

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

## **EXECUTIVE COMMITTEE**

Meeting, Wednesday, 14th December, 2011  
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 will be available at the meeting.

5. To confirm the Minutes of the meeting held on 16th November, 2011 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

### **FOR DECISION**

- (D/R) 7. Recommendations of the Housing Management Forum, 1st December, 2011.

- (R) 8 Local Government Act 2003 – Regulation of Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis.
- (R) 9. Criminal Justice and Police Act 2001 – Alcohol Consumption and Designated Places Order.
- (R) 10. Capital Programme 2011-2012 monitoring report as at 30th November, 2011, Capital Strategy and proposed Capital Programme for 2012-2013 to 2015-2016
- (D) 11. Council Tax Base 2012-2013.
- (R) 12. Borrowing Limits.
- (R) 13. Barrow Carnival 2012.
- (D) 14. Parking Charges 2012.
- (D) 15. Cumbria Housing Strategy 2011-2015 and Investment Plan.
- (D) 16. National Award for Innovation and Best Practice.
- (D) 17. Allotments.
- (D) 18. New Lease: 3 James Freel Court.
- (D) 19. Disposal of 166 Rawlinson Street, Barrow-in-Furness.
- (D) 20. Shop Lease, 108-112 Lesh Lane, Barrow in Furness.
- (R) 21. Grants to External Organisations.

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

### **Membership of Committee**

#### **Councillors**

Pidduck (Chairman)  
Sweeney (Vice-Chairman)  
Barlow  
Bell  
Cassidy  
Doughty  
Garnett  
Graham  
Guselli  
Richardson  
Seward  
Wall

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

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Published: 6th December, 2011.

## **EXECUTIVE COMMITTEE**

Meeting: 16th November, 2011  
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Bell, Cassidy, Doughty, Garnett, Richardson, Seward, Wall and Williams.

### **70 – Minutes**

The Minutes of the meeting held on 19th October, 2011 were agreed as a correct record.

### **71 – Apologies for Absence**

Apologies for absence were received from Councillors Graham and Guselli.

Councillor Williams substituted for Councillor Guselli.

### **72 – Draft Recommendations on the New Electoral Arrangements for Cumbria County Council**

The Chief Executive informed the Committee that Barrow currently comprised 12 single-member divisions, seven of which would have variances of more than 10% from the county average by 2016. Under a County Council size of 84 the borough had been allocated 11 members, one fewer than at present.

Only one submission for Barrow had been received by the Boundary Commission during Stage One of the review. The Labour Party had argued that divisions should be left as they were, stating that they had worked well, and had a degree of logic in their localities. The Commission stated that it had not possible to retain the existing divisions given the decrease in the number of councillors now allocated to the borough. Also given the relative lack of community evidence, the Commission had developed division arrangements that primarily secure good electoral equality.

They proposed revised single-member Hawcoat; Hindpool; Ormsgill and Roosecote divisions and new Abbotsmead; Barrow Island and Salthouse; and Newbarns and Beacon Hill divisions. They considered that these divisions secured good electoral equality and use strong boundaries. The divisions would have 5% more, 3% more, 7% more, 7% more, 2% fewer, 7% more and 8% more electors per councillor than the county average by 2016, respectively.

They proposed the retention of the existing Walney North and Walney South divisions. They noted that these divisions had relatively poor electoral equality with 10% fewer and 11% fewer electors per councillor than the county average by 2016, respectively. They had examined options to improve these variances but had

considered that the area was distinct from the rest of Barrow-in-Furness as it was separated by the Walney Channel with only a single crossing point.

Finally, they had proposed the retention of the existing Dalton North division and a minor amendment to Dalton South division as they both had good electoral equality. These divisions would have 5% more and 1% fewer electors per councillor than the county average by 2016, respectively.

The Commission welcomed views and evidence from all parties interested in the review, whether or not they agreed with the draft proposals. The Commission would take into account all submissions received by 16th January, 2012. They would particularly welcome local views backed up by demonstrable evidence. They would consider all the evidence submitted during the consultation period before preparing their final recommendations.

**RESOLVED:-** To instruct the Chief Executive to write to the Boundary Commission expressing the Council's disappointment in the reduction of Barrow's County Councillors from 12 to 11.

### **73 – Queen's Diamond Jubilee**

The Chief Executive reported that in celebration of Her Majesty the Queen's Diamond Jubilee it was planned to light 2012 beacons throughout the United Kingdom, Channel Islands, Isle of Man, UK Overseas Territories and the Commonwealth on Monday 4th June, 2012.

In 2002, the Council had installed a searchlight beacon on the Town Hall as part of the Golden Jubilee celebrations and it was proposed that a similar installation be made for the Diamond Jubilee. There was very little high ground suitable for a beacon in Barrow and the Town Hall was widely visible. The searchlight would project into the night sky for a distance of up to 5 km.

**RESOLVED:-** To agree to install a searchlight beacon on Barrow Town Hall to mark the occasion of the Diamond Jubilee of Her Majesty Queen Elizabeth II at a cost of £650.

### **74 – Housing Market Renewal Programme – Demolition of Property on Marsh Street**

The Committee were reminded that the Council had declared North Central to be a 'Renewal Area' within the meaning of the Local Government and Housing Act 1989 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

The Renewal Area programme had included the compulsory acquisition and demolition of 126 properties on Arthur Street and Sutherland Street (odd numbers). These properties had now all been demolished.

In addition, the Council had acquired property on Marsh Street by agreement.

The Council had further agreed to the selective demolition of Council-owned property in the block 125-215 (odds) Marsh Street.

The Director of Regeneration and Community Services commented that numbers 125-151 and 163-205 Marsh Street had been demolished. Of the remaining 10 properties, six were in Council ownership, and the remaining four owners had agreed to sell their properties to the Council.

The remaining property owners on Marsh Street had all made arrangements to move out of their current homes. Three of these owners would be moving into refurbished properties previously acquired by the Council on Sutherland Street. All the properties on Marsh Street would be in the Council's ownership by early 2012.

It would then be possible to demolish these properties and fully incorporate Marsh Street into the development site created by the North Central CPO.

Marsh Plant Hire Ltd had been appointed to carry out the demolition of properties on Arthur Street following a tender process. Council had subsequently agreed to extend that contract to include the selective demolition on Marsh Street. It was recommended that the Council negotiated with Marsh Plant Hire to carry out the remaining demolition on Marsh Street, based on their rates to date.

If it was not possible to negotiate an acceptable price with Marsh Plant Hire, the works would be tendered, following advertisement for expressions of interest.

**RESOLVED:-** (i) To authorise the Chief Executive to make all necessary arrangements for the demolition of all remaining properties in the block 125-215 Marsh Street;

(ii) To seek to appoint Marsh Plant Hire as an extension to their existing contract on Arthur Street and Marsh Street based on negotiation of equivalent rates for the work; and

(iii) To agree that if (ii) was not possible, to authorise the Chief Executive to tender the works and award the contract to the lowest tender after consultation with the Chairman of the Executive Committee, in accordance with Contract Standing Orders.

## **75 – Council Finances Report – Quarter 2 2011-2012**

The Committee considered a detailed report of the Borough Treasurer regarding financial information for the first 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; and Reserves and Balances.

RESOLVED:- To note the information contained in the Council Finances Report Quarter 2 2011-2012.

### **76 – Benefits Performance – Quarter 1 2011-2012**

The Borough Treasurer informed the Committee that the DWP collated performance statistics from all authorities relating to the speed of processing benefits claims. The Quarter 1 of 2011-2012 statistics had just been published and he drew the Committee's attention to the good performance achieved by Barrow.

Within Cumbria Barrow had been placed first and within the statistical family group of authorities had been placed third.

RESOLVED:- To note the good Benefits performance achieved in Quarter 1 2011/12 by Barrow compared to other authorities.

### **77 – Queen Elizabeth II Fields Challenge**

The Director of Regeneration and Community Services reminded the Committee that 2012 marked Her Majesty the Queen's Diamond Jubilee. The Queen Elizabeth II Fields Challenge, being led by the Duke of Cambridge and operated by Fields in Trust, was a new campaign to protect at least 2012 outdoor recreational spaces in communities all across the country as a permanent living legacy of that great event. (It was similar in ethos to the King George V Jubilee Fields Trust)

The aim of the Queen Elizabeth II Fields Challenge was to protect a diverse range of outdoor spaces ensuring that they were protected in perpetuity as a tribute to the Diamond Jubilee. Local Authorities could select one or more that they would like to designate as a Queen Elizabeth II Field.

Members were asked to approve the submission of Channelside Haven to the programme as a Queen Elizabeth II Field. Channelside Haven's unique position, adjacent to Jubilee Bridge which had been freed from toll by the Queens' parents, then Duke and Duchess of York, as part of King George V's jubilee celebrations.

RESOLVED:- (i) To approve the submission of Channelside Haven to the programme as a Queen Elizabeth II Field;

(ii) To ask Officers to investigate other possible playing field site in the Borough; and

(iii) To authorise the Chief Executive after consultation with the Chairman to submit any suitable sites to the Programme as a Queen Elizabeth II Field.

## **78 – Park Vale Sports Centre, Mill Lane, Walney**

The Director of Corporate Services informed the Committee that the Council owned Park Vale Sports Centre.

The land was currently let to the Park Vale Users Association on a six year lease dated 1st April 2006.

Park Vale Users Association had been approached by Vodaphone Limited and a request had been submitted to site a telecommunications tower on 100sq.m of land within the curtilage of the sports centre.

As tenants of Park Vale Sports Centre the Park Vale Users Association were not in a position to grant a lease direct to Vodaphone. The Park Vale Users Association's lease had only one year remaining and the lease to Vodaphone Limited would run beyond their term. To overcome the problem and to remove the need for a sub-lease the following actions had been proposed:-

That the existing lease to Park Vale Users Association be surrendered and a new six year lease, excluding the area required by Vodaphone Limited, be entered into with the association; that the new lease had a break clause on or after the 3rd year of the term; and that the Council entered into a lease direct with Vodaphone Limited on the above terms.

RESOLVED:- (i) To note the report; and

(ii) To authorise the Commercial Estate Manager to document a new lease to Vodaphone Limited.

### **REFERRED ITEMS**

#### **THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION**

## **79 – Budget Strategy – Dock Museum**

The Chief Executive reminded the Committee that the Budget Strategy had included proposals to close the Dock Museum between October and March to reduce staffing and operational costs.

The Museum Collections Manager had submitted an alternative proposal within the same budget criteria and staffing costs, which would allow the Museum to open five days a week between the hours of 11am - 4pm closing every Monday and Tuesday.

On the positive side the proposal would keep the Museum open to the public all year round, and on the negative side it limited summer opening to five hours per day Wednesday - Sunday.



If Members preferred that arrangement then it could be integrated into the Budget Strategy without any financial adjustment.

Staff would still be at risk of redundancy unless they agreed to be slotted into the new working arrangements.

RECOMMENDED:-To recommend the Council to agree that the Dock Museum opens 5 days a week (all year) between the hours of 11.00 a.m. and 4.00 p.m. closing every Monday and Tuesday.

## **80 – Budget Strategy – Members Allowances**

The Chief Executive reminded the Committee that Members had requested a report setting out Members allowances paid in 2010/11 and 2011/12 (up to and including September).

The Committee considered allowances paid to Members in each ward including County Members.

The report clearly illustrated that the allowances paid to Borough Councillors were significantly lower than those paid to County Councillors, and there appeared little justification for reducing Borough Councillors allowances.

Members travel costs were not significant, but these could be reduced by adopting Officers' mileage allowances.

He informed the Committee that Members currently claimed diverse payments for telephone and broadband depending on their provider. BT currently offered a combined package for £20 a month and it would simplify administration if Members accepted a flat rate payment of £20 per month towards the cost of telephone and broadband.

It as moved, seconded, voted upon and lost that all Members of the Council forego their Members Allowances.

RECOMMENDED:- To recommend the Council:-

- (i) To agree not to amend the Members Allowances paid to Borough Councillors;
- (ii) To agree that Members mileage allowances be reduced by adopting Officers mileage allowance namely 40p in Borough and 30p out of Borough; and
- (iii) To accept a flat rate fee payment of £20 per month towards the cost of telephone and broadband.

## **81 – Timing for Council Meetings**

The Chief Executive reminded the Committee that the scheduled Council meetings had been brought forward to 5.30 pm from 7.00 pm to help reduce staffing and energy costs. Members had asked for a report identifying the pros and cons of bringing this time forward.

The current arrangement do not require any overtime payments to staff but it does present the possibility of exceeding band time for clerical (6.00 pm) and manual (6.15 pm) which would require additional time off to be given during normal hours for admin staff and stewards.

The Town Hall heating was scheduled to turn off at 3.30 pm. A necessary estimate of 7.30 pm as a closing time for the meeting would require some additional heating and lighting for some meetings, but that would not be significant.

A 4.00 pm start would, in most circumstances, bring the close of the meeting within normal operating hours.

A 2.00 pm start would match the default time for all Committee meetings of the Council and would ensure, other than in extraordinary circumstances that the meeting would close during normal public opening hours 9.00 am - 4.00 pm.

The current schedule of meetings did not clash with any scheduled County meetings for any of the three options.

He informed the Committee that there was now no national standard or requirement for sitting Members to be given time off by their employers to attend Council meetings. Members' allowances were expected to compensate for any loss of earnings. The Council could write to employers seeking their support.

It was moved, seconded, voted upon and lost that the Council meeting commence at 2.00 p.m.

**RECOMMENDED:-** To recommend the Council to agree that the timing for Council meetings remain at 5.30 p.m.

The meeting ended at 2.50 p.m.

**BOROUGH OF BARROW-IN-FURNESS**

**EXECUTIVE COMMITTEE**

**14th December, 2011**

**(D)/(R) AGENDA ITEM NO. 7**

**RECOMMENDATIONS**

**OF THE**

**HOUSING MANAGEMENT FORUM**

**1st December, 2011**

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

The recommendations of the meeting of the Housing Management Forum held on 1st December, 2011 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.

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| <b>HOUSING MANAGEMENT FORUM</b>   | <b>(D)</b> |
| <b>Date of Meeting: 1st December, 2011</b>  | <b>(i)</b> |
| <b>Reporting Officer: Chief Executive</b>   |            |
| <p><b>Title: Recharge Proposal</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the report was to seek approval of a Recharge Proposal.</p> <p>There was an accompanying Recharge Repair Procedure which set out the detailed operational and accounting processes and the actions necessary to deal with vulnerable groups, refusals to accept a rechargeable repair and resolve disputes.</p> <p><b>Recommendations:</b></p> <p>That Members agree to:-</p> <ol style="list-style-type: none"> <li>1. Stricter management of Responsible Repairs which fall outside the responsibility of the Tenancy Agreement to reduce the overall volume and cost of repairs.</li> <li>2. The principles outlined in the Rechargeable Repair Policy proposal and Recovery procedures from current and former tenants and leaseholders.</li> <li>3. The transfer of the responsibility for the recovery of Rechargeable Repair monies from the Borough Treasurer's Department to Housing; and</li> <li>4. The adoption of a "standard repair charge pricelist".</li> </ol> |            |

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| <b>HOUSING MANAGEMENT FORUM</b>   | <b>(D)</b>  |
| <b>Date of Meeting: 1st December, 2011</b>  | <b>(ii)</b> |
| <b>Reporting Officer: Housing Manager</b>   |             |
| <b>Title: 2012 Disabled Adaptations Contract</b>  |             |
| <b>Summary and Conclusions:</b>   |             |
| The purpose of the Housing Manager's report was to ask Members to consider and agree the options for appointing a contractor to deliver adaptations for the next two years. |             |
| <b>Recommendation:</b>  |             |
| That Members agree for Officers to proceed with tendering the 2012 Disabled Adaptations Contract via the Cumbria Housing Partners framework.                                |             |

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| <b>HOUSING MANAGEMENT FORUM</b>   | <b>(D)</b>   |
| <b>Date of Meeting: 1st December, 2011</b>  | <b>(iii)</b> |
| <b>Reporting Officer: Housing Manager</b>   |              |
| <b>Title: Sound Insulation Works</b>  |              |
| <b>Summary and Conclusions:</b>   |              |
| <p>The purpose of the Housing Manager's report was to seek approval for the re-allocation of HRA funding to allow additional sound insulation work to be undertaken to properties in the Hartington Street and Blake Street area.</p>   |              |
| <b>Recommendation:</b>  |              |
| <p>That Members agree that:-</p>  |              |
| <ol style="list-style-type: none"><li>1. Officers proceed to suspend the normal Council Standing Orders for procurement and authorise the appointment of the specialist contractor John C Wilkins to undertake the sound insulation works as outlined in the Housing Manager's Report.</li><li>2. A sum of £30,000 be allocated from Electrical Testing for the purpose of carrying out the sound insulation.</li></ol> |              |

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| <b>HOUSING MANAGEMENT FORUM</b>            | <b>(D)</b>  |
| <b>Date of Meeting: 1st December, 2011</b> | <b>(iv)</b> |
| <b>Reporting Officer: Housing Manager</b>  |             |

**Title: Homelink Services**

**Summary and Conclusions:**

The purpose of the Housing Manager's report was to ask Members to agree a date for closure of the Homelink Community Alarm Service.

It sought to agree the process of transition from services offered through Homelink to the new Community Alarm Services being developed by the County Council and Supporting People funded contract arrangements.

**Recommendation:**

That Members agree:-

1. That properties designated as Warden Services continue to be advertised and allocated as previously (See Agenda Item No.11)
2. That the Community Alarm and Mobile Warden Services withdraw visiting and response services from 20<sup>th</sup> January, 2012, the service ending on 31<sup>st</sup> January, 2012.
3. Maintenance of equipment:-
  - (i) To continue to fund maintenance costs at Eamont Close/Dalton in the short term with further consideration as necessary.
  - (ii) To stop providing maintenance of dispersed alarms from an appropriate date and rely on "spare" units to deal with breakdowns; and
4. That the appropriate revenue costs of operating the Community Centres (Eamont Close, Grange and Carmel Crescent, Cotswold Crescent, Ocean Road) be met by the HRA but undergo a review to assess their long term sustainability.



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| <b>HOUSING MANAGEMENT FORUM</b>  | <b>(D)</b> |
| <b>Date of Meeting: 1st December, 2011</b>   | <b>(v)</b> |
| <b>Reporting Officer: Housing Manager</b>  |            |
| <b>Title: Changes to Reception Opening Hours</b>   |            |
| <b>Summary and Conclusions:</b>  |            |
| The purpose of the Housing Manager's report was to seek approval to change the opening hours of the Housing Reception Desk at Cavendish House to reflect the new hours of the Town Hall Reception.       |            |
| <b>Recommendation:</b>   |            |
| That Members agree to the following new hours:-<br>Reception to open to the Public between the hours of 9.00am and 4.00pm (Monday to Friday) with a 10.00am opening on Wednesdays to allow for training. |            |

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| <b>HOUSING MANAGEMENT FORUM</b>  | <b>(D)</b>  |
| <b>Date of Meeting: 1st December, 2011</b>   | <b>(vi)</b> |
| <b>Reporting Officer: Housing Manager</b>  |             |
| <p><b>Title: Cumbria Choice: Choice Based Lettings Scheme (CBL)</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Housing Manager's report was to provide Members with an update on Cumbria Choice – Choice Based Lettings Scheme and also note the revised Local Letting Policies in line with the CBL policy. Members were also requested to agree recommendations for future advertising of designated bungalow schemes throughout the Borough.</p> <p><b>Recommendation:</b></p> <p>That Members agree:-</p> <ol style="list-style-type: none"> <li>1. To note the information on Cumbria Choice CBL Scheme.</li> <li>2. Amendments to Local Letting policies for Grange and Cartmel Crescent estate and Askam Whinfield Place bungalows in line with Cumbria Choice Allocation Policy; and</li> <li>3. To the recommendations for properties designated as Warden Services to continue to be advertised and allocated as previously. A future report would introduce individual local letting policies for these areas.</li> </ol> |             |

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| <b>HOUSING MANAGEMENT FORUM</b>  | <b>(R)</b>   |
| <b>Date of Meeting: 1st December, 2011</b>   | <b>(vii)</b> |
| <b>Reporting Officer: Housing Manager</b>  |              |
| <p><b>Title: Homelink Charging Arrangements</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Housing Manager's report was to request Members to agree to the charging arrangements for the Homelink Service following the Review of the Service.</p> <p><b>Recommendation:</b></p> <p>That Members:-</p> <ol style="list-style-type: none"> <li>1. Agree that service charges for Tenants receiving a Community Alarm Service be changed to £1 per week from 2<sup>nd</sup> January, 2012 and for the Housing Manager to have delegated authority to remove the service charges as necessary as changes in services are reviewed as outlined in Agenda Item No. 10; and</li> <li>2. Agree that the service charges for residents in Dalton and Eamont Close be reduced to £1 per week at the appropriate time to reflect the change in contract arrangements.</li> </ol> |              |

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| <b>EXECUTIVE COMMITTEE</b>   |  | <b>Part One<br/>(R)<br/>Agenda<br/>Item<br/>8</b> |
| <b>Date of Meeting: 14th December, 2011</b>  |  |   |
| <b>Reporting Officer: Chief Environmental Health Officer</b>   |  |   |
| <p><b>Title: Local Government Act 2003 – Regulation of Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report sets out details of powers available to the Borough Council to more effectively regulate skin piercing activities.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To approve the adoption of powers contained within Section 120 Local Government Act 2003 together with model byelaws, to require the registration of acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis activities and to set a registration fee for semi-permanent skin colouring and cosmetic piercing equal to the fee payable for registration in respect of persons and premises for electrolysis, tattooing and acupuncture, currently £93.00;</li> <li>2. To adopt the powers and byelaws as detailed in <b>Appendix 1</b>; and</li> <li>3. To revoke existing byelaws as detailed in <b>Appendix 2</b>.</li> </ol> |  |   |

## **Report**

### **Background**

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 introduced specific controls for certain skin piercing activities such as ear piercing, tattooing, acupuncture and electrolysis. The controls enable Local Authorities to require the registration of such activities to ensure that operators meet hygienic standards. The principal reason for the introduction of the controls was related to the risks of transmission of blood borne diseases such as Aids and Hepatitis.
- 1.2 Since the initial controls were introduced there have been a number of developments in skin piercing primarily associated with fashion trends. Consequently the current practices of what are known as cosmetic body

piercing for studs, rings etc and also semi-permanent skin colouring are in effect unregulated. Local Authorities have expressed concern for a number of years that these practices also pose potential health risks for the transmission of blood borne diseases.

- 1.3 In recognition of these concerns the Government introduced, through Section 120 and Schedule 6 of the Local Government Act 2003, powers to require the registration of businesses which provide cosmetic piercing and skin colouring services. The powers have firstly to be adopted by a Local Authority and regulation will be subject to compliance with a set of model byelaws.

## 2. Proposal

- 2.1 Because of the inherent risks for the transmission of blood borne diseases through improper techniques and lack of sterile practices there is an ever present concern that unregulated operators represent a risk to the public's health. It is recommended therefore that the Council adopts the provisions of Section 120 of the Local Government Act 2003 to implement the local regulation of cosmetic piercing and skin colouring. Specific guidance has been issued by the Department of Health and includes model byelaws to be followed by Local Authorities that adopt the powers of registration. As this Authority has already adopted the 1982 Local Government Act in relation to tattooing, ear piercing and electrolysis the introduction of the new byelaws is much more simplified in that the Council is automatically able to apply the registration and byelaws regime to cosmetic piercing and semi-permanent skin colouring.
- 2.2 The Council is able to charge a reasonable fee for the registration of these additional skin-piercing businesses and it is recommended that the registration fee should be that charged for the other skin piercing businesses. This registration fee is currently set at £93.00.
- 2.3 The model byelaws associated with the new requirements are attached to this report at **Appendix 1** and it is recommended that these be adopted as drafted by the Government. The byelaws are intended to ensure adequate controls over health and safety hygiene for all skin piercing businesses. The model byelaws and their implementation have already been the subject of discussions between my Department and the Council's Legal Section.

### (i) Legal Implications

The Council needs to regulate all skin piercing commercial activities.

### (ii) Risk Assessment

Health implications for residents if activities continue to be unregulated.

### (iii) Financial Implications

Reasonable fees can be imposed for registration.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP1 - Cleaner, safer, greener environment.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Reduced risk of infection.

Background Papers

Nil

## MODEL BYELAWS

### Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

Byelaws for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) or 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by ..... in pursuance of sections 14(7) or 15(7) or both of the Act.

#### Interpretation

1.—(1) In these byelaws, unless the context otherwise requires—

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“client” means any person undergoing treatment;

“hygienic piercing instrument” means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either—

- (a) the lobe or upper flat cartilage of the ear, or
- (b) either side of the nose in the mid-crease area above the nostril;

“operator” means any person giving treatment, including a proprietor;

“premises” means any premises registered under sections 14(2) or 15(2) of the Act;

“proprietor” means any person registered under sections 14(1) or 15(1) of the Act;

“treatment” means any operation in effecting acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis;

“the treatment area” means any part of premises where treatment is given to clients.

(2) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2.—(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that—

- (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
- (b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise is sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;

- (e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected—
  - (i) immediately after use; and
  - (ii) at the end of each working day.
- (f) any table, couch, or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;
- (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, and “No Eating or Drinking” is prominently displayed there.

(2)(a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

(3)(a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;

(b) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear-piercing or nose-piercing using a hygienic piercing instrument.

3.—(1) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment—

- (a) an operator shall ensure that—
  - (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment—
    - (aa) is clean and in good repair and, so far as is appropriate, is sterile;
    - (bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.
  - (ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
  - (iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
  - (iv) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert;
  - (v) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before re-use.
- (b) a proprietor shall provide—
  - (i) adequate facilities and equipment for—
    - (aa) cleansing; and
    - (bb) sterilization, unless only pre-sterilized items are used.
  - (ii) sufficient and safe gas points and electrical socket outlets;
  - (iii) an adequate and constant supply of clean hot and cold water on the premises;
  - (iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.



4.—(1) For the purpose of securing the cleanliness of operators, a proprietor—

- (a) shall ensure that an operator—
  - (i) keeps his hands and nails clean and his nails short;
  - (ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
  - (iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);
  - (iv) wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client;
  - (v) does not smoke or consume food or drink in the treatment area; and
- (b) shall provide—
  - (i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and
  - (ii) suitable and sufficient sanitary accommodation for operators.

(2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities that the proprietor provides need not be for the sole use of the operator.

(3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if—

- (a) the client is bleeding or has an open lesion on an exposed part of his body; or
- (b) the client is known to be infected with a blood-borne virus; or
- (c) the operator has an open lesion on his hand; or
- (d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

6. The byelaws relating to *state subject matter* that were made by *insert name* on the *insert date* and were confirmed by *insert name of confirmation authority* on *insert date* are revoked.

## NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture, or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is registered as a dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

*The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 only apply to acupuncture.*

*The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Local Government (Miscellaneous Provisions) Act 1982 do not apply to acupuncture.*

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 14 (acupuncture) only apply to acupuncture.*

*The references in paragraph 1(1) in the definition of "premises" to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) do not apply to acupuncture.*

*The requirement in paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.*

*The requirement in paragraph 2(3) that the floor of the treatment area be provided with a smooth impervious surface applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.*

*The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) apply to tattooing and semi-permanent skin-colouring.*

*The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3).*

*The provisions of paragraph 4(2) in relation to washing facilities apply to cosmetic piercing using only a hygienic piercing instrument.*

*The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a dentist applies only to acupuncture (see section 14(8) of the Act).*

GIVEN under the Common Seal of the Council of the Borough of Barrow-in-Furness this Nineteenth day of September 1984.



THE COMMON SEAL OF THE COUNCIL OF THE BOROUGH OF BARROW-IN-FURNESS was hereto affixed in the presence of:-

**D.J. THOMAS**  
Deputy Town Clerk  
and Chief Executive

The foregoing byelaws are hereby confirmed by the Secretary of State for Social Services on 21 December 1984 and shall come into operation on 1 February 1985

**A.B. BARTON**  
Assistant Secretary  
Department of Health  
and Social Security



**Borough of  
Barrow-in-Furness**

# **BYELAWS**

**Ear Piercing and Electrolysis**

# EAR PIERCING AND ELECTROLYSIS

## 1. Interpretation:

- a. In these byelaws, unless the context otherwise requires -
  - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982.
  - “Client” means any person undergoing treatment;
  - “Operator” means any person giving treatment;
  - “Premises” means any premises registered under Part VIII of the Act;
  - “Proprietor” means any person registered under Part VIII of the Act;
  - “Treatment” means any operation in effecting ear-piercing or electrolysis;
  - “The treatment area” means any part of premises where treatment is given to clients.
- b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

## 2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that -

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;
  - b. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washed and leakproof, or placed in leakproof liner bag. The receptacles shall be emptied, or changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
  - c. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. When re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
  - d. All furniture and fittings in the treatment area are kept clean and in such good repair as to enable them to be cleaned effectively;
  - e. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3b below are placed immediately prior to treatment have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;
  - f. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
  - g. A notice or notices reading “No Smoking” are prominently displayed within the treatment area.
- ## 3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -
- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment -
    - i. is clean and in good repair, and, so far as is appropriate, is sterile;
    - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;

- b. An operator shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
- c. A proprietor shall provide -
  - i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
  - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
  - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
  - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators -
  - a. An operator whilst giving treatment shall ensure that -
    - i. his hands are clean;
    - ii. he is wearing clean clothing;
    - iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
    - iv. he does not smoke or consume food or drink;
  - b. A proprietor shall provide:
    - i. suitable and sufficient washing facilities for the use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
    - ii. suitable and sufficient sanitary accommodation for operators.

## NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable of summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

GIVEN under the Common Seal of the Council of the Borough of Barrow-in-Furness this Nineteenth day of September 1984.

THE COMMON SEAL OF THE COUNCIL OF  
THE BOROUGH OF BARROW-IN-FURNESS  
was hereunto affixed in the  
presence of:-

**D.J. THOMAS**  
Deputy Town Clerk  
and Chief Executive

The foregoing byelaws are hereby  
confirmed by the Secretary of  
State for Social Services on  
21 December 1984  
and shall come into operation on  
1 February 1985

**A.B. BARTON**  
Assistant Secretary  
Department of Health  
and Social Security



**Borough of  
Barrow-in-Furness**

**BYELAWS**  
Acupuncture

54.

# ACUPUNCTURE

## 1. Interpretation:

- a. In these byelaws, unless the context otherwise requires -  
"The Act" means the Local Government (Miscellaneous Provisions) Act 1982;  
"Client" means any person undergoing treatment;  
"Operator" means any person giving treatment;  
"Premises" means any premises registered under Part VIII of the Act;  
"Proprietor" means any person registered under Part VIII of the Act;  
"Treatment" means any operation in the practice of acupuncture;  
"The treatment area" means any part of premises where treatment is given to clients.
  - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
- ## 2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that -
- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
  - b. The treatment area is used solely for giving treatment;
  - c. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
  - d. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
  - e. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
  - f. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with a suitable disinfectant;
  - g. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
  - h. A notice or notices reading "No Smoking" are prominently displayed within the treatment area.
- ## 3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -
- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment -
    - i. is clean and in good repair, and, so far as is appropriate, is sterile;
    - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;

- b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
- c. A proprietor shall provide -
  - i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
  - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
  - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
  - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators -
  - a. An operator whilst giving treatment shall ensure that -
    - i. his hands and nails are clean and nails kept short;
    - ii. he is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
    - iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
    - iv. he does not smoke or consume food or drink;
  - b. A proprietor shall provide:
    - i. suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
    - ii. suitable and sufficient sanitary accommodation for operators.

## NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(1) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or a dentist to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

GIVEN under the Common Seal of the Council of the Borough of Barrow-in-Furness this Nineteenth day of September 1984.

THE COMMON SEAL OF THE COUNCIL OF  
THE BOROUGH OF BARROW-IN-FURNESS  
was hereunto affixed in the  
presence of:-



**D.J. THOMAS**  
Deputy Town Clerk  
and Chief Executive

The foregoing byelaws are hereby  
confirmed by the Secretary of  
State for Social Services on  
21 December 1984  
and shall come into operation on  
1 February 1985

**A.B. BARTON**  
Assistant Secretary  
Department of Health  
and Social Security



**Borough of  
Barrow-in-Furness**

**BYELAWS**  
Tattooing



# TATTOOING

1. Interpretation:
  - a. In these byelaws, unless the context other requires -
    - "The Act" means the Local Government (Miscellaneous Provisions) Act 1982;
    - "Client" means any person undergoing treatment;
    - "Operator" means any person giving treatment;
    - "Premises" means any premises registered under Part VIII of the Act;
    - "Proprietor" means any person registered under Part VIII of the Act;
    - "Treatment" means any operation in effecting tattooing;
    - "The treatment area" means any part of premises where treatment is given to clients.
  - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that -
  - a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
  - b. The treatment area is used solely for giving treatment;
  - c. The floor of the treatment area is provided with a smooth impervious surface;
  - d. All waste material, and other litter, arising from the treatment is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall be cleaned;
  - e. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
  - f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
  - g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down with a suitable disinfectant between the treatment of different clients, and thoroughly cleaned at the end of each working day;
  - h. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
  - i. A notice or notices reading "No Smoking" are prominently displayed within the treatment area.
3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -
  - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper of other covering, towel, cloth or other such articles used in the treatment -
    - i. is clean and in good repair, and, so far as appropriate is sterile;
    - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;

- b. An operator shall ensure that -
  - i. any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment is in a sterile condition and kept sterile until it is used;
  - ii. all dyes used for tattooing are bacteriologically clean and inert;
  - iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatments, or are sterilised before re-use;
- c. A proprietor shall provide -
  - i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
  - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
  - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
  - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators -
  - a. An operator whilst giving treatment shall ensure that -
    - i. his hands and nails are clean, and nails kept short;
    - ii. he is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
    - iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
    - iv. he does not smoke or consume food or drink;
  - b. A proprietor shall provide -
    - i. suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
    - ii. suitable and sufficient sanitary accommodation for operators.

## NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. A proprietor shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws shall extend to the carrying on of the business of tattooing by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

|   |   |   |
|---|---|---|
| <b>EXECUTIVE COMMITTEE</b>  |   | <b>Part One<br/>(R)<br/>Agenda<br/>Item<br/>9</b> |
| <b>Date of Meeting:</b>   | <b>14th December, 2011</b>                |   |
| <b>Reporting Officer:</b>   | <b>Chief Environmental Health Officer</b> |   |
| <p><b>Title: Criminal Justice and Police Act 2001 – Alcohol Consumption and Designated Places Order</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report requests delegated authority to make Orders to prohibit drinking in designated places in respect of three specific locations in the Borough subject to no objections being received following conclusion of the statutory consultation procedure.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council to authorise the Chief Executive to make orders to control alcohol consumption in designated places in respect of Dalton Leisure Centre, Four Groves, Ormsgill Community Centre and Shops as defined in the body of the report, subject to no objections being received.</p> |   |   |

## **Report**

### **Background**

Members will be aware that in December, 2008 the Council resolved to make Orders under the provisions of the Criminal Justice and Police Act 2001 which provides controls to limit the consumption of alcohol in designated places.

I can report that the controls have been used infrequently but continue to provide a valuable contribution to the strategy used by the local Crime and Disorder Reduction Partnership to control nuisance and disorder arising from the consumption of alcohol.

I can further report that I have been in discussion with Barrow Police representatives who are keen to further control the consumption of alcohol in designated places in specific locations to reduce the occurrence of significant nuisance and disorder.

Three additional specific areas of the Borough have been identified as suitable and necessary for the relevant controls on the consumption of alcohol in designated places and I give below specific definitions of the relevant designated places:-

Dalton Leisure Centre, Dalton-in-Furness as outlined at **Appendix 3**.

Four Groves, Barrow-in-Furness as outlined at **Appendix 4**.

Ormsgill Community Centre and Shops, Barrow-in-Furness as outlined at **Appendix 5**.

I would remind Members that the controls provided by the Orders which are made under Section 13 of the Criminal Justice and Police Act 2001 are exercised only when an individual fails to comply with a request made by a constable to:-

- a) not consume in the designated place anything which is, or which the constable reasonably believes to be, intoxicating liquor;
- b) to surrender anything in his possession which is, or which the constable believes to be, intoxicating liquor or a container for such liquor (other than a sealed container).

A person who fails without reasonable excuse to comply with a requirement imposed on him commits an offence and is liable on summary conviction to a fine not exceeding level 2 of the standard scale, currently £100.

The legislation requires that a consultation process is undertaken to assess the view of business operators and residents living in the areas concerned. I would ask Executive Committee to agree to the carrying out of the relevant consultations and delegate to the Chief Executive the making of relevant Orders subject to no objections to the making of the Orders being received.

(i) Legal Implications

The Orders are enforced by the local constabulary.

(ii) Risk Assessment

Risks to the public if no Order is made outweighs the restrictions imposed by the Order.

(iii) Financial Implications

No additional resources other than the provision of signage are involved in this proposal.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP1

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

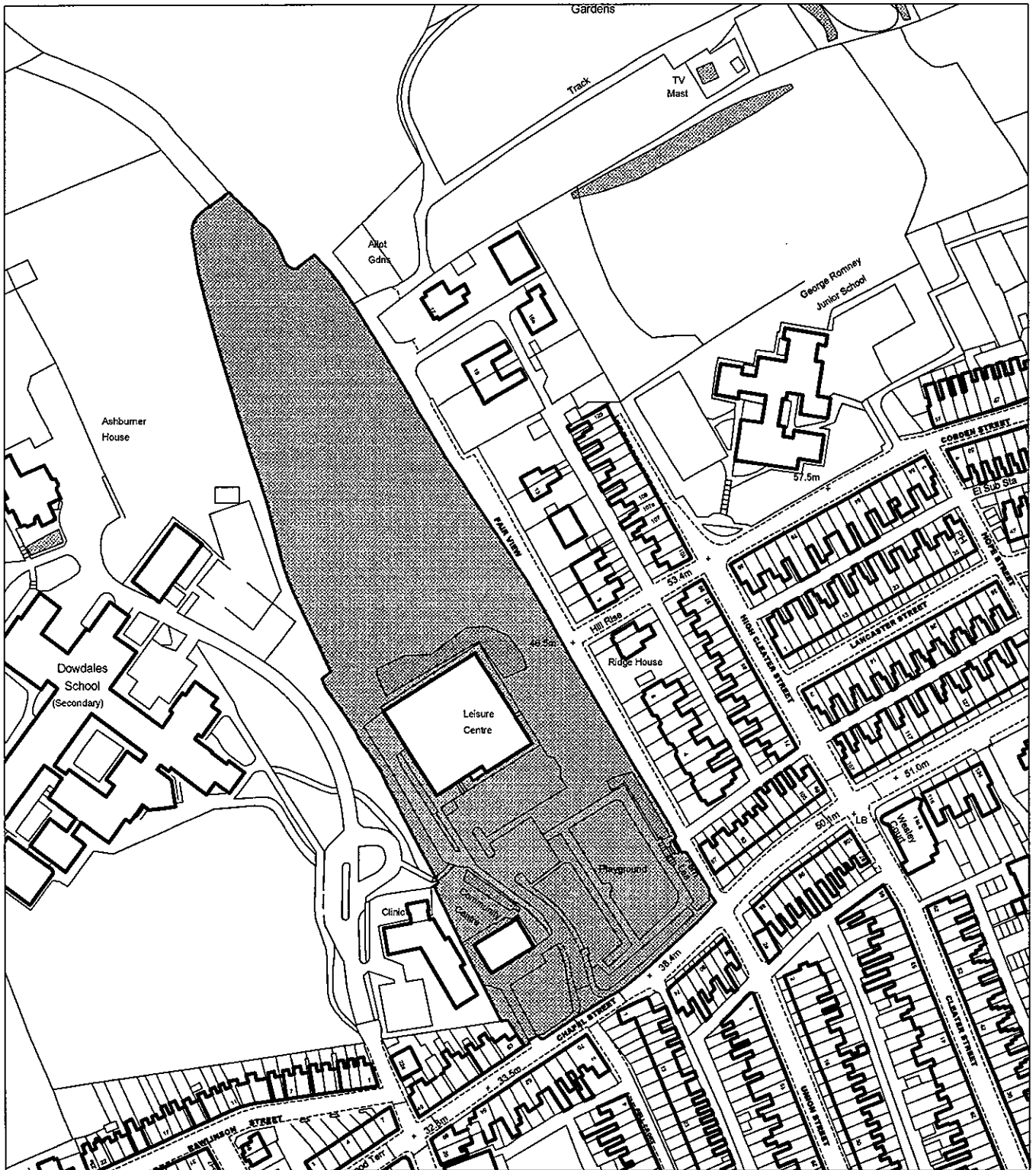
(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of the service.

Background Papers

Nil

**Dalton Leisure Centre, Dalton-in-Furness**

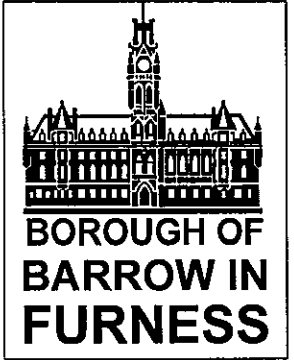


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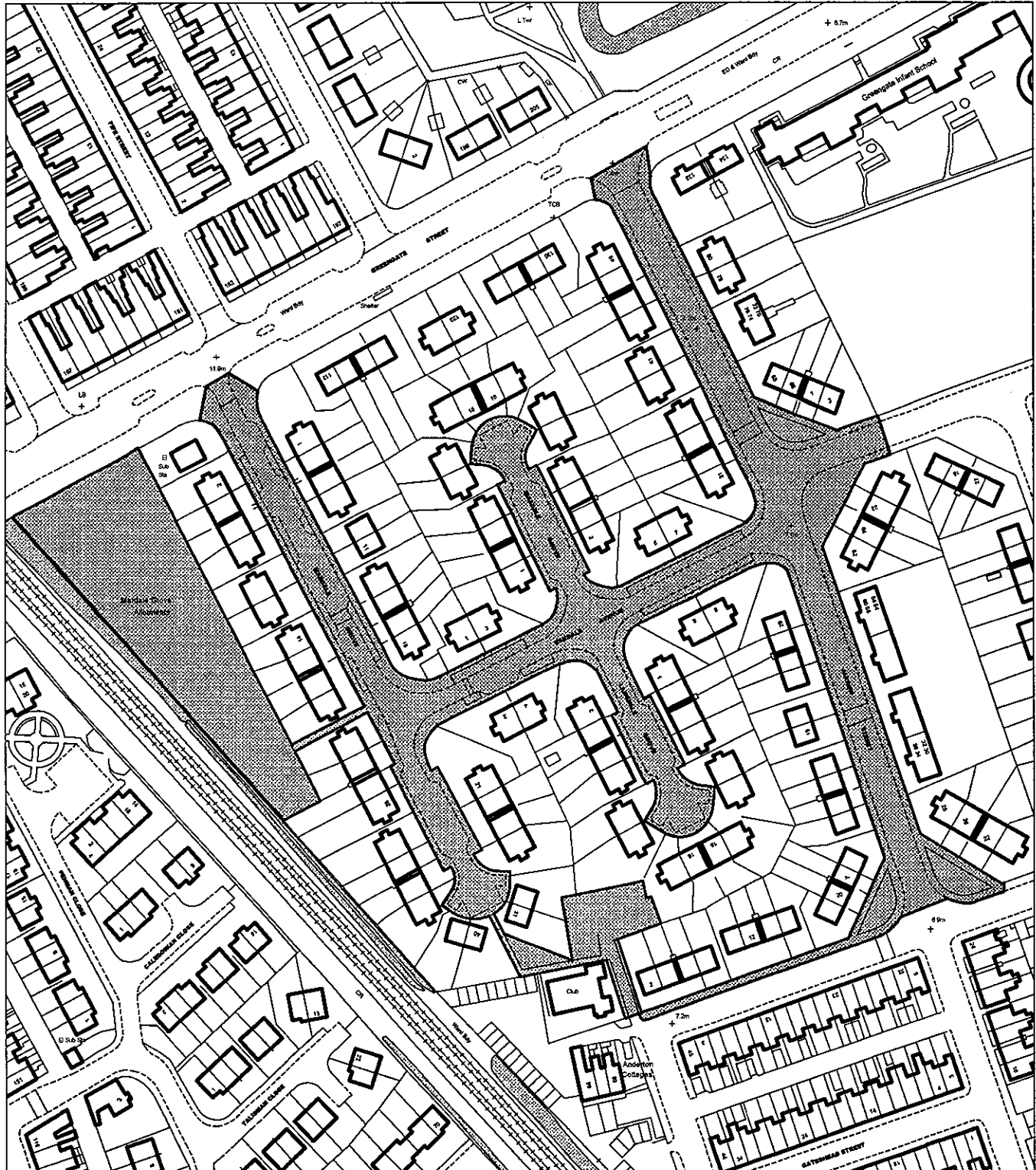
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Scale : 1:2000  
Grid : None

Produced on : 05/10/2011



# Four Groves Barrow-in-Furness

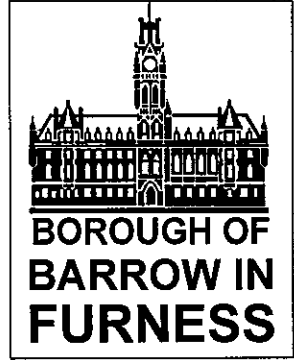


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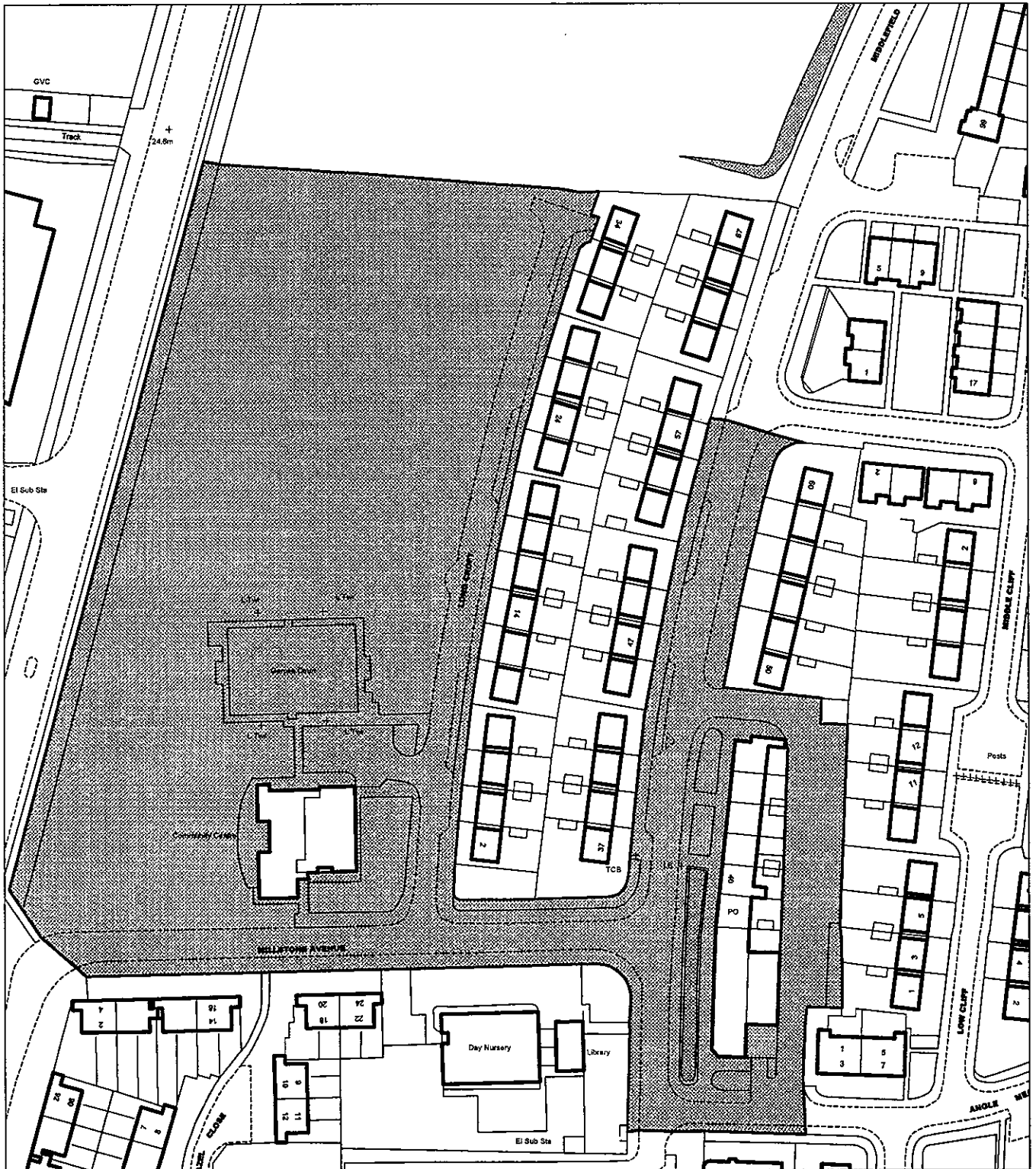
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Grid : None

Produced on : 15/11/2011



# Ormsgill Community Centre and Shops



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Scale : 1:1250

Grid : None



Produced on : 15/11/2011



**BOROUGH OF  
BARROW IN  
FURNESS**

|  |                                       |
|--|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>   | <b>(R)<br/>Agenda<br/>Item<br/>10</b> |
| Date of Meeting: 14th December, 2011   |                                       |
| Reporting Officer: Borough Treasurer   |                                       |
| <p><b>Title: Capital Programme 2011-2012 monitoring report as at 30th November, 2011, Capital Strategy and proposed Capital Programme for 2012-2013 to 2015-2016</b></p> <p><b>Summary and Conclusions:</b></p> <p>The monitoring report for the Capital Programme for 2011-2012 includes the variations since the last report of 20th July, 2011 and the expenditure as at 30th November, 2011.</p> <p>The capital strategy adopted by Council in March 2010 has been reviewed and updated to reflect the Key Priorities adopted by Council in October 2011.</p> <p>This report also sets out the proposed Capital Programme for 2012-2013 to 2015-2016. The report shows the proposed capital projects and financing; this includes the level of financing from borrowing that was assumed in the Budget Strategy and will be used in setting the revenue budget and Treasury Management Strategy coming the to next Executive Committee meeting.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To approve the variations to the 2011-2012 capital programme and note the expenditure as at 30<sup>th</sup> November 2011;</li> <li>2. To approve the updated Capital Strategy;</li> <li>3. To approve the Capital Programme for 2012-2013 to 2015-2016; and</li> <li>4. To agree that the use of the miscellaneous properties funding be delegated to the Chief Executive after consultation with the Chairman and Vice-Chairman of the Executive Committee and the delegation will be exercised when urgent or confidential matters arise.</li> </ol> |                                       |

### **Report**

#### **Capital Programme 2011-2012 as at 30th November, 2011**

The Capital Programme was last reported to this Committee on 20th July, 2011 as £8,285,806 and was fully financed. The Revised Capital Programme presented in this report as at 30th November, 2011 is £8,515,181. This is an increase of £229,375 and the Capital Programme is fully financed.

The major (above £10,000) variations to the Capital Programme since the last report are as follows:



### **Cemetery**

£278,450 has been re-profiled from 2011-2012 into 2012-2013.

### **Rural regeneration – Roa Island Jetty**

£159,500 has been re-profiled into 2011-2012 from 2012-2013.

### **Housing market renewal**

£102,500 projected additional capital receipts from property swaps have been allocated to the following projects:

| <b>Project</b>                                 | <b>Allocation</b> |
|--|-------------------|
| North Central Renewal – Acquisition Sub Area D | £40,000           |
| Relocation Grants (North Central)              | £25,000           |
| Central Refurbishment Property Swaps           | £20,000           |
| Asset Investment Fund                          | £17,500           |
| <b>Total</b>                                   | <b>£102,500</b>   |

£20,000 has been transferred from Group Repair Marsh Street to North Central Renewal - Demolition.

### **Revised funding**

- Additional £102,000 Disabled Facilities grant received from Cumbria County Council.
- Contributions of £166,460 from 5 Cumbrian authorities for the co-ordinated Private Sector Housing Condition Survey.
- £55,133 from Cumbria County Council for Dalton Road Streetscapes.
- £40,000 from Sea Change for Rural Regeneration Piel Island.
- Town Heritage Initiative Abbey Road funding of £29,907 from Heritage Lottery, £7,144 transferred from Planning Delivery Grant and £8,331 owners' contribution.

### **Use of Asset Investment Fund**

- £20,000 allocated to the Dock Museum for site investigation and fees associated with the potential sale of land.
- £55,000 allocated to 104 Abbey Road for additional works.
- £15,000 allocated to Miscellaneous Properties for the James Dunn Centre as per the Executive Committee 20<sup>th</sup> July 2011.
- £50,000 allocated to Rural Regeneration Roa Island Car Park as per the Executive Committee 6<sup>th</sup> July 2011.

The capital expenditure as at 30th November 2011 is £4,639,184. The revised Capital Programme for 2011-2012 together with the expenditure as at 30th November, 2011 is attached as **Appendix 6**.

### Capital Strategy 2012-2013 to 2015-2016

The Capital Strategy attached at **Appendix 7**, has been updated and incorporates the key priorities set by the Council in October 2011.

## Capital Programme 2012-2013 to 2015-2016

The proposed Capital Programme for the financial years 2012-2013 to 2015-2016 is set out in table 1:-

| <b>Project</b>                              | <b>2012-13<br/>£</b> | <b>2013-14<br/>£</b> | <b>2014-15<br/>£</b> | <b>2015-16<br/>£</b> |
|---|----------------------|----------------------|----------------------|----------------------|
| Council dwellings                           | 1,904,924            | 1,952,014            | 2,000,271            | 2,049,709            |
| <b>Investment in public housing</b>         | <b>1,904,924</b>     | <b>1,952,014</b>     | <b>2,000,271</b>     | <b>2,049,709</b>     |
| Disabled facilities grants                  | 700,000              | 600,000              | 600,000              | 600,000              |
| <b>Investment in private housing</b>        | <b>700,000</b>       | <b>600,000</b>       | <b>600,000</b>       | <b>600,000</b>       |
| Group repair – central area E               | 500,000              | 500,000              |                      |                      |
| Group repair – central area A               | 200,000              | 400,000              |                      |                      |
| Rawlinson Street corridor                   | 300,000              | 300,000              |                      |                      |
| <b>Investment in housing market renewal</b> | <b>1,000,000</b>     | <b>1,200,000</b>     | <b>-</b>             | <b>-</b>             |
| Cemetery                                    | 278,450              |                      |                      |                      |
| Dock Museum                                 | 63,000               |                      |                      |                      |
| Forum 28                                    | 35,000               | 18,000               |                      |                      |
| Roof top car park                           | 810,000              |                      |                      |                      |
| Town Hall                                   | 100,000              | 100,000              | 100,000              | 100,000              |
| <b>Investment in public buildings</b>       | <b>1,286,450</b>     | <b>118,000</b>       | <b>100,000</b>       | <b>100,000</b>       |
| Barrow Park                                 | 43,000               |                      |                      |                      |
| Waterside Business Park access road         | 5,500                |                      |                      |                      |
| Town centre shop front grants               | 150,000              |                      |                      |                      |
| Miscellaneous properties                    | 250,000              | 250,000              | 250,000              | 250,000              |
| 104 Abbey Road                              | 26,400               |                      |                      |                      |
| 102 Abbey Road                              | 177,125              |                      |                      |                      |
| Marina village                              | 500,000              | 500,000              | 1,000,000            | 1,000,000            |
| IT equipment & development                  | 100,000              | 100,000              | 100,000              | 100,000              |
| Refuse & recycling containers               | 40,000               | 40,000               | 40,000               | 40,000               |
| <b>Investment in other public assets</b>    | <b>1,292,025</b>     | <b>890,000</b>       | <b>1,390,000</b>     | <b>1,390,000</b>     |
| Coast protection                            |                      |                      | 16,000               |                      |
| <b>Investment in community initiatives</b>  | <b>-</b>             | <b>-</b>             | <b>16,000</b>        | <b>-</b>             |
| Retentions                                  | 25,000               | 25,000               | 25,000               | 25,000               |
| Asset investment fund                       | 196,850              | 47,000               | 349,000              | 115,000              |
| <b>Total capital programme</b>              | <b>6,405,249</b>     | <b>4,832,014</b>     | <b>4,480,271</b>     | <b>4,279,709</b>     |

The proposed financing for the capital programme for the financial years 2012-2013 to 2015-2016 is set out in table 2:-

|                                | 2012-13<br>£     | 2013-14<br>£     | 2014-15<br>£     | 2015-16<br>£     |
|--------------------------------|------------------|------------------|------------------|------------------|
|                                |                  |                  |                  |                  |
| <b>FINANCING</b>               |                  |                  |                  |                  |
| Major repairs reserve          | 1,904,924        | 1,952,014        | 2,000,271        | 2,049,709        |
| Disabled facilities grant      | 399,000          | 399,000          | 399,000          | 399,000          |
| Lottery funding                | 54,250           |                  |                  |                  |
| Borrowing                      | 2,399,750        | 1,800,000        | 1,500,000        | 1,500,000        |
| Capital receipts               | 1,647,325        | 681,000          | 581,000          | 331,000          |
| <b>Total capital programme</b> | <b>6,405,249</b> | <b>4,832,014</b> | <b>4,480,271</b> | <b>4,279,709</b> |

### Capital projects

#### **Council dwellings**

The planned maintenance programme aims to continue improvements to ensure the Council satisfies the Government's requirements for Decent Homes. Where there are planned major works to Council dwellings such as rewiring, heating, bathrooms and kitchens, this expenditure is capitalised and financed by the major repairs allowance. This is funded from the major repairs reserve.

#### **Disabled facilities grants**

These are awarded for essential adaptations to give a disabled person better freedom of movement around the house. This work includes widening doors or installing ramps, providing a specially adapted room in which it is safe to leave a disabled person unattended and improving accessibility and facilities around the home. This project is supported by an annual grant from the DCLG. No additional Council funding is required at this time.

#### **Group repair – central area E;**

#### **Group repair – central area A; and**

#### **Rawlinson Street corridor**

These are part of the North Central Renewal Area where the Council is committed to a 10 year programme of works. Group repair schemes are major external renovation and refurbishment of whole streets or blocks.

Central Area A includes 107 properties on Thwaite Street, Brewery Street and Whitehead Street. Area E includes 135 properties within the Renewal Area boundary on Arnside Street, Lindal Street, Harrison Street, Lord Street and Silverdale Street. The proposed works would be similar in nature to those already carried out on Sutherland Street (evens) and Marsh Street (odds). The exact specification will be determined to maximise impact following property surveys and will depend on the condition of the property and the budget available. **This will be financed by a transfer from the asset investment fund of £200,000 in 2012-2013 and £400,000 in 2013-2014.**

The Rawlinson Street Corridor between Abbey Road and Greengate Street is on the boundary of the Renewal Area, and is currently a retail area secondary to the Town Centre core. It is also an important secondary thoroughfare. As such the appearance of the corridor is important to the general vibrancy of the Town Centre. The number of viable retail businesses on Rawlinson Street has reduced in recent years, and it may be appropriate for a number of premises to change use from business to residential. The capital scheme proposed would enhance the Town Centre shop front grant scheme in this area, and promote appropriate changes in use and provide discretionary grants for residential improvements. **This will be financed by a transfer from the asset investment fund of £300,000 in 2012-2013.**

The indicative investment programme presented at the time of the Renewal Area declaration allowed a total of £1.4m for environmental works. In the light of the national removal of funding from the Housing Market Renewal programme and Private Sector Renewal Grant, this element of the programme is unaffordable and has not been included in the programme.

### **Cemetery**

This is the project for the new grave section at Barrow Cemetery which has been re-profiled from 2011-2012, no additional funding is requested at this time.

### **Dock Museum**

This project is for works to the building management system and chiller units. No additional funding is requested at this time.

### **Forum 28**

This project comprises the works to the toilets, the purchase and installation of a new dishwasher and motorised lighting bars for the main theatre. No additional funding is requested at this time.

### **Roof Top car park**

This is the project looking to resolve the waterproofing issues on the roof top car park. Completion of this project will remove the water ingress to the Market Hall. No additional funding is requested at this time.

### **Town Hall**

This is a continuing project addressing the refurbishment of the building and no additional funding is requested at this time.

### **Barrow Park**

This project is to resurface the roads and pathways not included in the Lottery funded works and renew sections of deteriorating fencing. No additional funding is requested at this time.

**Waterside Business Park access road;  
104 Abbey Road; and  
102 Abbey Road**

For 104 Abbey Road the provision in the programme is for the final payment on the project. For 102 Abbey Road there will be work to the front elevation (masonry repairs, including re-pointing all stone and brick in lime and street frontage reinstatement), re-roofing pitched roofs and re-covering flat roofs. No additional funding is requested at this time.

**Town centre shop front grants**

This scheme supports the creation of attractive and customer friendly town centres in Barrow and Dalton which enable shopkeepers to work effectively together to market their town centres in order that they can compete effectively with out of town shopping. The scheme is targeted at small retailers in Barrow Town Centre and Dalton Town Centre and is open to small independent businesses only with less than 50 employees. During the original phase of the scheme Council supported 76 applications, some of which are ongoing. **Building on the success so far, Members are asked to approve the continuation of the scheme by transferring £100,000 from the asset investment fund to allow additional applications.**

**Miscellaneous properties**

This provision within the programme is to allow intervention in the commercial property market in the Borough. The funds would be used where a property of strategic importance to the Council regeneration strategy (for example, adjoining an existing property in Council ownership, to facilitate development or a property in poor condition in a highly prominent position) becomes available. **£250,000 per annum is a prudent estimate of the funding required for this project and this will be financed by a transfer from the asset investment fund for each year of the programme.**

Often the timescales for securing such property can be very short and Members are asked to approve delegation in the use of this fund to the Chief Executive after consultation with the Chairman and Vice-Chairman of the Executive Committee. The delegation will be exercised when urgent or confidential matters arise, subject to Financial Regulations. Any acquisitions will be reported for information to the next available meeting of the Executive Committee.

**Marina village**

This long-term project is a continuation of the acquisition and demolition of properties in preparation for the Marina village development. This project has been re-profiled, with £500,000 transferring from both 2012-2013 and 2013-2014 to create £1,000,000 in 2015-2016.

**IT equipment and development**

This project provides for the updating of the Councils computers and also for the development of systems and hardware to maintain a supportable and robust IT environment. No additional funding is requested at this time.

### **Refuse and recycling containers**

This is a continuing project for the replenishment of the refuse and recycling containers in use throughout the Borough. No additional funding is requested at this time.

### **Coast protection**

The Council carried out a condition survey of all coastal defence assets in 2010 which is being used to prioritise capital works to Council maintained defences at three locations in the Borough. No additional funding is requested at this time.

### **Retentions**

This is a provision for payments that become due once the retention period of a contract has ended and the works are signed off.

### **Asset investment fund**

This is the balance of capital resources available to finance the programme. It must be noted that the proposed programme contains a level of usable capital receipts which must be realised before all resources can be committed.

### Capital financing

#### **HRA major repairs reserve**

The major repairs reserve is specific to the HRA and will continue to be used for capital financing for the initial years of the HRA self-financing regime. The annual contribution to the reserve from the HRA represents the capital cost of keeping stock in its current condition. This is the same as using the annual cost of replacing building components as they reach the end of their useful life as a reasonable estimate of depreciation.

#### **Disabled facilities grant**

This funding is received from the DCLG to be used to help disabled people to live as comfortably and independently as possible in their own homes through the provision of adaptations. Entitlement to a disabled facilities grant is mandatory for eligible disabled people and the grant provides financial assistance for the provision of a wide range of housing adaptations ranging from stair lifts, level access showers and home extensions.

#### **Lottery funding**

Lottery funding is project specific and the funding in the programme for 2012-2013 relates to 102 Abbey Road.

#### **Usable capital receipts**

The Council generates capital receipts by disposing of surplus land and buildings plus sales under the Right to Buy legislation. Capital receipts may only be used for financing the capital programme or may be set aside to repay debt.

The balance of usable capital receipts brought into 2011-2012 was £1,678,180 and these are committed to finance the capital programme.

The capital programme assumes usable capital receipts of:

- 2011-2012           £558,500
- 2012-2013           £481,000
- 2013-2014           £681,000
- 2014-2015           £581,000
- 2015-2016           £331,000

This totals £2,632,500 of usable capital receipts over the life of the capital programme.

The usable capital receipts that have been secured to 30th November, 2011 value £387,494. Those that are anticipated value £1,075,000, leaving £1,170,006 to be realised during the life of the capital programme.

Capital receipts are closely monitored as the proposed capital programme is reliant on usable capital receipts for financing each year. Where capital receipts are not achieved, projects will be reviewed and prioritised against the financing available.

### **Borrowing**

The Councils borrowing is controlled by the Prudential Code which promotes effective financial planning which considers the range of options for revenue funding and capital investment by:

- Establishing whether the Council considers it affordable and prudent to bear additional future revenue costs associated with additional investment;
- Establishing whether the use of existing or new revenue resources to finance capital investment should have precedent over other competing needs for revenue expenditure; and
- Establishing the scope for capital investment to generate future revenue savings or income, taking into account the risks associated with such proposals.

The costs of the borrowing included in the proposed capital programme are included in the Budget Strategy for 2012-2013 to 2015-2016. These costs will be included in the Councils revenue budget for 2012-2013 and the Treasury Management Strategy which will be presented to the next Executive Committee.

(i)     Legal Implications

The recommendations have no legal implications.

(ii)    Risk Assessment

The recommendations have no significant implications.

(iii)   Financial Implications

The financial implications are set out in the body of the report.

(iv) Health and Safety Implications

The recommendations have no significant implications.

(v) Key Priorities or Corporate Aims

The recommendations support the key priorities as set out on page 2 of Appendix 7 to the report.

(vi) Equality and Diversity

The recommendations have no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendations have no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil.



Appendix 1

**Barrow Borough Council**  
**Capital Programme**

|  | Revised Budget<br>2011-2012 | Expenditure<br>as at 30/11/11 |
|--|-----------------------------|-------------------------------|
| Capitalised planned maintenance                    | 2,113,736                   | 1,159,318                     |
| Housing IT   | 68,000                      | 13,503                        |
| Miscellaneous Properties                           | 5,000                       | 4,712                         |
| <b>Total Investment in public housing</b>          | <b>2,186,736</b>            | <b>1,177,533</b>              |
| Disabled facilities grants                         | 800,000                     | 349,050                       |
| Minor repair grants                                | 0                           | -8,265                        |
| Thermal Improvement Grant                          | 17,236                      | 11,963                        |
| Private Sector Housing Condition Survey            | 232,542                     | 113,267                       |
| <b>Total Investment in private housing</b>         | <b>1,049,778</b>            | <b>466,015</b>                |
| North Central Renewal - Acquisition Sub Area D     | 538,268                     | 309,658                       |
| Relocation Grants                                  | 75,750                      | 48,750                        |
| Central Misc Acquisitions                          | 22,239                      | 1,620                         |
| Central Refurbishment Property Swops               | 90,000                      | 9,904                         |
| Central - 188 Marsh Street                         | 50,311                      | 0                             |
| North Central Renewal - Demolition                 | 400,000                     | 303,397                       |
| Group Repair Sutherland Street                     | 25,497                      | 0                             |
| Group Repair Marsh Street                          | 40,882                      | 24,370                        |
| Group Repair Central Area E                        | 100,000                     | 88                            |
| Central Buccleuch Court Environmental Improvements | 50,000                      | 40,021                        |
| Hindpool Urban Park Phase 1 & 2                    | 11,213                      | 0                             |
| Hindpool Environmental Improvements - Gateways     | 620                         | 0                             |
| Hindpool Environmental Improvements - Pocket Parks | 15,076                      | 15,076                        |
| Hindpool Environmental Improvements - Key Streets  | 8,844                       | 0                             |
| <b>Investment in Housing Market Renewal</b>        | <b>1,428,700</b>            | <b>752,884</b>                |
| <b>Sub-total: Total Investment in housing</b>      | <b>4,665,214</b>            | <b>2,396,432</b>              |
| Cemetery   | 25,000                      | 15,919                        |
| Crematorium  | 50,625                      | 40,456                        |
| Dock Museum  | 31,000                      | 11,828                        |
| Market Hall  | 64,191                      | 25,575                        |
| Public Conveniences                                | 15,000                      | 1,132                         |
| Roof Top Car Park                                  | 22,640                      | 4,969                         |
| Town Hall  | 151,181                     | 16,558                        |
| <b>Total Investment in Public Buildings</b>        | <b>359,637</b>              | <b>116,439</b>                |
| Play Areas   | 262,308                     | 242,753                       |
| Play Projects Biggar Bank                          | 23,158                      | 23,153                        |
| Playing Fields                                     | 25,000                      | 41                            |
| James Freel Close Business Units                   | 12,000                      | 2,396                         |
| Waterside Business Park Site Entrance              | 94,114                      | 85,369                        |

**Barrow Borough Council**  
**Capital Programme**

|  | Revised Budget<br>2011-2012 | Expenditure<br>as at 30/11/11 |
|--|-----------------------------|-------------------------------|
| Ambassador House                                 | 1,800                       | 1,507                         |
| Town Centre Shop Front Grants                    | 217,510                     | 52,411                        |
| 93 Dalton Road                                   | 120,000                     | 106,609                       |
| Miscellaneous Properties                         | 15,000                      | 2,423                         |
| Abbey Road THI                                   | 88,202                      | 34,747                        |
| 104 Abbey Road (Cookes Building)                 | 581,299                     | 550,636                       |
| 102 Abbey Road                                   | 230,956                     | 108,838                       |
| Link Road  | 64,054                      | -19,927                       |
| Dalton Road Streetscapes                         | 55,133                      | 53,200                        |
| Town Centre Public Realm Phase II                | 4,868                       | 943                           |
| Furness House Landscaping                        | 6,998                       | 274                           |
| The Mall   | 3,833                       | -640                          |
| Marina Village Land Assembly                     | 1,064,095                   | 804,365                       |
| Footpath Lighting                                | 14,000                      | 0                             |
| IT Equipment & Development                       | 166,309                     | 11,483                        |
| Refuse and Recycling Containers                  | 49,788                      | 35,109                        |
| <b>Total Investment in other public assets</b>   | <b>3,100,425</b>            | <b>2,095,690</b>              |
| Ormsgill Reservoir                               | 20,000                      | 8,495                         |
| Rural Regeneration                               | 650                         | 650                           |
| Rural Regeneration - Piel Island                 | 55,017                      | 21,121                        |
| Rural Regeneration - Roa Island Jetty            | 172,500                     | 358                           |
| Rural Regeneration - Roa Island Car Park         | 50,000                      | 0                             |
| <b>Total Investment in Community Initiatives</b> | <b>298,167</b>              | <b>30,624</b>                 |
| <b>Retentions</b>                                | <b>25,000</b>               | <b>0</b>                      |
| <b>Asset Investment Fund</b>                     | <b>66,738</b>               | <b>0</b>                      |
| <b>Total</b>                                     | <b>8,515,181</b>            | <b>4,639,184</b>              |

## Capital Strategy 2012-2013 to 2015-2016

### Introduction

The purpose of this document is to show how the Capital Strategy determines the process for retaining and maintaining properties in the asset base and how capital projects are included in the capital programme in a rational and objective manner which maximises the contribution of the capital programme towards the achievement of the Council's Key Priorities.

In terms of volume, the majority of the Council's assets are the housing dwellings. Day to day maintenance and any plans for improvements are incorporated into the Housing Revenue Account Business Plan. This covers a 30-year period and is updated annually.

### Objectives and Priorities

The Sustainable Community Strategy is about setting out a long-term approach to improving quality of life for everyone in the Borough, whether they live or work in the area, or are simply visiting. It has been developed and adapted many times over several years, but its purpose has always been to help make Barrow and the surrounding area a place where people are happy to live, work and spend their free time. A place that people love.

In simple terms, this means the Strategy explains how we will try to deliver the things that local people have told us will make Borough a better place to live, while working in ways that contribute to sustainable development in the UK. The Strategy was developed by Furness Partnership, the Local Strategic Partnership (LSP) for the Borough which was dissolved on 21<sup>st</sup> October 2011. However, Barrow Borough Council remains committed to working in partnership with other organisations to help deliver the vision set out in the Sustainable Community Strategy.

Barrow Borough Council has developed a realistic vision for the future and has identified clear aims that compliment the themes of the Sustainable Community Strategy.

The vision of the Council is:

**"To enhance the economic and social future of the Borough to meet the needs and aspirations of the community."**

The key aims to support the vision are:

- Effective community leadership.
- Investing in the Boroughs economic future.
- Creating an enhanced quality of life for local residents.
- Developing a safe, confident and socially inclusive community.
- Delivering high quality accessible services.

## Capital Strategy 2012-2013 to 2015-2016

The Council's Key Priorities provide structured management and direction of its efforts and resources. However, in the new economic reality, faced with massive withdrawal of central government grant, the Council must reorganise itself into a leaner organisation which focuses on only the most significant strategic issues.

The Council's main objective must be to achieve a balanced budget and the overall priority must be to establish an effective and responsible deficit reduction strategy.

The Council has identified four Key Priorities as follows:

1. Provide good quality efficient and cost effective services while reducing overall expenditure.
2. Continue to support housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing.
3. Work to mitigate the effects of the recession and cuts in public expenditure and their impact on the local economy and secure a sustainable and long term economic recovery for our community.
4. Continue to improve and enhance the built environment and public realm, working with key partners to secure regeneration of derelict and underused land and buildings in the Borough.

These four Key Priorities will be used as the basis for all future business planning and to direct the activity of any spare capacity and resources.

The Key Priorities do not feature equally in the capital strategy because some objectives incur predominately ongoing revenue costs.

The capital programme is related to the Key Priorities as follows:

| Key Priority   | Capital programme elements  |
|--|---|
| Provide good quality efficient and cost effective services while reducing overall expenditure.   | Public buildings<br>Other public assets                           |
| Continue to support housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing.                            | Public housing<br>Private housing<br>Housing market renewal       |
| Work to mitigate the effects of the recession and cuts in public expenditure and their impact on the local economy and secure a sustainable and long term economic recovery for our community. | Other public assets   |
| Continue to improve and enhance the built environment and public realm, working with key partners to secure regeneration of derelict and underused land and buildings in the Borough.          | Housing market renewal<br>Public buildings<br>Other public assets |

## Capital Strategy 2012-2013 to 2015-2016

### Resource Allocation

The Government introduced a new system for the management of capital finance in 2004-2005 contained in The Local Authorities (Capital Finance and Accounting) Regulations (2003), which became operative from 1<sup>st</sup> April 2004. The act sets out a new financial power for local authorities to use unsupported prudential borrowing for capital investment provided that the Council can afford the revenue consequences of any proposed borrowing. The key objectives of the prudential system are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable. Under the regulations local authorities have been given the freedom to determine the amount of external borrowing they are prepared to undertake when considering their own capital spending and financing decisions.

At the outset of each Capital Programme planning cycle, the level of resources available to fund the programme is reassessed in light of the most recent information. The current programme is then reviewed to establish the level of resources needed to fund the committed programme. This information is then used to establish the resources available to fund new schemes.

It is the Council's policy to maximise capital receipts through a review of existing property use. A rigorous approach has been adopted to the identification and disposal of surplus assets that are no longer required to meet the Key Priorities of the Council. Management Board annually considers the property portfolio and identifies property for sale. The Council views this as the most cost effective way to finance the capital programme.

The Council has been very successful at securing external funding from the Government and private sources, to achieve the delivery of its capital programme. The Council has been able to fund the majority of its capital programme from external funding in recent years.

For externally funded projects, the Council's policy is not to include schemes in the overall programme until such time as the sources of funding have been confirmed. This is specifically to address issues over slippage within the programme and to avoid the Council entering into an open-ended commitment which then deprives other important schemes of resources. However, it is vital that when such schemes have secured sufficient partner funding, that the Council has the capability to fund its share of the overall scheme cost and can add such schemes to the programme if it desires.

Getting value for money is a key priority for the Council and the Capital Programme should provide high quality, value for money public services. The Council recognises that best value is based on whole life costs and therefore the on-going revenue implications of capital spend are identified when bids for capital resources are assessed and when schemes are approved; when a new capital project is proposed any impact on revenue expenditure is anticipated and costed. These revenue costs are used to inform the revenue budget planning process and are considered alongside other priorities in the revenue budget when the overall budget is set.

## **Capital Strategy 2012-2013 to 2015-2016**

In order to ensure that resources available for capital investment are used efficiently and effectively, the Council prioritises all capital projects in line with Key Priorities, available resources and longer term revenue savings. This is achieved by the submission of bids for capital resources being appraised by the Capital Working Group which includes Management Team, for their consideration and comment. There is an Appraisal Request form and Bid Guidance Notes for managers to use. This process includes all elements of Capital Investment including Housing.

The resulting draft programme is then reported to the Executive Committee that makes the decision as to the final programme, in relation to the resources available. This is then subject to the Council's ratification.

### **Managing and Monitoring the Capital Programme**

Detailed management, monitoring and review in terms of both the delivery of outcomes and Key Priorities and financial performance are the responsibility of the Capital Working Group, working in conjunction with the responsible manager. Progress reports incorporating any recommended variations to the Programme are presented to the Capital Working group and the Executive Committee. Any 'learning' arising from the monitoring/review process is used to inform the strategy on an ongoing basis. The Council's Financial Regulations and Contract Standing Orders stipulate how the financial aspects of the capital programme and each capital scheme should be managed and the Capital Working Group ensures compliance with these requirements.

Barrow Borough Council is committed to consulting with the community, its partners and service users on the key issues affecting the quality of life in Barrow-in-Furness. It has always been important to ensure that resources and services are designed, delivered and improved to meet the changing needs and expectations of our community, our partners and our service users. To achieve this commitment the Council consults and involves the community on any major or controversial capital schemes and will make its policies, decisions and services more accessible to comment from residents, businesses, agencies and major partners.

### **Revising the Capital Strategy**

The Capital Strategy is reviewed annually to ensure it remains valid. The Council reviews the allocation of its Capital Resources on an annual basis to ensure that its programme of investment is in line with the actual resources available to support its spending needs and priorities.

### **Summary**

The Council will continue to prioritise its capital spending in line with its Key Priorities and other criteria. New and innovative ways of increasing capital finance and funding will continue to be explored. The Council will annually review its approach to capital expenditure having regard to outcomes of Service Reviews and Inspections, and outcomes of the Capital Programme.

|   |  |                       |
|---|--|-----------------------|
| <b>EXECUTIVE COMMITTEE</b>  |  | <b>Part One</b>       |
| <b>Date of Meeting: 14th December, 2011</b>   |  | <b>(D)</b>            |
| <b>Reporting Officer: Borough Treasurer</b>   |  | <b>Agenda Item 11</b> |
| <p><b>Title: Council Tax Base 2012-2013</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 2012-2013.</p> <p><b>Recommendations:</b></p> <p>To agree the Council Tax Base for 2012-2013.</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 2012-2013 has been set at:

|                                  | <b>2012-2013</b> | <b>2011-2012</b> |
|----------------------------------|------------------|------------------|
| The whole Borough area           | 21,535.90        | 21,557.44        |
| Barrow unparished area           | 17,663.03        | 17,689.00        |
| Dalton with Newton Town Council  | 2,488.37         | 2,490.51         |
| Askam and Ireleth Parish Council | 1,116.52         | 1,114.99         |
| Lindal and Marton Parish Council | 267.98           | 262.94           |

The base will be used to set the Council Tax for the financial year 2012-2013.

(i) **Legal Implications**

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

(ii) **Risk Assessment**

The recommendation has no implications.

(iii) **Financial Implications**

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community

The recommendation has no detrimental impact the built environment or public realm.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil



|   |  |                                       |
|---|--|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>  |  | <b>Part One</b>                       |
| <b>Date of Meeting: 14th December, 2011</b>   |  | <b>(R)<br/>Agenda<br/>Item<br/>12</b> |
| <b>Reporting Officer: Borough Treasurer</b>   |  |                                       |
| <b>Title: Borrowing Limits</b>  |  |                                       |
| <b>Summary and Conclusions:</b>   |  |                                       |
| <p>The introduction of self financing to the Housing Revenue Account from April 2012 will involve a payment of £17.415 million to the DCLG on 28th March, 2012. The Council will need to borrow the full £17.415 million to be able to make the required payment to the Secretary of State. The Council sets an annual Authorised Limits for borrowing which must not be exceeded without further approval by Full Council. The current Authorised Limit is £29 million will have to be increased to facilitate the required new borrowing.</p> |  |                                       |
| <b>Recommendations:</b>   |  |                                       |
| <p>To recommend the Council to increase the 2011-2012 Authorised Limits for borrowing to £47 million and the Operational Boundary for borrowing to £44 million.</p>   |  |                                       |

### Report

A new system of financing the Housing Revenue Account will come into effect from 1<sup>st</sup> April 2012. Instead of paying or receiving housing subsidy, the government will end the subsidy regime by making or receiving payments from all housing authorities in England.

For Barrow the new system will involve the Council buying out of the subsidy system to become self financing. A payment of £17.415 million will therefore have to be made to the DCLG on 28th March, 2012. This amount has been calculated by the DCLG based on using a national model incorporating the Council's own 30 year business plan for the Housing Revenue Account.

As the Council does not have sufficient cash resources to meet this payment, the full amount of £17.415 million will have to be borrowed. It is intended to borrow this amount from the Public Works Loan Board on 26th March, 2012 using a special reduced interest rate available for self financing borrowing only. This rate will be announced nearer the time. Also the type and maturity profile of the new borrowing will be determined nearer the time based on market conditions.

The Council's current Authorised Limit for borrowing is not sufficient to take out

the new borrowing and therefore it is necessary to increase the limits to accommodate the new loan of £17.415 million. The revised limits should be:

|                      | Current     | Revised     |
|----------------------|-------------|-------------|
| Authorised Limit     | £29 million | £47 million |
| Operational Boundary | £26 million | £44 million |

|                             | £m   |
|-----------------------------|------|
| Current external borrowing  | 22.4 |
| Planned borrowing this year | 1.4  |
| HRA new borrowing           | 17.4 |
| Total                       | 41.2 |

(i) Legal Implications

The authorised limit is required to be set by the Council in accordance with Part 1 of the LGA 2003.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The Housing Revenue Account will be self financing carrying a debt of £26.425 million.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community

The recommendation has no detrimental impact the built environment or public realm.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background papers

The Settlement Payments Determination 2012 issued by the DCLG November 2011.

|  |                                       |
|--|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>   | <b>(R)<br/>Agenda<br/>Item<br/>13</b> |
| <b>Date of Meeting: 14th December, 2011</b>  |                                       |
| <b>Reporting Officer: Chief Executive</b>  |                                       |
| <b>Title: Barrow Carnival 2012</b>   |                                       |
| <b>Summary and Conclusions:</b>  |                                       |
| <p>The Rotary Club of Furness has requested permission to use Market Street Car Park on Carnival Day, 30<sup>th</sup> June, 2012 to stage dancing competitions and the Main Hall at the Forum for a concert by local bands and groups during the afternoon of Carnival Day. The Rotary Club has asked if the Council will provide both of these venues free of charge.</p>             |                                       |
| <b>Recommendations:</b>  |                                       |
| <p>(i) To agree that the Rotary Club of Furness be offered the use of Market Street Car Park and the Main Hall of Forum on Saturday, 30th June, 2012;</p> <p>(ii) To agree that the Council do not levy any hire charges for these venues; and</p> <p>(iii) To agree that any shortfall in car parking income across car parks on the day is met from the Council's Festival Fund.</p> |                                       |

**Report**

**Background**

The Rotary Club of Furness has organised Barrow Carnival for many years.

Two years ago, at the request of retailers in the town centre, the Rotary Club reviewed the route of the Carnival, and moved the event from Barrow Park to the Town Centre, in an attempt to encourage more people to visit and stay in town on Carnival Day. To achieve this, the dancing competitions were staged in Forum.

The dancing schools wish to dance in the open air rather than on the forum stage. To accommodate the dancing competition programme, it will be necessary to set up two dancing boards in addition to other Carnival infrastructure e.g. stalls, attractions etc. The Rotary Club of Furness have met with Officers and requested the use of Market Street Car Park for this purpose. Market Street car park has 107 car parking spaces. There would still be 785 car parking spaces available in other Council pay and display car parks but there could be congestion within the town centre and motorists seek alternatives.

In addition, they have also asked to use the Main Hall at the forum to put on a concert with local bands and groups to provide further entertainment on Carnival Day.

(i) Legal Implications

None – the car park has a premises licence.

(ii) Risk Assessment

The events are at risk of not taking place if permission to use Council facilities is not granted.

Possible congestion in the town centre as drivers seek alternative car parking spaces.

(iii) Financial Implications

Market Street car park would normally take approximately £1,000 in income on a Saturday. There will be displacement of income from Market Street car park for Saturday, 30<sup>th</sup> June to other pay and display car parks.

£500 loss of commercial income for the theatre at Forum and the cost of technical support.

(iv) Health and Safety Implications

Carnival will be managed by the Rotary Club of Furness. Event Plans and Risk Assessments must be prepared in advance to the Council's satisfaction.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil.

|   |                                       |
|---|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>  | <b>(D)<br/>Agenda<br/>Item<br/>14</b> |
| <b>Date of Meeting: 14th December, 2011</b>   |                                       |
| <b>Reporting Officer: Chief Executive</b>   |                                       |
| <p><b>Title: Parking Charges 2012</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Council's budget strategy assumes an increase of 10p per hour on the base rate in 2012 effective from 1<sup>st</sup> February 2012.</p> <p>This report sets detailed prices for all pay and display parking charges including contracts for 2012 while maintaining differentials to encourage longer stays.</p> <p><b>Recommendations:</b></p> <p>Members are invited to agree the changes detailed in this report.</p> |                                       |

### Report

The Council's Budget Strategy requires an increase in car park income increasing the basic 1 hour rate by 10p each year to reach £1.50 by 2015.

The Council operates a number of off-street car parks with a current charging system as follows:-

Table 1

|                 | <u>Current Charge</u> |
|-----------------|-----------------------|
| 1 hour          | £1.10                 |
| 2 hours         | £2.10                 |
| 3 hours         | £3.00                 |
| 4 hours         | £3.80                 |
| 10 hours        | £6.00                 |
| Annual contract | £700                  |

The Council needs to increase the basic 1 hour charge by 10p but it is important to maintain incentives to purchase longer stays and avoid customers buying shorter periods.

We, therefore, recommend that ticket prices are set to continue to offer a pricing incentive and we seek to increase income by increasing sales of 2 hour+ tickets.

Table 2

Charges from 1<sup>st</sup> February 2012 are recommended as follows:-

|          |       |
|----------|-------|
| 1 hour   | £1.20 |
| 2 hours  | £2.20 |
| 3 hours  | £3.00 |
| 4 hours  | £4.00 |
| 10 hours | £6.00 |

Contract £720 (as of 1<sup>st</sup> January 2012)

Officers will monitor sales closely and if the discount offered does not produce the desired income flow then corrective action can be take at the half year or discount reduced in the 2013 budget.

Members are invited to agree the 2012 parking charges as recommended.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation will facilitate the required increase in car park income set out in the budget strategy.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation will ensure the Council has the resources to continue providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community

The level of car parking charges have been set to encourage longer shopping trips in the town centre and balance the Council's need for revenue with the difficult economic situation.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Budget Strategy 2012 -15



|   |                                       |
|---|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>  | <b>(D)<br/>Agenda<br/>Item<br/>15</b> |
| <b>Date of Meeting: 14th December, 2011</b>                                   |                                       |
| <b>Reporting Officer: Director of Regeneration and<br/>Community Services</b> |                                       |

**Title: Cumbria Housing Strategy 2011-2015 and Investment Plan**

**Summary and Conclusions:**

The purpose of this Report is to consider the Council's continued participation in the Cumbria Housing Strategy. An approach of agreeing a Cumbria wide strategy was adopted previously in 2006 to reflect the general policy direction of the time, and to reflect the historical joint working across Cumbria regarding housing issues.

**Recommendations**

1. To agree the continued participation and agree the draft County Strategy;
2. To adopt an approach to participate where it is deemed appropriate and of benefit to the Borough; and
3. To ask the Council Officers to draft a Housing Statement which reflects the Borough Council's objective's having regard to the draft Strategy where appropriate.

**Purpose of this Report**

The purpose of this Report is to consider this Council's continued participation in the Cumbria Housing Strategy. Some years ago an approach of agreeing a Cumbria wide strategy was adopted to reflect the general policy discussion of the time, and to reflect the joint working across Cumbria regarding Housing issues.

**Background**

This Council previously agreed to participate in the development of a Cumbria Housing Strategy with the encouragement of the Audit Commission, Government Office and Homes and communities Agency. The approach was supported by the policy agenda of the time around 'Regionalisation'. A Cumbria Housing Strategy was adopted in 2006.

In addition, Housing Authorities in Cumbria had historically worked in 'co-operation' at Officer level where it was decided appropriate for the practical development of services.

A formal structure has developed in Cumbria to coordinate the delivery of the Strategy, including the Cumbria Housing Executive Group, in which Councillors and Officers from each district or borough council attend four times a year.

The existing Strategy for the period 2006/11 needs updating and a new draft Strategy 2011-2015 is attached for your consideration.

### **Report**

Attached at **Appendix 8** is a copy of a draft Strategy for the period 2011-15 for your consideration.

The document has been written to reflect the vision of the Cumbria Housing Executive Group (CHEG) to create a "shared vision, a single voice for housing in Cumbria. We are committed to working together to add value: to create, sustain and enhance homes and communities for the benefit of all."

In drafting the Strategy regard has been given to the very diverse nature of Cumbria and its housing markets, with an attempt to reflect the requirements of each of the Districts. As such, the importance of each may be more or less depending on the Borough or District of Cumbria.

In short, however, the key themes are:

- Key Theme 1: Housing Growth, Affordability and Community Sustainability
- Key Theme 2: Vulnerable People, Supporting Independence
- Key Theme 3: Housing Market Renewal: Using Stock More Effectively

Further details of the key themes and how they can be progressed are shown on pages 21/24 of the Draft Strategy.

### **Progressing the Strategy**

As referred to earlier, the coordination of the Strategy has been lead by the CHEG. There is also an Officers' Group that meets four times a year and 'expert groups' which meet as required to progress the action plans.

Over the last two years funding from CEIP has allowed the recruitment of two officers to assist in the Strategy development. Funding will end in April for these two posts.

Your Officers have attended the CHEG regularly but have only attended other meetings when it was felt necessary to do so.

Action Plans have been developed which reflect the key themes of the Draft Strategy and will direct the work of the "expert groups".

I would make it clear that in agreeing the Draft Strategy, any matters which have a direct impact on This Borough would require consideration and approval by the Executive Committee.

## **Participating in the Strategy**

As referred to above, the concept of developing the Cumbria Strategy was driven by the previous 'Regionalisation' Policy direction but also in recognition of the joint cooperation that has existed for some time between the districts with regard to housing issues.

At *Appendix 3* of the draft Strategy is a SWOT analysis which summarises the approach of working collaboratively.

You will see also from above, in working across Cumbria it does incur resources to participate in the practical delivery of the Strategy.

Our approach previously, which I would see continuing should the recommendations be agreed, is for the Council to participate with the process where it is seen as directly of benefit to this Borough.

## **Summary**

The changes in the national policy agenda may suggest there is less need to work on a Cumbria basis. However, in reflecting the resources in the Borough I would suggest there is value in doing so. For example, working collaboratively has been of benefit, including Choice Based lettings, Cumbria Housing Partners, County-wide stock condition surveys and accessing funding opportunities such as Housing Market Renewal.

The draft Strategy does reflect this Council's corporate priorities with regards Housing Market Renewal in particular.

I would therefore suggest there is still benefit in participating in a County strategy, with involvement being determined by when there is a clear benefit to this Borough.

With the development of the County Strategy, previously this Borough does not have a single document that summarises its Housing priorities, whilst they are cited in various corporate papers

I would suggest it appropriate therefore that the Council develop a Housing Statement. This would set out this Council's housing priorities and would provide a clear framework to ensure any County Strategy priorities are directed by the Borough's housing objectives.

### (i) **Legal Implications**

The recommendation has no legal implications.

### (ii) **Risk Assessment**

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on the quality of housing.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

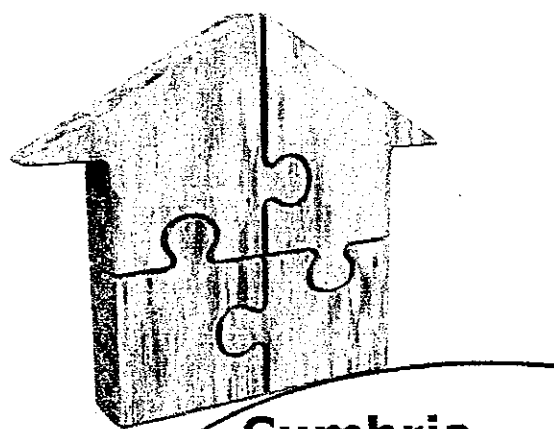
Background Papers

Nil

*A shared vision, a single voice for housing in  
Cumbria*

**The Cumbria Housing Strategy and  
Investment Plan  
2011 – 2015**

Final draft  
October 2011



**Cumbria  
Housing Group**

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## Purpose

This strategy has been produced in partnership through the Cumbria Housing Executive Group. The Group comprises representatives from the 6 District Councils (as the strategic housing authorities), the Lake District National Park, Cumbria County Council, a Registered Providers' (housing associations) representative and the Chair of the Housing Forum.<sup>1</sup> Representatives on the Cumbria Housing Executive Group have clear mandates to work together to realise our vision:

***A shared vision, a single voice for housing in Cumbria. We are committed to working together to add value; to create, sustain and enhance homes and communities for the benefit of all.***

We recognise that by working together with our wider partnerships, we can add real value to creating and sustaining homes and communities across Cumbria, that respond to changing social and economic needs. The purpose of this strategy is to set out our collective plan detailing our vision, high level key themes and objectives from 2011 to 2015 and to articulate how we will:

- Speak with a single voice to promote the uniqueness and diversity of Cumbrian communities;
- Influence wider agendas to the benefit of all people in the communities across the districts of Cumbria;
- Deliver against our agreed key themes.

## Key themes

Based on evidence and local expertise we have identified three key themes where we want to make progress over the course of this strategy; these do not reflect the entirety of the issues faced by Cumbrian communities but are the key areas where Cumbria Housing Executive Group feel we can add value and make a difference.<sup>2</sup>

### Key Theme 1: Housing Growth, Affordability and Community Sustainability

We want housing which supports a growing economy and sustainable communities and where the need for affordable and market housing to support economic opportunities identified by the LEP, are delivered. We want to see the housing needed to develop the rural economy, delivered. We want to maximise funding opportunities around growth and use collective procurement to achieve cost effective delivery of new public sector housing. We want the development of new housing to be underpinned by improvements to the physical infrastructure and to support improvements to health and well-being.

<sup>1</sup> The Housing Forum is a wider networking group of housing, house builders, health, planning, economic development and community groups.

<sup>2</sup> Appendix 3 contains the SWOT analysis undertaken to inform the identification of the key themes.



## Key Theme 2: Vulnerable People, Supporting Independence

We want vulnerable people to be empowered to live independently with the ability to purchase the care/support needed to maintain their tenancy and fully engage in their local community, either through access to personal budgets, direct payments and/or Supporting People provision regardless of gender, ethnicity, disability, age, sexuality, or faith. We want vulnerable people to have access to extra care housing (as and when appropriate); to energy saving and disability adaptations grants (i.e. through an effective and efficient Disability Facilities Grant programme); to banking and credit; and to paid employment or a supported employment programme moving people towards the world of work. We want vulnerable people to be empowered to maximise their life chances as young adults by having access to accommodation that supports their employment, education and training living in and contributing to safer and stronger communities. .

## Key Theme 3: Housing Market Renewal: Using Stock More Effectively

We want to continue support for housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing. We want to maximise the potential of the existing (private and public sector) housing stock so that significant progress is made in adapting homes to meet special needs, bringing empty and under-occupied homes into beneficial use, eliminating sub-standard housing, improving energy efficiency and matching the stock to the needs of tenants through an expanded choice based letting scheme. We want tenancy strategies in place that seek to ensure that social housing assists in meeting current and future housing need, maintains stable communities and that best uses stock to eliminate overcrowding and under occupancy. We want mechanisms established to ensure that second homes/holiday homes do not form more than 20% of the local housing market.<sup>3</sup>

### **Background**

In Cumbria the housing sector has been working in partnerships for a number of years to develop a cohesive response to the housing issues faced by all the diverse communities across the districts. A Cumbrian Housing Strategy was developed for the period 2006-2011; this was the first sub-regional housing strategy in the country. The vision for this strategy was that, "Cumbria will have balanced housing markets supporting the social and economic changes that our county will undergo over the next 20 years." The previous strategy 2006 – 2011 identified five key housing issues across Cumbria:

- Shortage of Affordable Housing;

<sup>3</sup> Cumbria Rural Housing Trust: An Effective Way to Sustain our Rural Communities Part 1: The Effects of Affordable Housing in Rural Communities.



- Creating decent homes and environments;
- Housing the homeless;
- Regeneration; and
- Homes with support or additional facilities.

Since 2006 the economic climate has fundamentally changed and more changes are underway to deal with the implications of this. The timing is therefore right for a new strategy to be developed which responds to the needs of the diverse communities across the districts and county.

This document will review the current national and local context to provide an overview of where we are, where we want to be and outlining our shared aspirations for the future.

## ...Economic growth

In the North West there are 27,000 new households forming per year and only 9,800 new homes (09/10) (1).

House building throughout England is at its lowest level since 1924 (2).

Construction contributes £543m in GVA to Cumbria (7.3%) and 21000 direct jobs (8.9%) (3).

Poor housing is linked to lower educational attainment, a greater likelihood of unemployment, and poverty (4).

19% of medium sized Cumbrian businesses state that "the availability of appropriate accommodation for staff is a significant barrier to performance and efficiency" (5).

The demographic in Cumbria is changing; with an aging elderly population (projected increase of 41.7% in over 60s by 2030) there's a need to retain and attract an economically active work force. 54% of Cumbrian young people rank housing as their most important issue (6).

## The impact of housing on...

### ...Health and well being

Housing, health, care and support sectors should ensure people remain healthy and engage with their communities: no action would mean a 325% increase in costs by 2041 (12).

Homelessness directly impacts on a person's physical and mental health and wellbeing. 511 households were accepted as homeless in Cumbria in 2009-10 (13).

Poor housing conditions increase the risk of severe ill health or disability by up to 25% during childhood and early adulthood (14).

24.1% of Cumbrian households are in Fuel Poverty (spending over 10% of their income on maintaining a suitable heating regime); above the national average of 15.6% (15).

Cold homes are linked to increased risk of respiratory and rheumatoid diseases, hypothermia and poor mental health (residents with rooms at 21°C are 50% \* less likely to suffer depression and anxiety than those at 15°C). There were 350 excess winter deaths in Cumbria during winter 2008/09 (16).

### ...Sustainable, safer and stronger communities

44% of residents state that affordable decent housing is the third most important issue for good neighbourhoods after crime and health (7).

Four in five ex-offenders who are homeless are reconvicted within a year and nearly half of male young offenders and 42 per cent of female young offenders have experienced homelessness (8).

31% of Cumbrian residents say housing needs improving (9).

Affordable housing sustains rural communities (10).

The median house price in Cumbria is 5.5 times the median income. There are areas in the Lake District National Park where this reaches 11.7 (11).

## Vision

Our new partnership vision for 2011 – 2015 is:

***A shared vision, a single voice for housing in Cumbria.  
We are committed to working together to add value; to create, sustain and  
enhance homes and communities for the benefit of all.***

## The National Context

The economic downturn, starting in 2008, saw dramatic falls in Britain's economy with a corresponding increase in the budget deficit and the national debt. Recent research published in May 2011 predicted that "a return to a healthy/normal housing market is unlikely for the duration of the current Comprehensive Spending Review (2011-2015)."<sup>4</sup> The reality, as suggested by the research, is that what will emerge from this will be a fundamentally changed housing market with quite different challenges. In addition to operating in this highly challenging financial environment, the past 12 months have seen some core policy and funding reforms, which will have a significant impact on the delivery of housing well into the future. These include:

### Housing & Welfare Reforms

#### *Emerging Policy*

- "Local decisions: a fairer future for social housing" (November 2010): this proposed radical reforms of the provision of social housing around 5 key objectives and included details on the Affordable Homes Framework. The Framework (launched in February 2011) set out how the development of new affordable housing will be funded over the next 4 years and how the new Affordable Rent product will work. Affordable Rent will be the primary housing product supported by the Homes and Communities Agency (HCA) funding and will enable providers to set rent at up to 80% of market rent.
- The Localism Bill (December 2010) saw the Government set out the legislative framework for the proposals which had been announced in the Comprehensive Spending Review and the Local decision: a fairer future for social housing.
- On 16<sup>th</sup> February 2011 the Welfare Reform Bill was introduced to Parliament. The Bill legislates for the biggest change to the welfare system for over 60 years.

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<sup>4</sup> Leather, P 2011

### *Potential Impact*

The Localism Bill, which is still making its way through the legislative process, embodies the Government's stated objective to decentralise power to the lowest tier. The Bill includes measures to allow local authorities to decide who goes on their housing waiting lists, although central Government will set the categories considered to have the greatest housing needs. It includes plans to make it easier for tenants to move to other social housing and for an internet-based "national home swap scheme." Changes to the "homelessness duty" will mean local authorities can offer people private sector accommodation instead of being obliged to offer social housing. Housing providers will be able to offer new social housing tenants shorter, fixed-term tenancies and convert re-lets into affordable rent charging up to 80% of the market rent with any increases supporting additional borrowing for new affordable homes.

The Bill is a significant devolution of power giving communities rights to "plan" their own towns and villages through community right to build, community right to buy and a community right to challenge. Another element of the Bill is the endorsement of Community Land Trusts. Community Land Trusts are a means for local communities to deliver against local priorities in a variety of guises including affordable housing with the aim of assisting those who work locally, to live locally. Community Land Trusts have an important role in delivering aspirations relating to the creation of sustainable rural communities within a balanced housing market.

Under the Affordable Homes Framework registered providers will be expected to supplement grant funding by converting vacant social homes into other tenures, generating cross subsidy and using section 106 and public sector land opportunities. The framework is designed to offer greater freedoms to convert social rented properties to other models to create funding for more new homes so converting social rented properties to affordable rent, shared ownership, disposals or a mix. What the impact will be of the introduction of affordable rents (offered in some areas alongside social rents) combined with the impact of welfare reforms, which propose to cap housing benefits, is as yet unknown.

The proposed reforms include a cap of total household benefits, reforms to Disability Living Allowance and the introduction of Universal Credits which will provide a single streamlined benefit. Recent research suggests that proposals to pay housing benefit straight to tenants as part of the introduction of Universal Credit are opposed by most tenants as well as landlords and lenders: nine out of 10 social housing tenants responding to the survey want their housing benefits to continue to be paid directly to their landlord.<sup>5</sup> The new cap on spare bedrooms will affect a broad spectrum of society including families (a family of 4 will be classed as underoccupying a 3-bed

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<sup>5</sup> Research published September 2011 by Policis consultancy, commissioned by Big Issue Invest and supported by the National Housing Federation.



house if their children are of the same gender or even different genders in the case of younger children), elderly people (who may require overnight care); disabled people (again who may need overnight care) and foster carers.

## Finance Reforms

### *Emerging Policy*

- In October 2010 the Comprehensive Spending Review (CSR) set out how the Government aimed to achieve its central objective of reducing the public spending deficit and delivering sound public finances combined with sustainable economic growth.
- The Localism Bill announced changes to housing finance.
- The Coalition Government announced their first budget in March 2011, the main aim of this, in housing terms, was to create the economic and financial stability to ensure a favourable environment for house building.
- Included within the Budget was the establishment of a number of new Enterprise Zones with superfast broadband, lower taxes, and low levels of regulation and planning controls.

### *Potential Impact*

Key points within the CSR were the Government's commitment to the Supporting People programme, the core Disabled Facilities Grant allocation and homelessness services, as well as the continued funding for the Decent Homes programme. Funding was also announced for the New Homes Bonus, this incentivises authorities to approve the development of housing by matching the council tax raised on each new property developed, plus properties brought back into use (with an additional £350 per affordable home) for a period of six years. The Bonus commenced in April 2011.

The current arrangement for financing council housing is complex and does not enable long-term financial planning. This will be replaced with a new self-financing arrangement that will enable authorities to keep the rent money they raise and spend it locally. In Cumbria, Barrow Borough Council is the sole authority to retain direct control and management of its housing stock.

Key features in the budget included the introduction of First Buy: aimed at easing the entry of first time buyers into the market and effectively a replacement for HomeBuy Direct although less generous. A total of 22 Enterprise Zones have been created to date however Cumbria has not been successful in securing Enterprise Zone status. A 10% reduction in the Government spending on Council Tax Benefit was announced; with the decision to determine eligibility for the benefit becoming the responsibility of the Local Authority.

## Planning Reforms

### *Emerging Policy*

- The Government acknowledges that the planning system and other structures have an important role in creating an environment in which economic development can thrive and has taken the view that reforms are required to facilitate this process.
- The reforms will see the streamlining of Government planning policy to a single consolidated National Planning Policy Framework, including a “*presumption in favour of sustainable development*”. A draft National Planning Policy Framework has been launched with the final version expected by the end of 2011 or early 2012.
- There will be a continued requirement for local planning authorities to positively plan their areas including a continued need for them to provide a mix of housing sites and house types to meet current and future requirements. The NPPF will require local planning authorities to maintain and demonstrate a 5 year +20% (i.e. 6 years) land supply; this supply must be deliverable.

### *Potential Impact*

Based on the provisions of the Localism Bill, the draft National Planning Policy Framework and other guidance, changes are likely to include:

- The abolition of Regional Strategies to be replaced by a duty to cooperate between local authorities and service providers; this will leave local planning authorities responsible for identifying and planning to meet their own needs for affordable and market housing, in cooperation with other authorities and stakeholders.
- The introduction of neighbourhood planning powers allowing communities to have the power to grant planning permission and prepare plans, contingent upon a local majority vote.
- A new ‘Community Right to Build’ giving communities the freedom to bring forward small developments and amenities.
- The toughening up of planning enforcement powers.
- Some changes to how monies gathered to mitigate the effects of development are managed through changes to how the Community Infrastructure Levy would operate.
- New forms of borrowing to fund the delivery of strategic infrastructure such as Tax Increment Funding (a mechanism to borrow against future business rate earnings to fund current developments) or the Community Infrastructure Levy.
- Increasing the scope for development to be permitted without planning permission.

- The NPPF seeks to introduce a “presumption in favour of sustainable development.” This will mean that, where there is no up to date Local Development Framework in place, additional sites for housing development may be brought forward and these should be positively considered.<sup>6</sup>

### Local Enterprise Partnerships

The Local Growth White Paper (October 2010) set out how the Government sees its role in empowering locally driven growth, encouraging business investment and promoting economic development. The paper highlighted a series of measures aimed at stimulating growth in the new economic environment such as the £1.4bn Regional Growth Fund, which is aimed at supporting the creation of private sector jobs. Results from the first and second rounds of bidding have produced no successful bids from Cumbria.

The White Paper also established twenty-four local enterprise partnerships combining public and private experience and expertise to drive sustainable economic growth and create new jobs in their communities. As a result Cumbria Local Enterprise Partnership (LEP) was established early in 2011 with a vision “To create one of the fastest growing economies in the UK, in an energised and healthy environment.” The LEP will provide a strategic lead in all activities contributing to the growth and vibrancy of the county’s economy. Their aim is to develop Cumbria’s economy while maintaining its uniqueness in terms of landscape, culture and quality of life. The LEP Board is creating a number of expert groups, of which Planning and Housing is one; links between this group and Cumbria Housing Executive are being established.

### Health Reforms

#### *Emerging Policy*

- The Health and Social Care Bill ( January 2011) is part of the Government’s vision to modernise the NHS so that it is built around patients, led by health professionals and focused on delivering world-class healthcare outcomes.

#### *Potential Impacts*

Proposals within the Bill place a new statutory obligation on GP-led consortia and the local authority, through their local Health and Wellbeing Board, to produce an enhanced Joint Strategic Needs Assessment (JSNA) and an accompanying Joint Health and Wellbeing Strategy (JHWS) and to commission with regard to them. The

<sup>6</sup> The Local Development Frameworks (LDF) produced by the planning authorities give a comprehensive list of development and investment priorities in each local area. See Appendix 4 for an overview of progress by Local Authority.



intention behind this is to encourage integrated working in the provision of health and social care. This approach provides real opportunity to improve integration across the broad range of services, including housing, to ensure the needs of communities and especially those of the most vulnerable in the communities are met.

### **Current position: where are we?**

Housing markets do not exist in isolation; they are impacted by, and impact on a number of factors, specifically the surrounding economy and societal changes. Across Cumbria different districts have different issues although many are common to each; these include the need for housing market renewal, affordable housing, the need for specialist housing, more and better paid jobs but also greater community empowerment to deliver locally focussed objectives. Given the diverse nature of the county, particular issues are more prevalent in certain locations, reflecting local socio-economic characteristics.

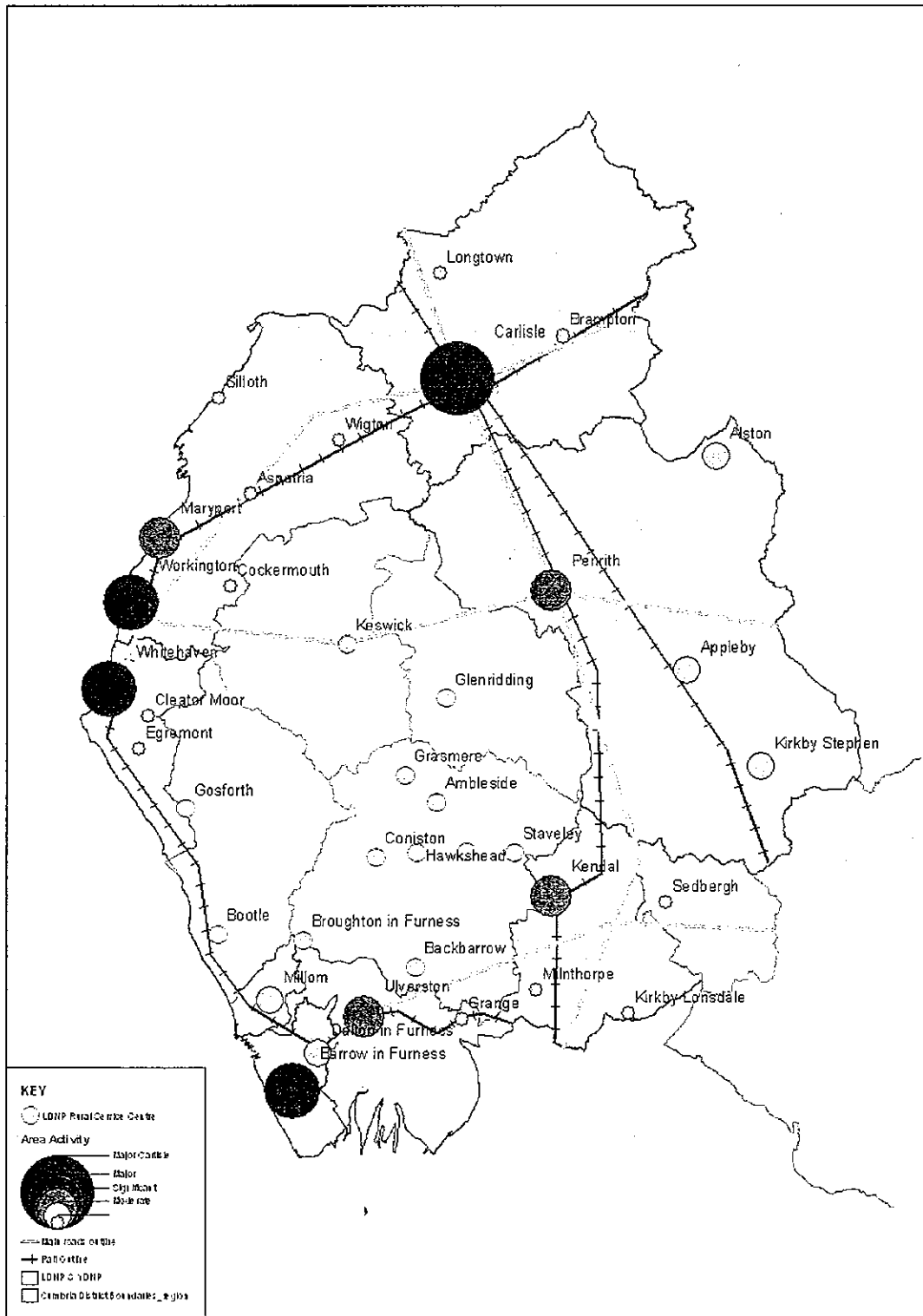
The creation of balanced housing markets and the delivery of sufficient amounts of new housing, of the right type and in the right locations to meet the current and future needs of communities are essential for both the creation of mixed and sustainable communities as well as future economic success.<sup>7</sup> With reduced public sector funding, there will be an increasing reliance upon the private sector to deliver an attractive open market housing offer, in sufficient numbers to support the cross-subsidy to deliver the needed affordable housing. The role of the private sector will be one of the key drivers in achieving and sustaining economic growth. Reduced Government funding will also require innovative partnerships and more effective use of our assets.

A good mix of quality housing is a priority to attract and retain people and the Local Development Frameworks will need to make provision for a sufficient range and amount of housing types to be developed, which will then support economic growth. The economic downturn, ongoing restrictions on bank lending to support new build and reduced access to new mortgages remains a significant barrier to delivery.

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<sup>7</sup> See Appendix 2 for more detail of development priorities across the districts.

### The spatial context of Cumbria: settlements and boundaries



## Cumbria: A strategic overview

At 679,715 hectares, Cumbria is England's second largest county. With a population of 494,400 and at a density of 0.7 people per hectare, it is the third sparsest county nationally. 61.9% of wards in Cumbria are classified as rural, and over half of the population live in rural communities. There is a lack of ethnic diversity in Cumbria, with only 4.9% of the total population being of black or minority ethnic, compared to the national average of 16.7%. The median household income is £26,004; below the national average of £28, 989, and there are pockets of rural and urban deprivation. Cumbria has a two tier local Government system involving a county council, six local district councils and two national parks.

### Demographic Profile

The population of Cumbria is projected to age dramatically over the next 20 years. Figure 1 presents the current and projected age profile of Cumbria's population; based on the '10 year migration scenario' produced in September 2011 using Popgroup<sup>1</sup> modelling.

By 2030 it's projected that there will be a 41.7% increase in the number of residents aged 60+ and a 122.2% increase in the number of residents aged 85+. Inversely, the projections also suggest that, in the above timeframe, the number of younger residents, aged under 15, will decrease by 11%, while the number aged 16-59 will decrease by 15.3%. This would mean that in 2030 nearly 40% of the population would be aged 60+; compared to just under 30% in 2010. While national projections forecast a similar increase in older adults, they do not predict the same decrease in young people; in fact, national projections suggest numbers of young people will increase. Figure 2 presents the projected percentage of residents aged 60+ for 2030.

Life expectancy varies enormously across the wards in Cumbria; the best being 91.3 years in Greystoke, Eden district and the worst 71.8 years in Moss Bay, Allerdale district; giving a gap of 19.5 years. The national average is 78.3 years (*Cumbria Intelligence Observatory. 2009*).

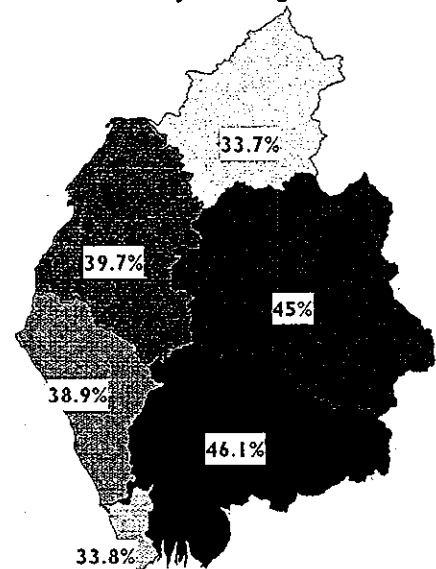
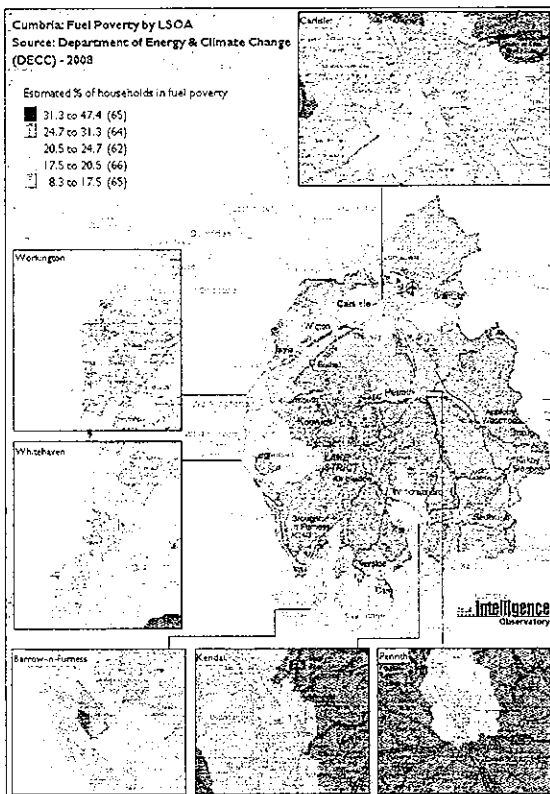


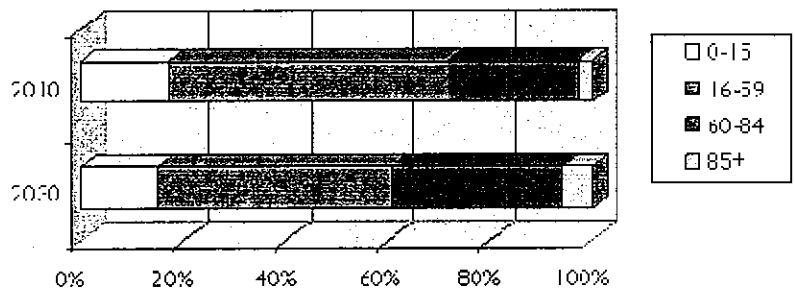
Figure 2: Projected proportion of the total population aged 60+ in 2030  
Source: Cumbria Intelligence Observatory  
Popgroup 10 Year Migration Scenario - September 2011



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Figure 3: Percentage of households in fuel poverty

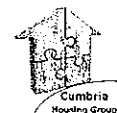
Figure 1: Cumbria's Current and Projected Age Structure  
Mid-2010 Population Estimates (ONS) and Popgroup 10 Year  
Migration Scenario (September 2011)



### Vulnerable People

#### Fuel poverty

Cumbria suffers disproportionately from fuel poverty when compared nationally. Across Cumbria an estimated 24.1% of households are in fuel poverty (spending more than 10% of income on maintaining a satisfactory heating regime); above the national average of 15.6% and the regional average of 18.1%. Eden has the highest proportion of fuel poor households in England at 34.8%. Allerdale is 13<sup>th</sup> at 25.5%, followed by South Lakeland at 14<sup>th</sup> with 24.6% of households (*DECC, 2008*).



**Homelessness**

In 2009-10, 511 households were accepted as homeless with a duty owed to them across all districts; an average of 5.62 per 1000 households (*Cumbria Homelessness Audit (Draft), 2010*).

**Deprivation**

In terms of overall deprivation (2010) Cumbria is ranked 85<sup>th</sup> nationally (out of 149, where 1 is the most deprived). Barrow in Furness is the most deprived district; ranked 32<sup>nd</sup> out of 326 where 1 is the most deprived; this is within the 10% most deprived nationally.

Copeland is ranked 78<sup>th</sup>, Carlisle 109<sup>th</sup>, Allerdale 111<sup>th</sup>, Eden 211<sup>th</sup> and South Lakeland 242<sup>nd</sup>. 22.1 % of children in Barrow-in-Furness are living in poverty; this is well above the average across Cumbria of 15.6%, and above the national average of 21.6% (*HMRC (2008) National Indicator 116: The Proportion of children in poverty*).

**Affordability**

The median house price in Cumbria is 5.5 times the median income. There are areas, specifically in the Lake District National Park, where the median house price is up to 11.7 times the median household income.

The median house price in Cumbria is £143,869, but there are disparities across the county: in Barrow-in-Furness it is £93,384 compared to £210, 977 in South Lakeland (*CACI, Cumbria Intelligence Observatory, 2011*).

**Housing delivery**

*Historic Completions*

Over the period 2006-11, 1449 new affordable homes have been completed across Cumbria.

The effect of the economic climate in recent years has had the consequence of reduced housing delivery across Cumbria, with a low of 993 new houses being delivered in 2008/2009. It should be recognised that away from the current economic climate, Cumbria has historically delivered significantly higher levels of housing with 1,858 new homes being completed in 2002/2003 and as many as 2,026 being delivered in 1992/1993 (*Cumbria County Council, 2011*).

**Housing Requirements**

*Affordable Housing Need*

Housing Needs Surveys calculate a projected need for 1792 affordable homes per annum: Allerdale: 245, Barrow: 20, Carlisle: 222, Copeland: 168, Eden: 227, South Lakeland: 640 (*District Housing Need Surveys*).

*Overall dwelling requirements*

Based on the POPGROUP model<sup>1</sup> using the latest 10 Year Migration Scenario and Labour Force Led Economic Forecasts prepared in June 2011, there's a potential future annual dwelling requirement for construction of between 1,518 to 2,777 new homes across Cumbrian districts for the period 2009 to 2024. For the detailed breakdown for each District see figure 5.

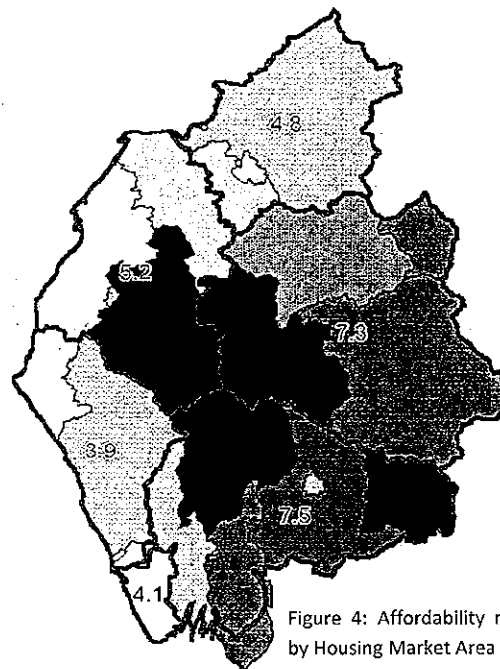


Figure 4: Affordability ratio by Housing Market Area

Figure 5: Annualised dwelling requirement

|                | Range of average annualised dwelling requirements 2009-24 |
|----------------|---|
| Allerdale      | 197- 536  |
| Barrow         | 148- 225  |
| Carlisle       | 464- 693  |
| Copeland       | 151- 208  |
| Eden           | 231- 420  |
| South Lakeland | 327- 694  |
| Total          | 1518-2777   |

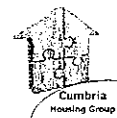
**Empty Properties**

In Cumbria there are a total of 5001<sup>2</sup> properties that have been unoccupied and unfurnished for over 6 months. These comprise:

- Allerdale: 854
- Barrow in Furness: 1029
- Carlisle: 754
- Copeland: 820
- Eden: 401
- South Lakeland: 1143

(*District Council Tax records, April 2011*)

<sup>1</sup>POPGROUP is a modelling tool run by the Cumbria Intelligence Observatory, and commissioned through the Research & Information Expert Task Group. In line with the latest Government Guidance, it is used to produce a series of District level population and housing forecasts that may be delivered in differing population, housing and economic scenarios. The Model is able to link natural household growth through local data on in- and out-migration, births and deaths and expected economic growth.



## The Local Context

### The Economy

In terms of economic activity there is a mixed picture across the districts: whilst levels of unemployment are relatively low, these figures mask significant variations in worklessness. Levels of educational achievement are below average at secondary level and there are marked variations in the qualification levels of the working population. The levels of earnings show considerable variation between districts that generally reflect variations in employment structure with lower average earnings in districts with a high proportion of employment in the service sector and rural economy, whereas full time earnings are above average in those areas dependent upon production industries. In the early 2000s, Cumbria's economic performance lagged behind other areas but recent data suggests some improvement which has been experienced in both the east and the west. The number of businesses in Cumbria has increased significantly since the early 2000s and although rates of new firm formation are generally lower than the national average, medium term firm survival rates are relatively good.<sup>8</sup>

### Demographics

The demographic trend for Cumbria is towards an ageing population. The aim within Cumbria is to move towards enabling people to have more independence and options which will enable them to stay in their own homes. We need to work together to develop approaches/solutions to meet both current and projected need, which offer elderly people a range of options, enable them to stay in their own homes (if that is what they choose) and maintain their independence for longer.

At the same time that the proportion of elderly residents is increasing, projections suggest that the number of younger residents (aged under 15) will decrease by 11%, while the number aged 16-59 will decrease by 15.3%. This would mean that in 2030 nearly 40% of the population would be aged 60+, compared to just under 30% in 2010. While national projections forecast a similar increase in older adults, they do not predict the same decrease in young people instead national projections suggest numbers of young people will increase.

### Barrow-in-Furness, Copeland and Allerdale

Barrow-in-Furness, Copeland and Allerdale districts contain urban centres, some of which have suffered long-term social and economic problems including high levels of worklessness. These largely result from an overdependence on the declining manufacturing sector and their relative remoteness from regional/national markets. Significant employment in these areas is dependent on a small number of key employers such as Sellafield Ltd or BAE Systems.

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<sup>8</sup> Cumbria Local Economic Assessment, Cumbria Summary, November 2010, University of Cumbria Centre for Regional Economic Development and Cumbria Intelligence Observatory

These areas are also home to Britain's Energy Coast where the focus is on becoming a major generator and centre of excellence in low carbon and renewable energy. A new programme of activity is being prepared for the area utilising socio-economic funding from the Nuclear Decommissioning Authority and Nuclear Management Partners, the company responsible for managing the Sellafield site.

These urban areas on the west coast are characterised by areas of housing market failure and/or areas of poor quality environment. This has given rise to a range of key issues to address including:

- The need to address housing market failure.
- The need for improving housing stock and a broadened housing offer through new supply to meet needs, including affordable and executive housing and others associated with the redevelopment of key sites.
- HCA investment in the West Cumbria Housing Market Renewal Pathfinder ended in March 2011 removing the funding for stock refurbishment, clearance and replacement, however there is still evidenced need for this type of activity.
- Delivery of economic growth focused on existing areas of strength in renewable and nuclear industries and new ones like education and tourism.
- Regeneration and measures to address problems associated with concentrations of deprivation and worklessness.
- It is expected that there will be a need for temporary short-term accommodation for significant numbers of construction workers because of nuclear industry new build.

Issues of affordability are also present in areas of West Cumbria. Based on parish surveys, Allerdale District requires 1200 affordable homes over the next 5 years. The 2010/11 Strategic Housing Market Assessment in Copeland demonstrates a need for 840 new affordable homes to 2015 (or 168 annually). These figures include a rural affordable housing need dispersed across Copeland district (including but not solely focussed on the National Park area where 75 new homes are needed over the same period).

### *Copeland*

In Copeland, communities are linked by common housing markets, family connections and travel to work patterns, which combine to make locality-based service delivery a priority. The area is one of the most remote and difficult to access in England however this is mitigated by some of the most stunning scenery - the Lake District National Park comprises two thirds of the District together with 50 miles of beautiful coastline.

The main source of employment at Sellafield has a decommissioning plan resulting in a potential major loss of existing local employment. In 2010 almost one third of

the District's workforce depended directly or indirectly on this facility. As part of Britain's Energy Coast Vision, the Council and its partners are determined to convert this threat into an opportunity by enabling a new-build nuclear facility together with associated reprocessing, research and educational facilities, as well as diversifying into renewable energy generation.

Copeland's housing markets are vulnerable to decline, exacerbated by demographic trends and a lack of economic diversification and growth. There remains a strategic need for housing renewal.

### Eden and South Lakeland

Eden and South Lakeland districts have both excellent strategic transport links and outstanding natural beauty; this has meant that there is considerable demand for housing from in-migration of either long distance commuters, people retiring or from holiday and second home buyers. Together these lead to increased competition for housing resulting in issues of affordability specifically for local people on lower wages. While this area has generally high levels of employment, there are issues of low paid and part time work, especially in rural areas. Key issues here include:

- The shortage of housing that is affordable to local people.
- The need for more well paid employment opportunities aided by sustainable employment sites and town centre initiatives.
- Diversification of the rural economy.
- Sustainability of rural villages and market towns.
- Meeting the needs of an ageing population for suitable housing with appropriate levels of support in accessible locations.
- Fuel poverty.
- Providing a range of housing and economic opportunities for young people to retain/attract them to the area.

### The National Parks

The Lake District National Park is a landscape of exceptional beauty; it covers an area of 2,292km<sup>2</sup> and encompasses parts of Eden, South Lakeland, Copeland and Allerdale districts. The continuing high cost of homes that are inflated by high levels of second home ownership and the outstanding environment that attracts people to the area who are able to afford the high prices puts immense pressure on the existing housing stock. This makes it extremely difficult for people relying on local wages to compete for housing in an open market. As a result in the National Parks, planning policies apply which restrict new housing to those with a local connection and those taking up employment in the area.

The Vision for the National Park is that, "*The Lake District National Park will be an inspirational example of sustainable development in action. A place where its*

*prosperous economy, world class visitor experience and vibrant communities all come together to sustain the spectacular landscape, its wildlife and culture.*" The Business Plan for the Lake District National Park 2011 – 2014 has a number of core themes including "Contributing to a Prosperous Economy" and "Contributing to Vibrant Communities". Within these themes, priorities specific to housing include:

- Appropriate economic growth is enabled to support National Park communities.
- Increased availability of land for affordable and local needs housing.<sup>9</sup>

The north western tip of the Yorkshire Dales National Park takes in part of the South Lakeland district. The mission of the National Park is to *"promote a sustainable and dynamic rural economy, paying special attention to the needs of local communities within the National Park"*. The vision of the Yorkshire Dales National Park Housing Development Plan 2011-25 includes to:

- Improve the supply of housing, particularly affordable housing, to benefit social and economic vibrancy of the local community.
- Making the best use of land and locations that have benefits to local services, work places, social networks and public transport.

### Carlisle

Carlisle is the largest service centre for Cumbria and South West Scotland, and is a key focal point for growth. Their vision is that in 25 years time, the City should be described as *'Cumbria's dynamic and successful University City, creating growth opportunities in a sustainable environment with skilled people and international connections in a stunning location'*.

Ultimately, Carlisle requires sustainable growth to enable more jobs and services (including educational infrastructure and homes) in both the urban and rural areas. In recognition of this need, and the critical relationship between economic growth and good quality and suitable housing, Carlisle achieved Growth Point status in 2009 and aims to retain this:

Key issues for the continued growth of Carlisle include:

- New large scale housing development including affordable housing and associated social infrastructure to meet the needs of urban and rural communities;
- Further housing renewal schemes are to be continued in weak market areas; and
- Delivery of strategic employment sites across the city and development of the city's higher education function.

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<sup>9</sup> Lake District National Park Business Plan 2011 – 2014.



## The Future: where do we want to be and how will we get there?

### Where do we want to be?

Based on evidence and local expertise we have identified three key themes where we want to make progress over the course of this strategy; these do not reflect the entirety of the issues faced by Cumbrian communities but are the key areas where Cumbria Housing Executive Group feel we can add value and make a difference.<sup>10</sup>

### **Key Theme 1: Housing Growth, Affordability and Community Sustainability**

We want housing which supports a growing economy and sustainable communities:

- Where the need for affordable and market housing to support economic opportunities identified by the LEP, are delivered.
- Where housing needed to develop the rural economy is delivered.
- Where funding opportunities around growth are maximised.
- Where housing supports improvements to health and well-being.
- Where collective procurement will achieve cost effective delivery of new public sector housing.<sup>11</sup>
- Where the development of new housing is underpinned by improvements to the physical infrastructure, and in adherence to related strategies<sup>12</sup>.

*Because:*

- Levels of worklessness for Cumbria are below the national average; however there are areas where Job Seekers Allowance claimant rates are up to 8.7% of the population compared to a national average of 3.8%.
- 29 statistical areas (Lower Super Output Areas – LSOAs) in Cumbria, 9% are within the 10% most deprived nationally (based on the Index of Multiple Deprivation).
- The median household income in Cumbria is £26,004; below the national average of £28,989.
- 61.9% of the wards that make up Cumbria are classified by DEFRA as Rural.
- It is projected there will be a 44.8% increase across Cumbria in the population of residents aged 60+, and a 120.5% increase in residents aged 85+.

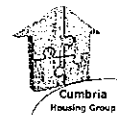
We want housing that is affordable:

- Where people in urban and rural communities are able to access housing appropriate to their needs and within their means, particularly social rented accommodation in rural areas.

<sup>10</sup> Appendix 3 contains the SWOT analysis undertaken to inform the identification of the key themes.

<sup>11</sup> The Local Development Frameworks (LDF) produced by the planning authorities give a comprehensive list of development and investment priorities in each local area. See Appendix 4 for an overview of progress by Local Authority.

<sup>12</sup> Strategies relating to physical infrastructure: Transport- Local Transport Plan 3 (LTP3); Education-developer contributions; Adult Social Care provision- Cumbria County Council Extra Care Strategy and Old Peoples Accommodation Assessment; Health- Joint Strategic Needs Assessment.



- Where the impacts of welfare and housing benefit reform, financial inclusion and fuel poverty are addressed.
- Within which resources such as land, public and private finance, New Homes Bonus and planning gain are focused on meeting housing needs.

*Because:*

- Parish wide housing needs surveys within the Lake District National Park indicate 80% of those identified as being in housing need require social rented housing and 20% require intermediate tenure.
- The median house price in Cumbria is 5.5 times the median household income. There are areas, specifically in the National Parks, where the median house price is between 11.7 (Lake District National Park) and 12.8 (Yorkshire Dales National Park) times the median income.
- Based on 2009-10 levels of delivery, Cumbria has provisionally been allocated £4,475,975 of New Homes Bonus over the next 6 years.

## **Key Theme 2: Vulnerable People, Supporting Independence**

We want vulnerable people to:

- Be empowered to live independently with the ability to purchase the care/support needed to maintain their tenancy and fully engage in their local community, either through access to personal budgets, direct payments and/or Supporting People provision regardless of gender, ethnicity, disability, age, sexuality, or faith.
- Have access to extra care housing as and when appropriate.
- Have access to energy saving advice and/or products.
- Have access to disability adaptations grants i.e. Disability Facilities Grant programme.
- Have good access to banking and credit.
- Have access to paid employment or a supported employment programme moving people towards the world of work.
- Maximise their life chances as young adults by having access to accommodation that supports their employment, education and training, enabling them to contribute to safer and stronger communities.

*Because*

- Provision is needed for excluded households such as Gypsies and Travellers. The county-wide need for 89 pitches can be best met through a joint approach from all districts.
- Analysis undertaken in 2009 estimated there will be demand for at least 1,850 extra care housing properties across Cumbria by 2019.<sup>13</sup>

<sup>13</sup> Planning4Care Report: Projected need for long-term residential care services for older people in Cumbria, 2009.

- Based on demographic trends and current service patterns, there will be a significantly increased need for care support in the future.<sup>14</sup>
- On average 20.6% of residents in Cumbria are suffering from fuel poverty (households spends more than 10% of income on maintaining a suitable heating regime), above the national average of 13%.
- 23.6% of over 85's suffer from dementia.
- 7 out of 10 of homeless people experience one or more mental health problems.
- As of September 2011, there are 74 looked-after young people across Cumbria aged 16 or over who will soon be leaving care. Last year 54, 16 or 17 year olds in Cumbria left care.
- Over 140 young people aged 16 or 17 came to the attention of the agencies as "homeless" in the year to June 2011.

### Key Theme 3: Housing Market Renewal: Using Stock More Effectively

We want to maximise the potential of the existing (private and public sector) housing stock so that:

- There is continued support for housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing.
- Significant progress is made in adapting homes to meet special needs, bringing empty and under-occupied homes into beneficial use, eliminating sub-standard housing, improving energy efficiency and matching the stock to the needs of tenants through an expanded choice based letting scheme.
- Tenancy strategies seek to ensure that social housing assists in meeting current and future housing need, maintains stable communities and that best use of stock eliminates overcrowding and under occupancy.
- Mechanisms are established to ensure that second homes/holiday homes do not form more than 20% of the local housing market.<sup>15</sup>

#### *Because*

- Despite the removal of Housing Market Renewal funding, there is still an evidenced need for stock refurbishment, clearance and replacement in certain areas.
- There are approximately 8,840 properties across Cumbrian districts that have been empty for over 6 months.
- On average 48% of private sector stock across Cumbrian districts is non-decent; above the national average of 36%.

<sup>14</sup> Planning4Care Report: Projected need for long-term residential care services for older people in Cumbria, 2009.

<sup>15</sup> Cumbria Rural Housing Trust: An Effective Way to Sustain our Rural Communities Part 1: The Effects of Affordable Housing in Rural Communities.

- Councils will be able to utilise the private rented sector to discharge their homeless duty. (Historically, homelessness is a 'lagging indicator' following an economic downturn – meaning that it can be expected to rise for some years, independently of policy impacts.)<sup>16</sup>
- 33% of parishes in the Lake District National Park have more than 20% of their housing stock used as either a second home or holiday home and studies suggest that when the proportion of holiday houses reach a particular level, this affects the sustainability of any settlement and its community.<sup>17</sup>

### Action Plans

The three key themes articulated above form the basis of actions plans which are appended.<sup>18</sup> These action plans were developed collaboratively by members of the Cumbria Housing Officer Group and the expert groups. There is an action plan relating to each key theme plus two supporting action plans which relate to Research and Information; and Influencing local and national agendas. Using the evidence base we have, to influence key agendas, to provide a Cumbrian perspective on debates at a local and national level is a priority for this strategy.

These action plans will be delivered through expert groups, specific to each key theme. Membership of the expert groups draws on specialist knowledge and expertise from across the private/public/third sector. The expert groups have a generic purpose to:

- Deliver the work plans developed to support the Cumbria Housing Strategy and Investment Plan 2011-2015.
- Identify barriers and challenges to delivering the action plans and to use their shared expertise to overcome these.
- Share good practice.
- Report progress and any blockages to the officer group.

This strategy is only current at the time at which it was written; the context in which we operate is undergoing significant economic and legislative changes and effectively this provides a snapshot of where we are. In recognition of this our action plans are intentionally short-term and focus on the next 12-24 months. The actions plans will be revisited in 18 months time to refresh and refocus.

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<sup>16</sup> Crisis, December 2010. Homelessness strategies across the districts will be due for review in 2013.

<sup>17</sup> 2001 census data.

<sup>18</sup> See Appendix 5 for details.

## Our Approach

In working to address these issues we will:

- Work collaboratively and innovatively with communities and/or through local authorities to draw down resources across Cumbria to maximise access to funding available such as that for Community Land Trusts (CLTs) or Empty Properties.
- Work in partnership with the Homes and Communities Agency to deliver more housing.
- Work closely with the private sector to maximise private sector investment and delivery.
- Be opportunistic in our approach to solving problems.
- Seek to learn from others, within the partnership and the wider housing world, and customise approaches that have worked elsewhere to make them work for us.
- Be flexible in our approach, recognising actions need to be locally appropriate.
- Work together to combine our expertise and to ensure we add value.
- Speak with a single voice to demonstrate the uniqueness and diversity of Cumbrian district communities.
- Promote our successes and our ability to deliver.
- Influence at a local and national level to the benefit of all Cumbrian communities.
- Continue our evidence-based approach.

## How will we get there?

This work is driven by the Cumbria Housing Executive Group (CHEG), supported by the Cumbria Housing Officers Group (CHOG). The purpose of the Cumbria Housing Executive is to:

- Make recommendations which shape housing in Cumbria.
- Support the development of policy and strategy.
- Direct work groups to deliver specific projects.
- Influence and give a Cumbrian voice to the Northern Housing Consortium, North West Housing Forum and/or other local, regional and national consultation.
- Promote joint initiatives across the districts which maximise resources and make most efficient use of them.
- Monitor the effectiveness of organisations' service delivery in Cumbria and work together for continuous improvement.

The purpose of the Officer Group is to:

- Provide an operational focus to strategic issues.
- Identify areas for joint working or those with potential for added value.
- Inform the work of Executive Group.
- Oversee the action plans of specific expert groups.

This group oversees policy and strategy development and directs work/"expert" groups to deliver specific projects. Representatives attending this group have clear mandates to work together to realise the vision. This group has links into a range of more specialist housing groups and organisations which are active across the districts and county and therefore has the ability to draw on this network to provide an expert, Cumbria-wide overview. This extensive network covers:

- |   |   |
|---|---|
| • Cumbria Housing Forum;                | • Northern Housing Consortium;                        |
| • Cumbria Health and Wellbeing Board;   | • Housing in the North All Party Parliamentary Group; |
| • Supporting People Commissioning Body; | • North West Housing Forum;                           |
| • Cumbria Registered Provider Forum;    | • Homes and Communities Agency;                       |
| • National Housing Federation;          | • Cumbria Members of Parliament;                      |
| • Cumbria House Builders Group;         | • Cumbria Rural Housing Trust;                        |
| • Homes and Communities Agency;         | • Cumbria Association of Local Councils;              |
|   | • Cumbria Housing Group Expert Groups.                |

## **Appendix 1: Source list- The impact of housing on...**

### **...Economic Growth**

1. National Housing federation: 'Home truths 2010: North West'
2. The Guardian, September 2011:  
<http://www.guardian.co.uk/society/joepublic/2011/sep/14/national-planning-policy-framework-confusion-housing1>
3. Business Register and Employment Survey, 2009.
4. Shelter publication: 'Chance of a lifetime - the impact of bad housing on children's lives', 2006.
5. Cumbria Business Survey, 2010.
6. Cumbria Intelligence Observatory Popgroup modelling, September 2011; and Cumbria Place Survey, 2008/09.

### **...Balanced sustainable communities**

7. Cumbria place Survey, 2008/09.
8. Shelter publication: 'Chance of a lifetime - the impact of bad housing on children's lives', 2006.
9. Cumbria place Survey, 2008/09.
10. Cumbria Rural Housing Trust publication: 'Effective ways to sustain our rural communities', 2003.
11. Cumbria County Council, CACI data, June 2011.

### **...Health and well being**

12. Chartered Institute of Housing: 'Housing Health and care', 2009.
13. Cumbria Homelessness Audit, 2010.
14. Shelter publication: 'Chance of a lifetime - the impact of bad housing on children's lives', 2006.
15. Department of Energy and Climate Change, 2008.
16. Chartered Institute of Housing: 'Housing Health and care', 2009.

### **Reference Documents**

Cumbria Homelessness Strategy

Local Investment Plan

Planning4Care Report: Projected need for long-term residential care services for older people in Cumbria, 2009.

Joint Strategic Needs Assessment

Cumbria Local Economic Assessment

## ***Appendix 2: Development Priorities***

Agreed development priorities identified in the Cumbria Sustainable Community Strategy (2008-2028) stress the importance of ensuring development is distributed appropriately and sustainably across Cumbria. **Major development** will be focused on the regeneration areas of Barrow, Workington and Whitehaven and on the growth of Carlisle. The spatial policy framework recommends there should be **significant development** in Kendal, Penrith, Ulverston and Maryport, but here greater consideration needs to be given to the scale and the capacity for development. Elsewhere **moderate development** will take place in the Key Service Centres of: Dalton-in-Furness; Aspatria; Cockermouth; Brampton; Longtown; Wigton; Cleator Moor; Egremont; Millom; Silloth; Alston; Appleby; Grange-over-Sands; Kirkby Lonsdale; Kirkby Stephen; Milnthorpe and Sedbergh.

In sparse rural areas, the character of individual settlements will be protected, and development will strengthen the economy and services. **Small-scale development** is to take place in Local Service Centres and other locations (as identified in Local Development Frameworks) to help sustain local services, meet local needs, including the centres' rural hinterlands and to support rural businesses. New small-scale balanced housing development (the majority of which should be affordable) will be encouraged where it supports the sustainability of the Local Service Centre. In the open countryside, development will only take place in exceptional circumstances. These circumstances can include an essential requirement for a rural location which cannot be accommodated elsewhere, and development which is fundamental to delivering positive transformational change to the local economy.

The area comprising the 2 National Parks is not encompassed within the Spatial Strategy. The adopted LDNPA Core Strategy identifies 13 Rural Service Centres and other communities where the focus of new development will take place to meet locally generated needs, and includes Ambleside, Keswick, and Windermere/Bowness.



### Appendix 3: SWOT Analysis

| Strengths  | Weaknesses  |
|--|---|
| <ul style="list-style-type: none"> <li>• Track record of working collaboratively to develop an evidence-based approach to housing.</li> <li>• Evidencing and communicating the case successfully to secure funding for Cumbria.</li> <li>• Track record of delivery.</li> <li>• County-wide structures established.</li> <li>• Level of expertise within county.</li> <li>• Past strategy and willingness to work in partnership.</li> <li>• Close working relationship between partners/districts which means a good awareness of others' issues (which leads to...)</li> <li>• Track record of working together to deliver service improvements e.g. Disabled Facilities Grant, Choice Based Lettings.</li> <li>• The ability to work together effectively to prioritise housing issues.</li> <li>• External perception that Cumbria speaks with a single voice</li> <li>• Diversity of area.</li> </ul>   | <ul style="list-style-type: none"> <li>• Lack of funding for affordable housing.</li> <li>• Lack of access to funding to meet current and projected need for supported housing.</li> <li>• 6 housing authorities with limited capacity to work collaboratively across districts.</li> <li>• Lack of focus on what partners have in common.</li> <li>• Income to house price ratio in certain districts/parts of districts.</li> <li>• High house prices combined with issues of second homes.</li> <li>• NIMBYism manifested by a resistance to change.</li> <li>• Low incomes.</li> <li>• Political/geographical/demographic diversity.</li> <li>• Perception that localism = every district on their own, "Cumbria" is no longer relevant.</li> <li>• Poor condition of private stock in certain areas.</li> <li>• Lack of diversity of stock in certain districts.</li> <li>• Ability of districts to engage jointly and effectively to influence county.</li> <li>• The lack of engagement generally with private sector landlords.</li> </ul>  |
| Opportunities  | Threats   |
| <ul style="list-style-type: none"> <li>• Cumbria Improvements &amp; Efficiencies Partnership funded posts able to drive new strategic approach to housing delivery.</li> <li>• Work in partnership, share skills &amp; best practice to deliver in the context of scarce resources and achieve efficiencies.</li> <li>• Influence in relation to the Big Society/Rural Vanguard area.</li> <li>• Influence new housing to sustain communities.</li> <li>• Influence communities to accept and prioritise development.</li> <li>• Links to Local Enterprise Partnership/Health &amp; Wellbeing Board to embed housing within new structures.</li> <li>• Deliver market and affordable housing once Local Development Framework adopted.</li> <li>• Develop the single Cumbria voice to promote the county &amp; increase profile/impact.</li> <li>• Identify innovative/flexible models of funding to deliver affordable housing.</li> <li>• Explore innovative models for private sector funding of housing.</li> <li>• Work together to develop solutions to common issues.</li> <li>• Adopt a proactive approach to working within the new legislative/policy framework to trailblaze solutions.</li> <li>• Diversity: draw on benefits and accept differences.</li> <li>• Focus limited capacity on tackling achievable actions that have a clear impact/benefit.</li> <li>• Expand the remit of the Choice Based Lettings scheme to include the private sector.</li> <li>• Promote our message/issues with a consistent voice into other forums e.g. Housing in the North All Party Parliamentary Group.</li> <li>• Deliver action plans that add value to individual districts/partners.</li> </ul> | <ul style="list-style-type: none"> <li>• Cumbria Improvements &amp; Efficiencies Partnership funded posts that create strategic capacity across the county are fixed term and due to finish in March 2012.</li> <li>• Lack of co-ordination of the strategy results in a fragmented approach and delivery with a greatly reduced impact.</li> <li>• Lack of money to deliver social rented housing and regeneration of private stock.</li> <li>• Effects of the economic downturn and the retraction of bank lending on general capacity to deliver housing.</li> <li>• Affordable rent is not going to be affordable in certain areas of Cumbria.</li> <li>• The impact of the affordable rent regime on development capability.</li> <li>• Tight planning controls in National Park mean funding the development of affordable housing will be challenging.</li> <li>• Maintaining existing private rented stock.</li> <li>• Diversity of area: urban and rural.</li> <li>• No focus on regional/sub-regional any more.</li> <li>• Lack of engagement in collaborative/shared working.</li> <li>• Protectionism brought about by localism agenda/funding cuts.</li> <li>• Ability of Disabled Facilities Grant to meet current demand and projected increased demand.</li> <li>• Focus on differences rather than commonality could undermine the partnership approach.</li> <li>• Slow adoption of Local Development Framework.</li> <li>• Demographic projections show an ageing population and loss of the working age.</li> </ul> |

### Appendix 4: Progress of the Local Development Framework by Local Authority in Cumbria

The dates provided are an estimate as of October 2010.

|                                 | Core Strategy   | Other Development Plan Documents (DPD)  |
|---------------------------------|---|---|
| Allerdale Borough Council       | Reg 25 – January/February 2012<br>Reg 28 – September 2012 | General Development Control Policies, Site Specific Allocations DPD and Proposals Map <ul style="list-style-type: none"> <li>• Reg 25 – June 2012</li> <li>• Reg 28 – Autumn/Winter 2012</li> </ul>               |
| Barrow Borough Council          | None confirmed  | None confirmed  |
| Carlisle City Council           | Reg 25 – Spring 2012<br>Reg 28 – early 2013               | Allocations of Land DPD to follow Core Strategy<br>SHLAA and Employment Land Review <ul style="list-style-type: none"> <li>• Informal consultation- January 2011.</li> </ul>                                      |
| Copeland Borough Council        | Reg 28 – March 2012                                       | Development Management Policies <ul style="list-style-type: none"> <li>• March 2012</li> </ul> Site Specific Allocations and Policies DPD <ul style="list-style-type: none"> <li>• Reg 25: Autumn 2012</li> </ul> |
| Cumbria County Council          | Adopted 23 <sup>rd</sup> April 2009.                      | Site Allocations Policies DPD and Proposals Map adopted 20 January 2011   |
| Eden District Council           | Adopted 31 <sup>st</sup> March 2010                       | Housing Site Allocations DPD <ul style="list-style-type: none"> <li>• Reg 25 – Winter 2012</li> </ul>   |
| South Lakeland District Council | Adopted 20 <sup>th</sup> October 2010                     | Land Allocations DPD <ul style="list-style-type: none"> <li>• Reg 25- August 2011</li> <li>• Reg 28-Winter 2012</li> </ul>  |
| Lake District National Park     | Adopted 20 <sup>th</sup> October 2010                     | Land Allocations DPD <ul style="list-style-type: none"> <li>• Reg 25-November 2011</li> </ul>   |

**Reg 25:** Formal consultation. The LPA must notify specific bodies of the subject of the DPD and invite representations. In preparing the DPD, the LPA must take into account any representations made.

**Reg 28:** Period to receive representation on the DPD. This is not a consultation stage but it is when formal representation on the soundness of the DPD can be made. These representations will be taken into account at the formal examination.

|  |  |  |
|--|--|--|
| <b>EXECUTIVE COMMITTEE</b>   |  | <b>Part One<br/>(D)<br/>Agenda<br/>Item<br/>16</b> |
| <b>Date of Meeting:</b>  | <b>14th December, 2011</b>                                 |  |
| <b>Reporting Officer:</b>  | <b>Director of Regeneration and<br/>Community Services</b> |  |
| <p><b>Title: National Award for Innovation and Best Practice</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Council has been presented with a national award for its use of Geographic Information Systems.</p> <p><b>Recommendations:</b></p> <p>To note the report.</p> |  |  |

### **Report**

On 24th November the Council was presented with a national award for innovation and best practice by the Association of Geographic Information at an awards ceremony held in London. The award was given for the Council's work on using geographic information systems and particularly the use of open source software.

The judges recognised that the Council's use of open source software potentially provides a low cost solution for many other organisations.

The Council's GIS Co-ordinator Robin Gawlik, in particular is to be congratulated for his work on achieving the award.

(i) **Legal Implications**

Not Applicable.

(ii) **Risk Assessment**

Not Applicable.

(iii) **Financial Implications**

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil.

|  |                                       |
|--|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>   | <b>(D)<br/>Agenda<br/>Item<br/>17</b> |
| <b>Date of Meeting: 14th December, 2011</b>  |                                       |
| <b>Reporting Officer: Policy Review Officer</b>  |                                       |
| <b>Title: Allotments</b>   |                                       |
| <b>Summary and Conclusions:</b>  |                                       |
| Provide the Executive Committee with the output from the scrutiny review into allotment provision.   |                                       |
| <b>Recommendation:</b>   |                                       |
| <ol style="list-style-type: none"><li>1. To consider the report from the scrutiny review; and</li><li>2. Members are invited to accept recommendations of the Overview and Scrutiny Committee.</li></ol> |                                       |

**Report**

The overview and Scrutiny Committee has undertaken a review of allotment provision to:

1. Reduce waiting time for allotments.
2. Ensure that the provision of allotments is self-financing.

**Summary**

The Council currently has provision for 750 allotment plots on 17 sites which exceed the typical local authority provision of 15 plots per 1,000 households. The number of people currently on the waiting list for allotment plots is almost 500 and the turnover of allotment plots since April 2009 is only 150 indicating that residents may be on the waiting list for up to eight years.

In 2010/11 the cost for providing the allotment service was £88,380 of which £33,200 was recovered in rent so the total cost to the council was £55,180. £50,000 of these costs was associated with:

1. Grounds maintenance which includes the removal of rubbish.
2. Collection of rent.
3. Provision of water.

A significant reduction in the Council's formula grant means that subsidising allotment provision is not sustainable and the allotment income needs to cover the cost of provision.

## **Recommendations**

The scrutiny review has examined the provision of allotment plots and the cost of that provision and has made the following recommendations to be implemented by 1st April, 2012.

### **Recommendations to reduce the waiting list**

- Vacant plots are let on an “as seen” basis and a temporary rent reduction should be considered for heavily contaminated plots. Offers of vacant plots should be restricted to two and if neither is accepted the resident should be removed from the waiting list. The time to respond to an offer should be restricted to three weeks.
- The number of plots per household should be restricted to two for future tenants. Tenants may hand over a single plot to a family member when they terminate their tenancy provided that the recipient is on the waiting list.

### **Recommendations to reduce service costs**

- The allotment service should be funded by the income from the rents. The proposed increases in rent identified in the budget strategy will cover the cost of delivering the service.
- Waste generated by gardening activities is the responsibility of the allotment holders and they should remove it. The Council should consider alternative cost effective options for removing fly-tips and bulky waste.
- The Council should set a fixed rent for a standard size allotment and a higher fixed rent for larger allotments. The Council should accept “direct debit” and card payments for allotment rent to reduce external charges. If tenants want to continue to use other methods then these payments should incur a surcharge to cover the additional costs.
- The Council should encourage allotment holders to make their own provision for collecting water to reduce the volume used at the stand pipes. The supply of water to the stand pipes could be restricted in winter to prevent freezing.

## **Waiting list**

There is not a statutory number of allotment plots that local authorities have to provide but most authorities use the arbitrary figure of 15 per 1000 properties which was recommended in the 1969 Thorpe report. The Council provides 750 allotment plots which is equivalent to 23 plots per 1000 properties so we exceed the recommended number. Despite this we still have a significant number of residents on the waiting list and have contacted those residents to confirm their interest and as a result the number on the waiting list has been reduced from 644 to 493.

The 750 plots are let to 600 households with some households letting 4 plots. The reasons for this are attributed to historic low demand for allotments, however, demand has increased significantly and it would be fair to restrict households to a maximum of two plots.

The review recognised that the process for managing and re-letting allotment plots was complex and it was agreed that we should review the letting procedure for future leases to include:

- Vacant plots are let on an “as seen” and a temporary rent reduction should be considered for heavily contaminated plots.
- Residents should be allowed three weeks to respond to an offer and if there is no response after three weeks the resident will be removed from the waiting list.
- If a resident rejects an offer they will only be offered one more plot and if that is rejected they will be removed from the waiting list.
- Plots may be handed over to a family member provided that person is on the waiting list and with written agreement from the Council. If a tenant has multiple plots only one of the plots may be handed over. The Council should produce a clear procedure for the process of cancelling a tenancy agreement for non-payment of rent or for dereliction of a plot.
- Restrictions on keeping livestock so that at least 75% of all allotments are cultivated. It is recognised that small number of plots are not suitable for cultivation and these will be exempt. Suitability will be assessed on an individual basis.
- The Council should develop a clear procedure for cancelling a tenancy agreement for non-payment of rent or for non-compliance with terms and conditions.

### **Cost of service**

1. The cost of grounds maintenance for 2010/11 was £26,230 and over 80% of this cost was for removal of rubbish from allotment plots. There are two categories of rubbish removal one is the provision of trailers to remove the accumulation of waste generated by typical allotment activities. The review concluded that waste generated in this way is the responsibility of the allotment holders and they should be encouraged to dispose of their own rubbish. To support this transition the Council continue to provide a restricted number of trailers at specific times of the year and these should be used for disposing of bulkier items.

The other category is the removal of rubbish from allotment prior to letting and the clearance of fly-tips, the cost of this disposal is significantly disproportional to the rent value of the plot and the Council should consider other methods of removing the waste or in exceptional circumstances leave the plot vacant.

2. In 2010/11 the recharge cost to the Borough treasurers was £12,550 which includes the collection of rent. Currently the rent for each allotment is charged on individual size and although the calculation is electronic we have to generate individual invoices, which is inefficient. The Council should introduce a fixed rent for a standard size allotment and a higher fixed rent for larger allotments.

It is proposed that we introduce four rent bands for allotment plots based on approximate size. The budget strategy proposes that the cost of allotments should be met from the rent and the rent for each band will be calculated

proportionately.

1. Small = 40 to 200 square yards
2. Standard = 201 to 400 square yards
3. Large = 401 to 600 square yards
4. Very large = 601 to 800 square yards

Any plots over 800 square yards should be sub divided

Currently there are a number of methods for collecting rent and for some the Council incurs external charges. The use of direct debit and card payments do not incur external charges and the Council should move to this method of collection. If tenants want to continue to use other methods then these payments should incur a surcharge to cover the additional costs.

3. The cost of supplying water is included in the rent for the plot and on average is equivalent to a third of the current rent. The Council has undertaken a monitoring exercise to identify areas of high usage or wastage to try to reduce water charges. The output from this exercise has indicated that there are significant variations in water usage. Damage to the water supply caused by wear and tear, freezing weather acts of vandalism has led to a significant amount of leak repair and taps replacement work being undertaken. Tenants should be encouraged to find alternative supplies such as "rain water butts" and work towards reducing water usage at the stand pipes. In addition the isolation of stand pipes in freezing weather should be considered to reduce the number of burst pipes.

The allotment service should also consider applying for capital funding to replace existing water systems with a more efficient method of supplying water.

The review recognised the internal recharges for allotments where significant because as with other Council departments allotments have to bear their share of the Council's overheads. Although these costs will be reduced as the Council reduces its budget it is clear that more significant savings would be made if allotments were self-managed and the Council should consider any requests for self-management.

(i) Legal Implications

The recommendations have no legal implications.

(ii) Risk Assessment

The recommendations have no implications.

(iii) Financial Implications

The recommendations are aligned to the budget strategy.



(iv) Health and Safety Implications

The recommendations have no implications.

(v) Key Priorities or Corporate Aims

The recommendations support the provision of good quality efficient and cost effective services.

The recommendations have no detrimental impact on the quality of housing.

The recommendations have no detrimental impact on the long term economic recovery for our community

The recommendations have no detrimental impact the built environment or public realm.

(vi) Equality and Diversity

The recommendations have no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendations have little impact on the Health and Wellbeing of users of this service.

Background Papers

Nil

|  |                                       |
|--|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>   | <b>(D)<br/>Agenda<br/>Item<br/>18</b> |
| <b>Date of Meeting: 14th December, 2011</b>  |                                       |
| <b>Reporting Officer: Policy Review Officer</b>  |                                       |
| <b>Title: New Lease: 3 James Freel Court</b>   |                                       |
| <b>Summary and Conclusions:</b>  |                                       |
| The report details the current position with regard to a new lease of 3 James Freel Court, Barrow-in-Furness.      |                                       |
| <b>Recommendations:</b>  |                                       |
| To note the current position and agree to the granting of a new lease to Brammer UK Limited on the terms reported. |                                       |

**Report**

James Freel Court consists of seven modern industrial units constructed by Barrow Borough Council in 2008.

Brammer UK Limited has requested a lease of Unit 3 James Freel Court and the Commercial Estate Manager has provisionally agreed the following main terms and conditions:

|             |   |
|-------------|---|
| Tenant      | Brammer UK Limited (Engineering Supply Company) |
| Term        | Ten years                                       |
| Rent        | £13,500pa excluding VAT                         |
| Rent Free   | Six months                                      |
| Rent Review | 5 <sup>th</sup> year                            |

It is recommended that the Commercial Estate Manager be authorised to complete the lease of 3 James Freel Court on those terms as reported.

(i) **Legal Implications**

The granting of a ten year leasehold interest

(ii) **Risk Assessment**

The recommendation has no implications.

(iii) Financial Implications

The rental income of £13,500pa for ten years

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community

The recommendation has no detrimental impact the built environment or public realm.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil

|   |                                       |
|---|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>  | <b>(D)<br/>Agenda<br/>Item<br/>19</b> |
| <b>Date of Meeting: 14th December, 2011</b>                                   |                                       |
| <b>Reporting Officer: Director of Regeneration and<br/>Community Services</b> |                                       |

**Title: Disposal of 166 Rawlinson Street, Barrow-in-Furness**

**Summary and Conclusions:**

The Council has marketed 166 Rawlinson Street with limited success and has been approached by FairOak Housing Association who wish to acquire the property at nil consideration and redevelop the site to create six, one-bed supported tenancies for people with learning disabilities.

**Recommendations:**

To agree that the freehold of 166 Rawlinson Street is sold to FairOak Housing Association for redevelopment into six flats for people with learning disabilities for £1.

**Report**

The Borough Council acquired No. 166 Rawlinson Street in 2006 for £50,000. The property is partly three storey and vacant. It is shown on the appended plan.

The Council marketed the property in June 2011, one firm offer of £10,000 was made in June but not followed up and two further written expressions of interest were received but did not result in a firm offer. The offer of £10,000 was for refurbishment into commercial floorspace at ground level and rented accommodation above.

I have recently received a proposal from FairOak Housing Association, who specialise in providing accommodation for people with learning disabilities, to demolish the premises and rebuild to three stories to provide six one bed flats with supported tenancies for this purpose. The Association have provided financial details of their proposal and have asked for the freehold of the premises to be conveyed to them for nil consideration. They have confirmed they have finances available to allow the redevelopment to proceed immediately.

The issue for members is whether you wish to continue to market the property or accept a nominal sum from FairOak Housing Association.

Given the weakness of the property market and the likelihood of any other redevelopment proposal coming to fruition in the foreseeable future, I

recommend you accept the proposal from Fairoak Housing Association. This will result in the rapid redevelopment of the site (subject to planning permission), the creation of six supported tenancies for people with learning disabilities which are in great demand in the Borough, and make an early and positive contribution to the improvement of Rawlinson Street which is considered elsewhere in your papers today.

Transfer of the freehold to Fairoak would be subject to them obtaining planning permission for the redevelopment and paying the Council's reasonable legal costs in the transfer.

(i) Legal Implications

Freehold of property would be transferred to RSL

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Key Priority 2 continue to support Housing Market Renewal including an increase in the choice and quality of housing stock and the regeneration of our poorest and oldest houses.

(vi) Equality and Diversity

The recommendation has a positive impact on service users showing any of the protected characteristics under current equalities legislation.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Exempt – Nil.

|  |                            |                                       |
|--|----------------------------|---------------------------------------|
|  |                            | <b>Part One</b>                       |
| <b>EXECUTIVE COMMITTEE</b>   |                            | <b>(D)<br/>Agenda<br/>Item<br/>20</b> |
| <b>Date of Meeting:</b>  | <b>14th December, 2011</b> |                                       |
| <b>Reporting Officer:</b>  | <b>Housing Manager</b>     |                                       |
| <p><b>Title: Shop Lease, 108-112 Lesh Lane, Barrow in Furness</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of this Report is to agree a potential new leaseholder for a shop at 108-112 Lesh Lane, Barrow in Furness.</p> <p><b>Recommendations:</b></p> <p>Mr Dogan Orman be offered the lease on the terms reported subject to the shop being branded under a national brand arrangement.</p> |                            |                                       |

### **Report**

The purpose of this Report is to agree a potential new leaseholder for a shop at 108-112 Lesh Lane, Barrow.

The shop has previously traded as a mini-supermarket and off licence.

Following advertisement, six potential leaseholders were invited to submit proposals of which three did so. All three are proposing to trade as a mini-supermarket and off licence.

Mr Dogan Orman has been offered the lease on the following terms

Tenant: Mr Dogan Orman  
Term: sixteen years  
Rent: £13,500 pa  
Rent Free: six months  
Rent Review: third year

It is recommended that the Housing Manager be authorised to complete the lease on 108 – 112 Lesh Lane on the terms set out above. Mr Orman has agreed that he will operate a Mace franchise from the premises and the offer should be made conditional upon that.

(i) **Legal Implications**

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

(vi) Equality and Diversity

The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vii) Health and Well-being Implications

The recommendation has no adverse effect on the Health and Wellbeing of users of this service.

Background Papers

Nil.

|   |                                       |
|---|---------------------------------------|
| <b>EXECUTIVE COMMITTEE</b>  | <b>(R)<br/>Agenda<br/>Item<br/>21</b> |
| Date of Meeting: 14th December, 2011  |                                       |
| Reporting Officer: Chief Executive  |                                       |
| <p><b>Title: Grant Payments to Outside Bodies</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report makes recommendations as to the future process for deciding the level of grant payment to outside bodies to be made from the proposed Grant Aid Transition Fund.</p> <p><b>Recommendations:</b></p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> <li>1. To delegate expenditure of the Grant Aid Transition Fund to Executive Committee; and</li> <li>2. To agree that the Executive Committee establishes a Sub Committee of five members to consider and recommend to the Executive Committee how best to use these resources and that this replaces the existing Grants Sub Committee which will no longer be required.</li> </ol> |                                       |

### **Report**

The Council's budget strategy requires a 50% reduction in resources for grant aid to outside bodies and the deletion of all discretionary rate relief funding, the arts development budget and grant aid to Community Transport with effect from April 2012.

To assist third sector organisations cope with this change between 2012 and 2015, the Council is establishing a Grant Aid Transition Fund of £400,000.

All affected organisations are being advised of these changes and it is anticipated that a number of them will request transition assistance from the Council.

It is important that the Council is able to make quick and co-ordinated decisions on such requests and I recommend that you ask Council to delegate decision making with regards to the use of this Transition Fund to this Committee.



Equally, this Committee needs to establish a small sub committee to advise it how best to use these resources and help third sector organisations adjust to the new funding regime.

Subject to approval of the request to Council for delegated authority, I recommend you establish a Grant Transition Sub Committee of 5 Members (4 Labour, 1 Conservative) with the following remit:-

**“To advise and make recommendations to the Executive Committee on grants to outside bodies, including the level of transition grant to be awarded to each organisation within the budgetary framework set by the Council.”**

I consider that the Grants Sub Committee will be superfluous given the level of resources and it should be deleted.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation will assist the Council achieve its budget strategy.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

Reduction in grant aid may affect employment levels in the third sector.

The recommendation has no detrimental impact the built environment or public realm.

(vi) Equality and Diversity

The Council will need to consider the impact of individual decisions on protected characteristics.

(vii) Health and Well-being Implications

The Council will need to assess the individual decisions on the health and well being of users of this service.

Background Papers

Nil