framework Core Strategy</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Core Strategy allocates 1,760 homes in Ulverston plus additional residential development in surrounding villages and other settlements. Residential development on this scale will be detrimental to regeneration in Barrow.</p> <p><b>Recommendations:</b></p> <p>To agree that Officers' views be confirmed that due to the scale of development proposed in Ulverston and the surrounding villages the South Lakeland District Core Strategy is unsound.</p> |                                 |                                       |

## **Report**

### **Background**

The above document will guide development in South Lakeland District in the period up to 2025.

The strategy identifies Kendal and Ulverston as Principal Service Centres which will accommodate 55% of the total housing requirement for the district required by the Regional Spatial Strategy: 20% being located in Ulverston and 35% in Kendal. The total housing allocation for the District to 2025 is 8,800 dwellings. The allocation in Ulverston is, therefore, 1,760 additional dwellings between 2003 and 2025. In addition, small scale housing developments will be provided in the outlying local service centres of Penny Bridge, Greenodd, Broughton-in-Furness, Kirkby-in-Furness and Great/Little Urswick, Swarthmoor and in smaller rural settlements and hamlets including Bardsea, Baycliff, Gleaston, Leece, Loppergarth, Newbiggin, Scales and Stainton (number unspecified), 35% of the housing would be affordable, with 60% of this social rented, based on need.

A copy of Section 4 – Spatial Strategy for Ulverston is attached at **Appendix 4**.

This rate of residential growth planned in Ulverston is the highest in South Lakeland District. The planned population increase being 11,500 to 14,000, an increase of 21%. This compares to 14% planned population growth in Kendal.

12 ha of employment land will also be developed between 2010 and 2025 based upon 20% of the estimated annual requirement of 4 ha per annum across the District.

Leaving aside the issue of additional residential development in nearby local service centres and smaller rural settlements, the scale of development proposed in Ulverston represents a major growth strategy for the town, increasing its population from 11,500 to 14,000 people over 15 years.

Growth based on these housing allocations contrasts starkly with the position in Barrow, where an allocation of 2,700 dwellings (or 150 per annum) is required. Barrow and Ulverston are within the same Travel to Work Area and the Plan recognises the extensive economic and social links between the two settlements.

Such a significant growth strategy, equivalent to the development of 3 Marina Villages, is of great concern as developers view Furness as a single housing market and it will, therefore, be detrimental to the development of the Marina Village in particular and housing in Barrow generally. Particularly so as, whilst the Core Strategy priorities previously used land, I cannot see how development of this scale could be developed without significant greenfield development.

The Council expressed its concern at scale of Greenfield development in Furness proposed in the Core Strategy being detrimental to development within Barrow when you commented in the Core Strategy Preferred Options consultation in June 2008. In particular, you pointed out that the policy would conflict with the Regional Spatial Strategy.

The allocation is, therefore, in conflict with the Strategic Objective of the Core Strategy "to ensure the scale and type of housing in the Furness Peninsula helps to support regeneration of Barrow-in-Furness."

For the above reason and to meet the timescale for representations, I have submitted a formal representation on the Core Strategy confirming my view that in respect of the scale of development proposed in Ulverston and the surrounding villages the strategy is unsound.

I have made it clear that at this stage these are Officer views only and I seek your confirmation of the representations I have made.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Officer representation will be required at the Core Strategy examination.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Investing in our Economic Future.

(vi) Equal Opportunities

Not Applicable.

Background Papers

South Lakeland District Council Local Development Framework Core Strategy.



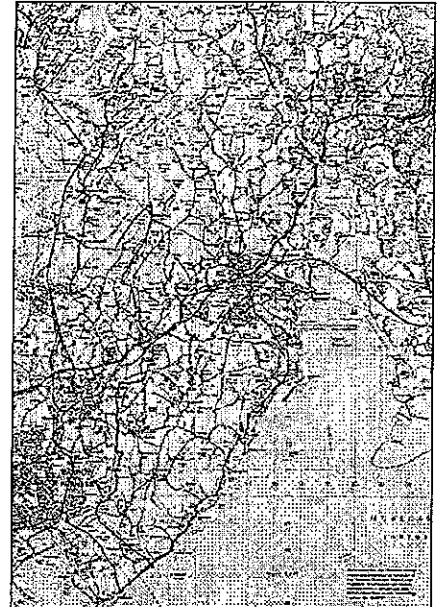
# South Lakeland Local Development Framework

Core Strategy Submission Document

## Section 4 – Spatial Strategy for Ulverston

### Ulverston and Furness today...

- 4.1 The Ulverston and Furness Strategy include the following settlements:
- Ulverston (Principal Service Centre)
  - Kirkby-in-Furness, Greenodd/Penny Bridge, Swathmoor, Great/Little Urswick, Broughton-in-Furness (Local Service Centres)
  - Smaller villages and hamlets including Bardsea, Baycliff, Gleaston, Leece, Loppergarth, Newbiggin, Scales, Stainton with Adgarley.
- 4.2 The Furness area is largely unspoiled and self-contained. Ulverston is the principal market town in the area. It is the hub town for local industry and the main centre of population. Ulverston also provides a range of services that includes leisure, community, civic, health and education facilities and financial and professional services for local residents and those living in the surrounding smaller settlements.
- 4.3 Ulverston is in a close functional network with Dalton in Furness and Barrow-in-Furness, which fall outside the LDF area. This is on the basis that these settlements are all strong local employment centres in the area, both in terms of the number of jobs hosted in the town and as the main centres of employment in Furness. They are strong non-food and food retail centres and the focal points for retail in the area.
- 4.4 The majority of Broughton in Furness and Lindal-in-Furness fall outside the LDF area and the area strategy seeks to address this close functional relationship. The assessment of development required in these areas and any subsequent identification of sites will be a joint matter for South Lakeland District Council and Barrow Borough Council/Lake District National Park to agree together.
- The economy
- 4.5 The Ulverston area has a unique cluster of high added value, knowledge-intensive engineering jobs that need nurturing. Good manufacturing jobs support the town centre economy as the workforce has discretionary income to spend.
- 4.6 However, Furness and West Cumbria continues to face long term economic difficulties brought about by the decline in its traditional manufacturing base and its relatively peripheral location from regional and national markets. The contraction of the shipbuilding yards in Barrow over recent years has had a major impact on Ulverston's economy; leaving it with persistently higher unemployment rates than elsewhere in the District.



**Ulverston and Furness area**

# South Lakeland Local Development Framework

Core Strategy Submission Document

4.7 The Furness Peninsula has become heavily reliant on major employers. BAE Systems, based in Barrow-in-Furness, and GSK, which has a manufacturing operation at the eastern end of Ulverston, are significant examples. GSK have signalled their intent to rationalise their operations within Ulverston.

4.8 Ulverston was granted its market charter in 1280 and the markets play an important part in attracting shoppers, visitors and tourists to the town. The Ulverston Market Town Initiative (MTI) has been a success and has transformed the town centre in particular. However, consultation has identified the importance of ensuring comprehensive town centre management in Ulverston to help to maintain/enhance the viability of the town centre.



4.9 The recently completed retail study highlights the key issue of convenience goods expenditure leaking from the Ulverston area, which means that local people are travelling out of the Ulverston area to buy convenience goods. This supports the need for further convenience and comparison floorspace in the area, generating greater footfall and helping to retain expenditure locally.

4.10 Tourism is also important to the area's local economy, with tourism revenue increasing and Ulverston becoming known as the 'Festival Town'.

## Housing

4.11 Ulverston and Furness is one of the most affordable housing markets in South Lakeland, particularly parts of Ulverston. The market is mainly local, although there is a degree of migration from neighbouring Barrow-in-Furness. Despite being relatively affordable, there remains a shortage of affordable accommodation, equivalent to 79 additional dwellings per annum. The housing market is also characterised by:

- A lack of one-bedroom accommodation in the area.
- A high number of terraced homes and a low number of flats.
- A relatively small private rented market compared with the rest of the District.
- Relatively high private sector rents in Rural Furness, but more affordable in Ulverston.
- A relatively low number of second homes compared with the District average.
- A need for more temporary accommodation.
- A need for extra care housing and supported housing, particularly for people with mental health problems and people with physical disabilities.

The environment

- 4.12 Ulverston and the Furness Peninsula contain a vast array of natural assets, including Bardsea Country Park, part of Morecambe Bay, and the Duddon Mosses and Estuary. The landscape character is rich and varied, including large areas of open, rolling limestone hills rising to its highest point between Urswick and the coast. There are tracts of low drumlins and a large block of moors and hills above Ulverston. Ulverston is four miles from the borders of the Lake District National Park and the southeastern edge of the town lies very close to Morecambe Bay. There are internationally rare and protected limestone pavements to the south of Ulverston (around Bardsea, Urswick and Baycliff) which are characteristic of the area and there is also a high concentration of County Wildlife Sites to the south and east of the town.
- 4.13 Ulverston's most visible landmark is the Hoad Monument – a stone/concrete structure built in 1850 to commemorate statesman and local resident Sir John Barrow. The monument provides scenic views of the surrounding areas, including Morecambe Bay and parts of the Lake District.
- 4.14 The form and structure of Ulverston, including the streets, rear plots and various public open spaces, are greatly influenced by the mediaeval settlement form. Buildings tend to be post mediaeval in origin and there is a significant number of good quality terraced Georgian and Victorian town houses in streets that are often of high environmental quality. The relatively small market place is well defined by continuous rows of commercial and retail buildings and has a bustling character and distinctive appearance. New Market Street was a late Victorian development that sought to bring a more fashionable shopping experience to the town. Pedestrian permeability through the town is excellent and County Square provides a prestigious focus for civic activities, although the passage of the adjacent A590 is physically and visually disruptive. An enhancement scheme has been completed recently at County Square in Ulverston, including creating a public open space with public access and installation of a Stan Laurel statue to celebrate the heritage of the town. It is hoped that the scheme will create a focal point for the town centre and will host community events. The conservation area covers much of Ulverston's central area, with strong collective identity and over 200 listed buildings.

## Primary Regional Policy Context

### CNL1 – Spatial Policy for Cumbria

Ensure that network management measures are utilised to make best and most appropriate use of available highway infrastructure and to improve road safety and journey time reliability, with priority given to improving the operation of routes linking Furness and West Cumbria to the M6.

### CNL2 – Development Priorities for Cumbria

Concentrating development within the Furness Regeneration Priority Area in Barrow-in-Furness to facilitate diversification of the local economy and enable opportunities for development and regeneration to be brought forward in the wider Furness Peninsula. Efforts should be made to exploit specialist marine engineering skills and opportunities, and to develop the area's potential for tourism.

### L4 – Regional Housing Position (supplementary text)

General market housing should be focused in support of regeneration priorities and meeting agreed community priorities, especially within Morecambe and the Furness Peninsula part of South Lakeland, in and around Ulverston.

### Local Context – Sustainable Community Strategy

Continued support for the Market Town Initiative Programme in Ulverston & The Lakes is vital. The A590 and Furness rail line provide less reliable access for communities in the west of the district.

4.15 The Ulverston canal was constructed in the late eighteenth century and saw the development of a strong maritime community. The South Ulverston industrial area has grown up around the now disused canal and is typified by terraced workers' housing and later industrial 'shed' development. The development of Ulverston canal area presents a clear regeneration opportunity. Improvements to this gateway area would make a significant contribution to the local economy of the town. (See CS3.2)

## Accessibility

- 4.16 The Furness Peninsula, to the west of the plan area, does not have direct efficient access to the national rail and motorway network that pass through the east of the district. Ulverston is about 25 miles southwest of Kendal and some 10 miles from Barrow-in-Furness. The A590 (which links Kendal and Barrow and passes through Ulverston) is a key strategic route and has several constrictions, including long single carriageway sections. In consequence, journey times can be long and unreliable and there are concerns about safety. The worsening position regarding average journey times on the A590 has already been noted in the context of road safety; there are also significant implications for the ability of Barrow to attract economic development.
- 4.17 The villages across the Furness peninsula are connected to Ulverston by a series of B roads. There are bus services between Ulverston and the surrounding Local Service Centres of Great/Little Urswick, Lindal in Furness, Broughton in Furness, Greenodd and Penny Bridge but not Kirkby-in-Furness. There are also routes servicing some of the surrounding smaller villages such as Bardsea, Baycliff, Aldingham, Newbiggin, Stainton with Adgarley, Scales, Gleaston and Leece. However, services are generally irregular and there is a need to invest in the frequency and availability of public transport within Furness.
- 4.18 The Strategic Cycle Network study identified a number of gaps in cycle routes at Ulverston. There are also gaps and obstacles in the pedestrian network in Ulverston that discourage walking and make access difficult for people with mobility or sight problems. An absence of footways connecting neighbouring settlements and conflict where walkers cross the A591 were identified in the Area Transport Study.

## Health and Wellbeing

- 4.19 There are areas of land susceptible to flood risk across the Ulverston and Furness area, most notably in Ulverston. Fluvial flood risk in the Furness area relates to the River Crake (with particular implications for Greenodd and Penny Bridge), and Deep Meadow Beck and Dragley Beck in Ulverston. However these rivers do not pose the same degree of flood risk to property as the River Kent which passes through Kendal, due largely to the fact that their catchments are not as developed as that of the River Kent.
- 4.20 There are also large urban areas at risk of tidal flooding – those that are located on low lying coastal flats or adjacent to watercourses, including Ulverston and Kirkby-in-Furness, are at increased risk of flooding when tides are high. Within Ulverston the existing flood defences are situated adjacent to existing urban development.
- 4.21 There are large zones of both fluvial/river and coastal flood risk associated with the Ulverston Canal. The main area of flood risk is associated with Dragley Beck.

- 4.22 Furness is generally well catered for in terms of open space, sport and recreation provision. Evidence has identified demand for greater allotment provision in Ulverston and a need to increase the capacity of playing pitch sites to meet current demand. The quality of open space, sport and recreation facilities is generally good but key strategic sites are considered in need of improvement. Community consultation highlights a perception amongst residents that Lightburn Park in Ulverston is poorly maintained and of poor quality. There is also a negative safety perception associated with the site. There is both a need for greater community ownership of the site and a desire for ranger presence.
- 4.23 There is a household waste recycling centre at Morecambe Road in Ulverston.
- 4.24 Local residents in the area are served by Furness General Hospital in Barrow. The NHS Trust has identified its desire to strengthen trauma services and emergency services at Furness. There is a commitment to provide a consultant led maternity unit and the Trust is working with Cumbria PCT to bring a wider range of health services to the site.

## Key issues

- 4.25 The area strategy for Ulverston and Furness aims to address the following challenges:
- Strengthening the economic base.
  - Improving the vitality and viability of Ulverston town centre, to ensure it remains competitive and expenditure is retained locally.
  - Developing new housing (including affordable housing) and employment land to meet the needs and aspirations of the local community, including the possible expansion of Local Service Centres and supporting small-scale development outside the service centres.
  - Safeguarding and enhancing the environmental quality of the local area.
  - Improving connectivity between the Furness Peninsula and the east of the plan area and making more localised improvements to public transport in the Furness Peninsula.
  - Regenerating the Ulverston Canal area and re-using any surplus parts of major employment sites.



## Ulverston and Furness tomorrow...

By 2025, Ulverston has affirmed its position as one of two Principal Service Centres in South Lakeland outside the National Park areas. It is a lively and prosperous market town that provides a range of services and employment opportunities serving local residents and residents throughout the Furness Peninsula. It forms part of a close functional network with Dalton in Furness and Barrow-in-Furness.

The economic base of Ulverston and Furness has been strengthened through:

- Recognising and supporting manufacturing as a strength of the area;
- Nurturing the unique cluster of high added value, knowledge-intensive engineering jobs in the Ulverston area;
- Responding positively to challenges of the withdrawal of GSK from Ulverston (as a major employer in the area) through the development of a major employment regeneration site;
- Developing the area's potential for tourism;
- Priority has been given to improving the operation of transport routes that link Furness and West Cumbria to the M6 and national rail links;
- Supporting small-scale employment development in the network of Local Service Centres throughout the Furness Peninsula and diversification of the rural economy.

Significant new housing development has been incorporated in Ulverston in a way that is sensitive to the local landscape characteristics and the historic assets within and surrounding the town. Development within the town centre has been accommodated with sensitivity to the building type and density of the area, with new buildings that act to define streets and public spaces. Further housing provision has helped to increase the amount of affordable housing available to local people, whilst new general market housing has been focused in support of regeneration priorities and meeting agreed community priorities (including helping to meet the housing needs of employees in the regeneration priority area of Barrow). Local Housing Needs Surveys have been undertaken (and reviewed) for all the Local Service Centres in the Furness Area, and small-scale residential development sites have been released over the plan period to meet the identified need.

The environmental importance of Bardsea Country Park, Morecambe Bay and the Duddon Mosses and Estuary have been recognised and respected as new development has taken place. The rest of the natural environment/biodiversity has been protected and respected and opportunities for habitat creation and restoration have been taken wherever possible.

The functional relationship between Ulverston and surrounding rural settlements have been strengthened through targeted improvements to public transport provision, cycle routes and footpaths in the Furness area. The individual character of settlements has been protected through the retention and protection of strategic green gaps.

Ulverston's canal head area and the canal corridor have been regenerated, including significant employment land provision.

## How we will get there...

### CS3.1 Ulverston and Furness area

The Ulverston and Furness area strategy includes the following settlements:

- Ulverston (Principal Service Centre);
- Kirkby-in-Furness, Greenodd/Penny Bridge, Swarthmoor, Great/Little Urswick, Broughton-in-Furness, (Local Service Centres);
- A number of smaller rural settlements and hamlets including Bardsea, Baycliff, Gleaston, Leece, Loppergarth, Newbiggin, Scales, Stainton with Adgarley.

The Council and its partners will aim to:

#### Regeneration

- Designate a regeneration area at Ulverston Canal Head Area (see CS3.2).
- Build on the successful outcomes from the Market Town Initiative in Ulverston and continue with regeneration.

#### Housing

- Make provision for in the region of 1,760 additional dwellings in Ulverston between 2003 and 2025, prioritising previously developed land and sites within the urban area.
- Make provision for small-scale housing development, including affordable housing, in the Local Service Centres and smaller rural settlements.
- Seek to ensure that 35% of housing delivered within Furness Peninsula is affordable and that at least 60% of affordable housing is social rented, based on local need.
- Ensure that new development outside Ulverston is restricted by local occupancy conditions (see CS8.3).

#### Economy

- Expand Ulverston to accommodate in the region of 12 hectares of employment development between 2010 and 2025.
- Support small-scale economic development in the Local Service Centres and smaller rural settlements.
- Protect and enhance the vitality and viability of Ulverston town centre, including improving pedestrian and cycle access and ensuring effective town centre management.
- Support the development of new retail provision in the town centre to accommodate both convenience and comparison shopping.
- Support and enhance tourist attractions, building on the Laurel and Hardy connection, the festival theme and specialist boutique shopping in the town centre.



## **CS3.1 Ulverston and Furness area continued**

### **Access**

- Support improvements to the operation of transport routes linking Furness to the M6 and national rail links.
- Work with partners on public transport initiatives as part of a comprehensive sustainable transport network within the Furness Area to support the planned growth.
- Improve footpaths and cycle routes.

### **Environment**

- Safeguard and enhance buildings, sites and areas of heritage and cultural importance such as the Hoad Monument and Birkrigg Stone Circle.
- Improve parks and green spaces/green infrastructure.
- Designate (as required) a series of green gaps to prevent the coalescence of individual settlements and thereby protect their individual character and setting.
- Ensure greenfield development is sympathetic to the landscape character of the Furness Peninsula and individual settlements.
- Ensure new development safeguards and enhances the natural environment and local biodiversity, notably the SSSIs and SACs within the area, including Morecambe Bay, and County Wildlife Sites, and supports habitat creation.

### **Health and Wellbeing (Sustainable Communities)**

- Maintain, and where necessary enhance, sports and community facilities.
- Provide further infrastructure (including health and education) in accordance with identified need, responding to significant changes in local demographics.

## **Justification**

### Regeneration

- 4.26 The strategy identifies a regeneration area at the Ulverston Canal Head and Corridor. A masterplan has been produced and adopted following public consultation which seeks to establish this as an employment area complemented with tourism and recreation facilities and some housing within an enhanced environment. Further information is provided in CS3.2.

### Housing

- 4.27 Targeting 20% of housing development at Ulverston (see CS1.2) is likely to equate to about 1,760 new dwellings between 2003 and 2025. Outside Ulverston, new housing development in the Local Service Centres will support local services and the community's need for further development including rural regeneration and diversification and access to a reasonable choice of housing to meet local need.



- 4.28 Based on the findings of the affordable housing study, almost all of the additional dwellings should be affordable in order to fully address the current levels of need in the area. However, targets for affordable housing must also consider the likely viability of schemes, to ensure that they are deliverable. As such, the Core Strategy seeks to ensure that 35% of new dwellings in the Ulverston area are affordable.
- 4.29 Evidence regarding the supply of housing in the Furness Peninsula (outside Ulverston) and demand from both people moving into the area and local households in the emerging Strategic Housing Market Assessment supports the requirement to restrict new development outside of Ulverston to local people, to ensure that they are able to access the housing market (see CS8.3).

#### The economy

- 4.30 The Furness Peninsula has become over reliant on major employers, such as BAE Systems and GSK. There is a need to address the growing vulnerability of local manufacturing concerns. Part of the problem is the limited amount of land and premises available for company relocation, growth and expansion, and therefore the development strategy must make adequate provision for new employment sites.
- 4.31 The 2005 South Lakeland Employment Land and Premises Study outlined the need for approximately four hectares of employment land to be provided per annum. Based on targeting 20% of development to Ulverston (see CS1.2), this results in a requirement for in the region of 12 hectares of employment land between 2010 and 2025. Outside the Principal Service Centre, small-scale economic development will be supported in the Local Service Centres.
- 4.32 There is a need to ensure that Ulverston town centre remains competitive in the face of the growing influence of Barrow, and other larger centres, as a competing shopping centre. Evidence highlights the need for additional convenience and comparison goods floorspace in the Ulverston area to counteract excessive leakage to Barrow. Further floorspace provision needs to be accompanied by measures to improve pedestrian and cycle access to the town centre. At present, there is a poor route from the edge of town shopping area and canal to the town centre.
- 4.33 Tourism is important to the local economy and must continue to be supported. The Market Towns Initiative Tourism Programme for Ulverston and Low Furness has shown, to date, a significantly strong growth in tourism revenue compared with the central Lake District National Park area. The strategy seeks to foster the success of the MTI and in particular the tourism element of the local economy – including the provision of further serviced accommodation.

#### Key sources of evidence:

- Ulverston Canal Masterplan
- Strategic Housing Land Availability Assessment/Employment and Housing Land Search Study
- SLDC Housing Needs Study
- Employment Land and Premises Study
- Strategic Flood Risk Assessment
- SLDC Open Space Assessment
- Viability Study
- Ulverston Market Town Initiative

# South Lakeland Local Development Framework

Core Strategy Submission Document

## Accessibility

- 4.34 The A590 is the main route in and out of the Peninsula, linking with junction 36 of the M6. In a few places it is dual carriageway, but generally it is single carriageway that causes many difficulties during busy commuting times, highways repairs and holiday periods.
- 4.35 Rural public transport services are poor and in many cases non-existent. The Core Strategy seeks to support improvements to the operation of transport routes linking Furness to the M6. It also supports working with partners to increase the public transport network service linking the rural settlements within the Furness Peninsula, as well as those areas of south west Lake District, such as Coniston and Newby Bridge, to Ulverston.

## The environment

- 4.36 The strategy seeks to safeguard and enhance the buildings, sites and areas of importance to the natural or historic environment. An appropriate assessment has been undertaken on the Core Strategy to assess the impact of the development strategy on internationally important environmental sites in the area (Natura 2000 sites), including Morecambe Bay and the Duddon Mosses and Estuary.
- 4.37 The development strategy could have a significant effect on Morecambe Bay through increasing visitor and recreational pressure. One vulnerable spot of note is the coastline between Bardsea and Baycliff. There is a problem with illegal usage of vehicles on the foreshore, particularly where one section of the A5087 runs adjacent to the foreshore and allows unrestricted access and parking. Suitable mitigation measures are necessary, including encouraging visitors to understand the special features of protected sites and responsible recreational use encourage through positive information provision (see CS8.6).
- 4.38 A very large conservation area protects a broad range of heritage assets in Ulverston including a probably late C12th church with Norman doorway, early C13th market place and associated mediaeval street plan, and a number of attractive streets with Georgian townhouses. Victorian redevelopment saw the formation of the distinctive New Market Street and the County Square with its larger scale formal buildings.
- 4.39 A very successful Heritage Economic Regeneration scheme has been operating in partnership with English Heritage for over ten years and almost all of the problem buildings within the conservation areas have been repaired during that period.
- 4.40 The Core Strategy must seek to ensure that new development safeguards and enhances the natural environment and that local biodiversity is taken into account both inside and outside statutorily protected sites.

## Health and Wellbeing

- 4.41 Ulverston is the second largest settlement within South Lakeland, with a population in the region of 11,500. Based on the development strategy, which would lead to 20% of new housing development and population growth being located in Ulverston, the overall population is projected to increase to around 14,000 in Ulverston wards in 2026.
- 4.42 Based on demographic changes, it is envisaged that the number of children and young adults (under 16) will stay relatively stable. However, the number of people of working age and above working age will increase.
- 4.43 This will have clear implications in terms of provision of services and facilities to meet local need over the plan period (social services, GPs, education, transport etc). It is hoped that through a combination of measures to retain a greater proportion of younger people in the District, the actual number of children and young people in the area might be increased, but this change cannot occur instantaneously. The Core Strategy supports the provision of further services and facilities over the plan period, obtaining appropriate developer contributions to supplement public funding that is available.

### **Sustainability appraisal**

#### **Main findings:**

- The redevelopment and regeneration of the canal head/corridor area, increased provision of jobs, enhancement of tourist attractions (which can also be utilised by residents) and a vitalised and viable town centre should all contribute to the health and sense of wellbeing of Ulverston residents in particular as well as residents of other areas of South Lakeland and visitors from further afield. The development of increased opportunities for cycling and walking should support people who are aiming to lead healthier lifestyles. Public transport improvements should help to reduce traffic emissions and the build-up of fumes in particular areas. In turn, this would help to reduce the negative effects of poor air quality on people's health.
- Significant development is proposed for Ulverston – around the edges where the town meets the wider countryside. This policy will need to be supported by wider initiatives by partner organisations and national and international policies as well as by policies CS1.1, CS8.1, CS8.2 and CS8.5.
- The significant development proposed for Ulverston means that more pressure will be put on water resources and water infrastructure/wastewater works and there will be greater potential for water pollution from construction and from new businesses. This policy needs to be supported by other policies including CS1.1 and CS8.8.

## **The canal and the canal corridor**

- 4.44 Ulverston's canal head area is located approximately 0.5 miles east of Ulverston town centre. The canal is approximately 1.3 miles long and runs from the town centre to Morecambe Bay.
- 4.45 The canal opened in 1796 to serve the movement of raw and manufactured materials between Glasgow, Preston, Liverpool and Cardiff. As the canal gained importance other industries grew up alongside it.
- 4.46 The canal was abandoned in 1945 and GSK, whose pharmaceutical plant is at the seaward end, brought the canal from Ulverston Urban District Council in 1974. The canal is required to be maintained under the authority of the Reservoirs Act 1975.
- 4.47 At present the canal is an emergency source of fire-fighting water for the GSK operations. However, a mechanism for the long-term future of the maintenance of the canal needs to be investigated.
- 4.48 Current land uses at the canal head include Booths supermarket, the auction mart and the abattoir (ceased trading) and some smaller enterprises include a car scrap yard. Ownership of the land at the canal head and canal corridor is currently split between a number of parties, including GSK.
- 4.49 In 2004, the Ulverston and Low Furness Partnership commissioned Capita Symonds to prepare a masterplan for the Ulverston canal head and canal corridor. The area of land covered by the masterplan totals approximately 68 hectares.
- 4.50 The masterplan recognises the value of the canal as an amenity and ecological resource, and identifies the canal as an un-tapped resource that could generate seasonal and associated employment. Land at the canal head is also identified as a gateway to improvements of the town.
- 4.51 The future development of the canal head and canal corridor must meet the wider aims of the Core Strategy and provide positive benefits to Ulverston town centre.

## Key issues...

4.52 There are several issues that need to be addressed at the Ulverston canal head and canal corridor.

These include:

- Enhancing the quality of the environment around the canal, especially at the canal head, for residents and visitors.
- The poor access to and around the site.
- The need to create employment opportunities and residential development.
- Flood risk in relation to the site.
- Fragmented land ownership and the need for a co-ordinated approach to development.
- Securing the long-term future and maintenance of the canal.

## Ulverston Canal Head and corridor tomorrow...

Ulverston's canal head and canal corridor have been fully redeveloped, creating a popular place for people to live and work as well as a destination for visitors.

Sites around the canal, several of which were previously vacant or underused, have been developed for a wide range of uses, including employment, residential, restaurant and café uses, creating a vibrant mixed use area. Delivery of residential uses has helped to support other uses at the canal head and has also supported the vitality and viability of the town centre.

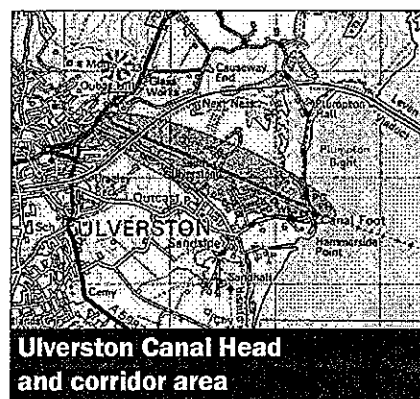
A safe and accessible environment at the canal head and along the canal corridor, with high quality public spaces has been created. The area acts as an attractive gateway into the town and the Furness Peninsula.

Safe, direct linkages for pedestrians and cyclists have been created between the town centre, railway station and the canal, supporting sustainable travel patterns.

Development has taken place in a manner which:

- Acknowledges the impact of climate change and in particular the long-term risk of flooding.
- Protects the ecological interests of the site.
- Capitalises on the existing historical and natural assets and conserves and enhances the character of the area for future generations.

The long-term future of the Ulverston canal has been secured.



## How we will get there...

### CS3.2 Ulverston Canal Head and corridor

Ulverston Canal Head is designated as a regeneration opportunity area.

#### The Council's objectives to deliver this vision are to:

- Promote the positive mixed use regeneration of the canal head which will complement existing activities in the town centre;
- Provide a range of employment and business opportunities, which could include tourism related business uses, to provide employment for local people and facilitate economic development in the area;
- Encourage residential development, which could increase the population of the area, assist in the revitalisation of Ulverston town centre and meet the wider aims of the Core Strategy;
- Enhance and expand the tourism sector by supporting the existing tourist attractions in Ulverston and encouraging the creation of new tourist attractions and tourism infrastructure, which could include a landmark hotel, waterside restaurant, bar café and leisure facilities;
- Utilise the canal as a resource for leisure and recreation;
- Enhance the environment through improving the landscape and public realm, providing public art and public access to the waterfront areas;
- Improve access to the site by sustainable means, such as walking and cycling, and create safe linkages from the railway station and town, and along the canal and the surrounding area;
- Improve orientation to and around the site, to enhance visitor awareness of the canal;
- Enhance the biodiversity of the site;
- Ensure a sequential approach is taken and development type is compatible with flood risk in accordance with national planning policy;
- Secure the long-term future and maintenance of the canal;
- Create a strategic partnership to guide/deliver development with Ulverston Town Council, South Lakeland District Council, Cumbria County Council, NWDA and Cumbria Vision and Furness Enterprise and key stakeholders including local businesses;
- Use the development management process to bring about development that supports the vision.

Specific land allocations for the area will be pursued through either the Allocations of Land DPD or (resource permitting) the production of an Area Action Plan.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                           |                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                           | <b>Part One<br/>(D)<br/>Agenda<br/>Item<br/>16</b> |
| <b>Date of Meeting:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>9th December, 2009</b> |                                                    |
| <b>Reporting Officer:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Chief Executive</b>    |                                                    |
| <p><b>Title: Local Authority Special Funding in 2010/11 for the National Bus Concession in England</b></p> <p><b>Summary and Conclusions:</b></p> <p>A consensus is developing among the seven Councils in Cumbria to collectively respond lobbying against the redistribution of funds for 2010/11 as proposed by the Minister of Transport.</p> <p><b>Recommendations:</b></p> <p>Members are invited to note the emerging consensus and draft response and in view of the tight timescale delegate authority to the Leader of the Council and Chief Executive to agree the final response for submission.</p> |                           |                                                    |

## **Report**

### **Background**

As reported to your last Committee, the Minister of Transport is consulting on proposals to redistribute funding within the current three year settlement for the National Bus Concession in the final year 2010/11.

The effect of his proposals will be a reduction of £200,000 for Barrow and a net reduction of £380,000 for Cumbria as a whole.

A consensus is emerging among all the Councils in Cumbria to collectively respond rejecting the proposal and an initial draft response is included as **Appendix 5**.

The Minister has shortened the consultation period to eight weeks and Members are invited to agree to support a joint response and delegate authority to the Leader of the Council and Chief Executive Officer to agree the final draft and submit it to the Minister.

(i) Legal Implications

The National Bus Concession is a statutory scheme.

(ii) Risk Assessment

The Council is at significant risk of losing £200,000 in grant funding for 2010/11 which will require budgetary adjustments and possible termination of peak travel concessions.

(iii) Financial Implications

Loss of £200,000 revenue grant.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP3 Provide easier access to our services

(vi) Equal Opportunities

The scheme operates on an equal access basis for qualifying residents.

Background Papers

Nil.



**LOCAL AUTHORITY SPECIAL GRANT FUNDING IN 2010/11 FOR THE  
NATIONAL BUS CONCESSION IN ENGLAND**

On behalf of the 6 District Councils of Cumbria and Cumbria County Council, we wish to express our collective opposition to your proposal to redistribute the national bus concession special grant as detailed in your consultation document

Grants distributed in this manner are based on an extrapolation of historical data which does not reflect the current impact on travel patterns and habits caused by the current recession. Equally it is impossible to gauge with any certainty the affects on demands for this service of the disastrous flooding experienced by large parts of our County.

District Councils in Cumbria have enough difficulty adjusting and arranging the budgetary impacts of real changes in the economy and environment, without having to cope with last minute changes to existing funding agreements.

It does not appear to us, sensible to alter the final year of a 3 year settlement at this late stage. No predictive funding arrangement will ever reflect perfectly the demands on any given service and we believe it is better to operate with the certainty of a medium term funding award with appropriate adjustments made in the following settlement period, provided that is of course that these can be justified on the basis of actual demand with adjustments for known changes in relevant factors, such as demographic change or service development.

The collective impact of the changes you are proposing will have serious implications for District Councils to deliver essential services at a time of great stress for much of the County. Overall your proposals represent a net reduction of £380,000 in District Council resources in Cumbria for 2010/11.

We respectfully submit that any change of such magnitude should be given with sufficient notice to allow meaningful and responsible budgeting. We urge you to abandon your current proposals and bring forward meaningful and advanced discussions on adjustments to grant levels for the period 2011/14, based on the experience of the first 3 years on the national scheme and agreed projections on demographic change and anticipated travel patterns.