

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

## **EXECUTIVE COMMITTEE**

Meeting, Wednesday, 15th December, 2010  
at 2.00 p.m. (Committee Room No. 4)

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

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

### **PART ONE**

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

3. **Admission of Public and Press**

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

4. Disclosure of Interests.

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

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

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

5. To confirm the Minutes of the meeting held on 17th November, 2010 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

### **FOR DECISION**

- (D) 7. Recommendations of the Housing Management Forum, 2nd December, 2010.

- (R) 8. Council Tax Setting – Council Meeting.
- (D) 9. Council Tax Base 2011-2012.
- (D) 10. New Homes Bonus – Response to Consultation.
- (D) 11. Petition Scheme.
- (D) 12. Car Park Charges
- (D) 13. Disposal of Land on Former West Shop Site Bridge Road.

## **PART TWO**

- (R) 14. Redundancy Policy – amendments to compensation arrangements.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 1 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

- (D) 15. Procurement of Utilities.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

- (D) 16. Regional Growth Fund.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

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

## **Membership of Committee**

Councillors Guselli (Chairman)  
Williams (Vice-Chairman)  
Barlow  
Doughty  
English  
Garnett  
Hamezeian  
Marcus  
Pidduck  
Richardson  
Stephenson  
Waiting

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

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Published: 7th December, 2010.

## **EXECUTIVE COMMITTEE**

Meeting: 17th November, 2010  
at 2.00 p.m.

PRESENT:- Councillors Guselli (Chairman), Williams (Vice-Chairman), Barlow, Bell, Doughty, English, Garnett, McEwan, Marcus, Pidduck, Richardson and C. Thomson.

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

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 (Minute Nos. 103 and 104) of Part One of Schedule 12A of the said Act.

### **97 – Disclosure of Interests**

Councillor Bell declared a personal and prejudicial interest in Agenda Item 7 – Additional Resources for Shopfront Grants and Shopfront and Advertisement Design Supplementary Planning Document (Minute No. 100). He was a commercial property owner applying for a Grant. He left the meeting during consideration of the item.

Councillor English declared a personal and prejudicial in Agenda Item 7 – Additional Resources for Shopfront Grants and Shopfront and Advertisement Design Supplementary Planning Document (Minute No. 100). His daughter had applied for a Shopfront Grant. He left the meeting during consideration of the item.

Councillor Williams declared a personal and prejudicial in Agenda Item 7 – Additional Resources for Shopfront Grants and Shopfront and Advertisement Design Supplementary Planning Document (Minute No. 100). He was applying for a Shopfront Grant. He left the meeting during consideration of the item.

### **98 – Minutes**

The Minutes of the meeting held on 20th October, 2010 were agreed as a correct record.

### **99 – Apologies for Absence**

Apologies for absence were received from Councillors Hamezeian, Stephenson and Waiting.

Councillors McEwan, Bell and C. Thomson substituted for Councillors Hamezeian, Stephenson and Waiting respectively.

### **100 – Additional Resources for Shopfront Grants and Shopfront and Advertisement Design Supplementary Planning Document (SPD)**

The Director of Regeneration and Community Service informed the Committee that since its launch in April 2010 the Council's Shopfront Grant Scheme had proved very popular. Currently 65 applications had been received with one on a waiting list. To date nine had been approved and it was clear that if all current applications were funded that was likely to exceed the £200,000 available for the scheme. At Council on 12<sup>th</sup> October, the Council Leader had requested Officers to report on how resources available to the scheme could be financed. An additional £100,000 of capital resources could be made available funded by Capital Receipts.

He also reminded the Committee that it had approved a draft of the Shopfront and Advertisement Design Supplementary Planning Document (SPD) for consultation on 9th June 2010.

The SPD had set out detailed planning and design guidelines for the external alteration of commercial buildings, primarily shops and offices. In the absence of a higher level Borough-wide Development Plan Documents (DPDs) such as the Core Strategy or General Policies for the Control of Development DPD, it would supplement the relevant policies of the saved Barrow-in-Furness Local Plan (the Barrow-in-Furness Local Plan Review 1996-2006) and the Barrow Port Area Action Plan DPD.

The document had been published for consultation for a six week period from 23rd July to 3rd September 2010. A schedule of the comments received and the recommended responses to those that were received within the consultation period were considered by the Committee. The draft SPD had also been discussed with a number of other Council Officers and their comments and suggestions considered. A copy of the revised document had been placed in the Member's Room and was available on the Council's website.

Apart from the comments of Furness Partnership, some of the members of which responded positively separately, the consultation responses were generally supportive of the SPD's production and aims, and did not raise any objections to the guidance set out. Whilst some amendments had been made to address the concerns raised by Furness Partnership and more generally to improve and update the document, not all the suggestions from Furness Partnership were considered appropriate.

The point raised by Furness Partnership about the guidance being rather lengthy and in depth for casual use by some shop owners had been accepted, and that had also been raised by other Officers. Discussions were ongoing with Barrow by Design

about producing a shorter leaflet which pulled together and extracts some of the SPD guidance and also included guidance on non planning matters. Such a leaflet would not be appropriate as a formal SPD; rather as a guidance leaflet to promote awareness of design issues, the availability of the SPD and provide some basic guidance. The leaflet could draw together some of the individual guidance which had been provided by Barrow By Design for selected Shopfront Grant Scheme projects and planning applications.

The Planning Policy Working Group had considered the content of the document at a meeting on 2nd November 2010. The Working Group had supported the recommendation to adopt the SPD and had no specific suggestions for amendments.

As part of the consultation on the SPD and to raise awareness generally, a competition had been held inviting people to vote for their favourite shopfront. Voters had been asked to indicate their favourite shopfront and state in no more than 50 words what they thought made it attractive or special. The shopfront which received the most votes was to be crowned as the "Borough's Favourite Shopfront" and the person who best justified their choice of shopfront awarded a £50 cash prize.

Although only a small number of entries had been received, those gave a valuable insight into what the public value about shopfronts and how important the presentation of the building, shopfront and window display was, in enticing customer into shops.

There was a joint winner of the overall vote with Vickerstown Upholstery/ Interiors on Douglas Street, Walney and Hartley's on Market Street, Dalton tying for first place.

RESOLVED:- (i) To agree that an additional £100,000 be allocated to the Shopfront Grant Scheme to be funded from Capital Receipts; and

(ii) To agree to adopt the Shopfront and Advertisement Design Supplementary Planning Document.

## **101 – Revocation of the Regional Strategy, revision to PPS3 Housing and SLDC Core Strategy Inspector's Report**

The Committee considered a detailed report of the Director of Regeneration and Community Services regarding the revocation of the Regional Strategy, revisions to PPS3 Housing and SLDC Core Strategy Inspector's Report.

He reported that since the report had been produced there had been a legal challenge to the revocation of the Regional Strategy. The Government was bringing forward its Localism Bill and the decision would be rectified by way of a provision in the Bill.

He informed the Committee that Planning Policy Statement 3 (PPS3) published in November 2006 had been revised on 9th June 2010 with two changes in relation to housing density and the definition of previously developed land.

He advised the Committee on the Inspector's binding report in respect of South Lakeland District Council's Core Strategy that had been issued on 1st August, 2010 with a finding that subject to a number of changes as set out by the Inspector, the Strategy was 'sound'. SLDC had adopted the Core Strategy on 20th October 2010.

A copy of the Inspectors' Report had been placed in the Member's Room for information and was available on SLDC's website.

Following Examination, the changes set out in the Inspector's Report that were required in order for the Plan to be adopted included:-

Reducing the previously-developed land housing target from 50% to 'at least' 28%;  
A slight re-phasing of housing delivery in Ulverston 'to help Barrow's redevelopment proposals achieve momentum' (the overall numbers remain the same, but there had been a reduction from 459 to 312 dwellings in the period 2009-2014);  
The grouping of housing targets for smaller settlements;  
Support for the Affordable Housing policy but deletion of additional requirements for local occupancy market housing;  
Clarification of the appraisal and selection criteria for employment sites; and  
Inclusion of retail as a possible land use for the Kendal Canal Head Area Action Plan.

He also informed the Committee that judging by the number of enquiries from landowners it was clear there was renewed interest in development of greenfield sites for residential development following the revocation of the Regional Strategy. Although outside the scope of the report he commented that the Council may wish to review its current landholdings in a similar way.

RESOLVED:- (i) To note the report of the Director of Regeneration and Community Services; and

(ii) To ask Officers to review the Council's current landowning to see if there were any suitable greenfield sites for residential development.

### **102 – Land at Biggar Bank, Barrow-in-Furness**

The Director of Corporate Services informed the Committee that the Council owned much of the land at Biggar Bank, Walney including Biggar Bank Road.

The council-owned land extended beyond the adopted highway that was Biggar Bank Road and beyond the physical boundaries of those dwellings on Biggar Bank Road, numbers 1 to 44 inclusive.

Over the years, and to rectify the situation concerning the boundary line, the Council had sold various plots of land to various property owners, at a nominal fee and subject to the payment of all Council legal costs. The Council had also lost one or two plots of land to successful adverse possession claims.

The current owners of the Castle House Hotel had requested that the land fronting their property be transferred to them from the Council thus giving them unfettered access and egress to and from their property. They had requested that the transfer shall be for a nominal sum plus the payment of all Council incurred costs in the matter.

**RESOLVED:-** To agree to transfer the land fronting the Castle House Hotel to the owners of the Castle House Hotel subject to a nominal sum plus the payment of all Council incurred costs.

### **103 – 100/102 Abbey Road, Barrow-in-Furness**

The Director of Regeneration and Community Services reminded the Committee that under the Townscape Heritage Initiative (THI) along Abbey Road there was a terrace of three buildings classified as critical within the overall funding available: Duke of Edinburgh Hotel, 104 Abbey Road and 102 Abbey Road (Oxford Chambers).

There was ringfenced grant funding available for 102 Abbey Road which had been split into three elements: Structure and Fabric, Restoration of Architectural features and bringing unused Floor space back into use. The grant funding available was subject to the owner providing match funding to release the Heritage Lottery grant, in the order of £109 000 (subject to confirmation). It was also worth noting that when work had been undertaken on the adjoining property (104 Abbey Road) the owner of 100/102 Abbey Road immediately made provision for facilitating access to allow the erection of scaffolding /roof access etc.

The properties were understood to be freehold with vacant possession.

The intention was to purchase the two buildings, demolish 100 Abbey Road which was a much more recent addition to the frontage and carry out works required to prevent any further deterioration of 102 Abbey Road and present further structural 'sway' of the property. The estimated costs of the works were £65,000.

Approval was sought to purchase the two properties for the agreed price and an additional £65,000 to execute the works. That would enable the Council to ensure the THI Grant funding was not lost, but utilised towards the conservation of 102 Abbey Road.



RESOLVED:- To agree to purchase 100/102 Abbey Road, freehold with vacant possession at the agreed sum and carry out demolition and stabilisation work to the value of £65,000.

#### **104 – Development of Playground, Multi Use Games Area and Skate Park in Dalton-in-Furness**

The Committee were reminded that in June 2010, the Director of Regeneration and Community Services had sought approval to renegotiate the lease arrangements on land which had been previously been leased to Dalton-in-Furness Recreational Charity Trust in order to redevelop the playground and to create a Multi Use Games Area (MUGA) and Skate facility. Members were also asked to approve the development.

The report advised Members that the lease arrangements had now been concluded and the land had reverted to the Council in order that the development could go ahead.

A full public consultation programme had been completed. The Committee was advised that the Council had set aside a capital figure of £275,000 to deliver the project.

A brief was laid out on “The Chest”, the on-line procurement function and potential contractors had been given a clear outline of what was required and the indicative upper budget. Potential Contractors had also been advised that the selection would be based on a combination of price (value for money) and quality in the ration 70:30, to give a total score out of 100 points.

The report identified that four design and build submissions had been received and were evaluated on price (value for money) and quality and identified the preferred contractor.

RESOLVED:- To approve the selection of Playdale Ltd as contractor for the development of the Playground, Multi Use Games Area and Skate Park in Dalton-in-Furness.

<p style="text-align: center;"><b>REFERRED ITEM</b></p>
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<p style="text-align: center;"><b>THE FOLLOWING MATTER WAS REFERRED TO COUNCIL FOR DECISION</b></p>
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#### **105 – Updated Statement of Community Involvement (SCI) and Document Charging Schedule**

The Director of Regeneration and Community Services informed the Committee that the Statement of Community Involvement (SCI) had been the first document to be

produced as part of the emerging Local Development Framework (LDF) and had been adopted in July 2007.

The SCI sets out the Council's policies and procedures for involving the public in the planning process, both in the preparation of planning policy documents and in the determination of planning applications.

Over time, the content of the SCI and list of consultees within its appendices had become out of date. The LDF system had been reformed in 2008 in an attempt to streamline the procedures for document preparation and consultation, including the preparation of the SCI itself. The SCI had been reviewed and updated in line with the legislative and national policy changes.

As a result of the reforms, SCI's were no longer examined by the Planning Inspectorate, and once complete could be formally adopted by the local planning authority.

As part of the updating process, a consultation exercise had been carried out and the substantive comments received and the recommended responses to those that had been received within the consultation period were considered by the Committee.

A copy of the revised document had been placed in the Member's Room and was available on the Council's website.

A charging schedule for planning policy documents had last been agreed by Committee and Council in April 2009.

Since the schedule was last agreed, further documents had been produced, including the Barrow Port Area Action Plan; and the borough-wide Proposals Map had been updated to reflect the new allocations. The Proposals Map now consisted of five large detailed plans requiring reproduction in colour to make them legible. A charge for their production needed to be set.

All current statutory planning policy documents and their approved drafts were available on the Council's website, at Council Offices, and in local libraries; or were emailed free of charge if their size allowed. Any background documents referred to were also made available on the website or emailed free of charge if their size allowed.

Stakeholders were encouraged to make use of the Council's website to download documents rather than purchase hard copies or CD's. Where stakeholders wished or needed to purchase hard copies or copies on CD, the revised schedule of charges would apply. The modest charges reflected only the cost of printing and not the full production cost or staff time for printing each document. Other than setting a new charge for the Proposals Map, all other charges were proposed to remain the same.

Specific charges were only indicated for documents commissioned or produced by the Council. In respect of other relevant documents, people would be referred in the first instance to the originating body/company or, where appropriate, charged at a standard copying rate.

The Planning Policy Working Group had considered the content of the SCI and the proposed Charging Schedule at a meeting on 2nd November 2010. The Working Group had supported the recommendation to adopt the revised SCI and Charging Schedule. Two suggestions for amendments to the SCI had been made and agreed to be appropriate, namely adding reference to the Council's Web Mapping service which was considered to be a very useful tool, and amending the wording of Section 6.2 to make it clear that potential applicants for major and minor schemes were encouraged and able to discuss their proposals informally with Development Control Officers. The changes had been incorporated into the SCI.

RECOMMENDED:- (i) To adopt the Statement of Community Involvement (SCI); and  
(ii) To recommend the Council the approval of the updated charging schedule for planning policy and associated documents.

The meeting ended at 2.40 p.m.

**BOROUGH OF BARROW-IN-FURNESS**

**EXECUTIVE COMMITTEE**

**15th December, 2010**

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

**RECOMMENDATIONS**

**OF THE**

**HOUSING MANAGEMENT FORUM**

**2nd December, 2010**

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

The recommendations of the meeting of the Housing Management Forum held on 2nd December, 2010 are attached.

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

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

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

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 2nd December, 2010</b>	<b>(i)</b>
<b>Reporting Officer: Housing Manager</b>	
<p><b>Title: Rent Payment by Direct Debit: Offering Incentives</b></p> <p><b>Summary and Conclusions:</b></p> <p>The purpose of the Housing Manager's report was to consider providing incentives to encourage the take up of payment of rent by Direct Debit.</p> <p><b>Recommendation:</b></p> <p>To agree the introduction of three free cash draws of £50 per month for a period of six months to encourage the take up and continuation of payment of rent by Direct Debit, to be funded from HRA resources.</p>	

<b>HOUSING MANAGEMENT FORUM</b>	<b>(D)</b>
<b>Date of Meeting: 2nd December, 2010</b>	<b>(ii)</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 the implementation of the countywide CBL Scheme and agree a proposal for how the void process and lettings process will be operated within the Housing Service.</p> <p><b>Recommendation:</b></p> <ul style="list-style-type: none"> <li>(i) To note the progress and date for implementation;</li> <li>(ii) To agree amendments to the Allocation Policy; and</li> <li>(iii) To agree the future operational arrangements to ensure the effective management of vacancies that arise and the re-letting process.</li> </ul>	

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 8</b>
<b>Date of Meeting: 15th December, 2010</b>	
<b>Reporting Officer: Borough Treasurer</b>	
<b>Title: Council Tax Setting – Council Meeting</b>	
<b>Summary and Conclusions:</b>	
This report informs Committee that the date for the Council meeting to set the Council Tax for 2011-2012 will need to be changed to 1st March, 2011.	
<b>Recommendations:</b>	
To agree to the change of date of the Council Tax setting meeting to 1st March, 2011 at 2.00 p.m.	

**Report**

The date for the Council meeting to set the Council Tax for 2011-2012 was planned for 21st February, 2011. However, to allow for sufficient time for the precepting authorities to issue notification of their precepts for 2011-2012, and to enable me to incorporate these precepts into the tax calculation, I recommend that the date of the meeting is moved to 1st March, 2011 at 2.00 p.m.

(i) Legal Implications

Not Applicable.

(ii) Financial Implications

Not Applicable.

(iii) Health and Safety Implications

Not Applicable.

(iv) Key Priorities or Corporate Aims

Not Applicable.

(v) Risk Assessment

Not Applicable.



(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implication

Not Applicable.

Background Papers

Nil

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 9</b>
<b>Date of Meeting: 15th December, 2010</b>	
<b>Reporting Officer: Borough Treasurer</b>	
<b>Title: Council Tax Base 2011-2012</b>	
<b>Summary and Conclusions:</b>	
This report informs Committee that I have calculated the Council Tax Base for the purpose of setting the Council Tax for the year 2011-2012.	
<b>Recommendations:</b>	
To agree the report of the Borough Treasurer.	

**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 2011-2012 has been set at:

The whole Borough area	21,557.44
Barrow unparished area	17,689.00
Dalton with Newton Town Council	2,490.51
Askam and Ireleth Parish Council	1,114.99
Lindal and Marton Parish Council	262.94

The base will be used to set the Council Tax for the financial year 2011-2012.

(i) **Legal Implications**

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

(ii) **Financial Implications**

Not Applicable.

(iii) **Health and Safety Implications**

Not Applicable.

(iv) Key Priorities or Corporate Aims

Not Applicable.

(v) Risk Assessment

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 10</b>
<b>Date of Meeting: 15th December, 2010</b>	
<b>Reporting Officer: Director of Regeneration and Community Services</b>	
<b>Title: New Homes Bonus – Response to Consultation</b>	
<b>Summary and Conclusions:</b>	
This report outlines to implications of the Government's proposals to introduce a "New Homes Bonus", to incentivise new housing development. A response to the consultation is proposed.	
<b>Recommendation:</b>	
To endorse the response proposed in Section 4 of the report as the Council's formal response to the consultation exercise.	

## **1. Background**

- 1.1. The Government has stated its intention to reform the planning system in order to encourage the development of new housing. It intends to abolish Regional Spatial Strategies, and the housing targets contained therein, and replace these regional plans with a more localised policy framework. Further announcements on the detail of this are awaited.
- 1.2. As a specific encouragement to local planning authorities to allow appropriate housing development in their areas, the Government is proposing to introduce the "New Homes Bonus" (NHB). The Government has released a consultation paper on the operation of the NHB, which is available on [www.communities.gov.uk](http://www.communities.gov.uk) . The consultation period ends on 24th December, 2010.
- 1.3. The NHB will make an incentive payment to local authorities based on the amount of new housing that has been provided. A calculation of NHB will be made annually, based on the amount of new housing provided. The NHB for any given year will be payable each subsequent year for a total of six years.
- 1.4. Further detail on the principles of the scheme, the calculation of the NHB and the consultation questions are presented below.

## 2. Principles of the New Homes Bonus

- 2.1. The NHB aims to share with local authorities the economic benefits of growth. The Government's objectives are that the scheme will be:

*Powerful:* Approximately £1bn has been earmarked to fund the implementation of NHB over the life of the parliament;

*Simple:* Additional homes will be rewarded with six years of grant;

*Transparent:* Easy to calculate – the Government has published an online calculator as an indication of what local authorities can expect to receive:

*Predictable:* The scheme is intended to become a permanent feature of local government funding;

*Flexible:* Local authorities will have the freedom to spend the money on whatever they decide should be the priority. As with all services, it is expected that local authorities should work with their communities to determine these priorities. The payment will be made through Section 31 of the Local Government Act 2003 as an unringfenced grant.

- 2.2. The payment due through NHB will be calculated by measuring the change in the number of dwellings on council tax valuation lists. The grant for each property will be based on the national average band D council tax (currently £1,439 per year). The payment will be adjusted according to the valuation band of new properties. Further detail on the calculation is given in Section 3 of this report.
- 2.3. To encourage local authorities to provide adequate affordable housing, an enhancement for affordable units will be paid. It is proposed that this will be set at £350 per year. The definition for affordable housing will be the same as that in Appendix B of Planning Policy Statement 3 (PPS3). Local authority or registered social landlord run sites for Gypsies and Travellers will count as affordable units.
- 2.4. The Government also wishes to encourage local authorities to bring empty homes back into use. In a separate announcement, the Government has allocated £100m over the course of the parliament for this purpose. The NHB calculation will count long term empty homes brought back into use as eligible units for reward through NHB.
- 2.5. The Government recognises that for the incentive to be strongest, it must be targeted towards the tier of local government where the planning decision sits. It also recognises that in two-tier areas (other than London), additional costs must be borne by the county council in providing services and infrastructure demanded as a consequence of growth. To reconcile these competing demands, the Government proposes to split the payment of NHB 80% to the district council and 20% to the county council in two-tier areas outside London. Local authorities will of course be free to pool NHB if they wish, for example with Local Enterprise Partnerships or Regional Growth Funds.

### 3. Calculation of New Homes Bonus

- 3.1. The base position for the calculation of NHB is arrived at by using the Council Tax Base form, which is submitted in October each year. The base position is established as follows:

*Base position = Dwellings on valuation list – adjustment for recent demolitions and out of area dwellings – long term empty homes*

- 3.2. Each year, the base position for that year will be compared with the base position for the previous year. This will give an overall number of new homes **for each Council Tax band**. The additional dwellings within each band will be converted to Band D equivalents according to the following conversion:

	Ration to Band D
Band A	6/9
Band B	7/9
Band C	8/9
Band D	1
Band E	11/9
Band F	13/9
Band G	15/9
Band H	2

- 3.3. The total NHB grant will then be obtained by multiplying the number of Band D equivalent dwellings by the national average Band D council tax (see paragraph 2.2 of this report).
- 3.4. It should be noted that demolitions carried out in the Borough through the Housing Market Renewal programme will reduce housing supply in the early years of NHB, and probably mean that no NHB is payable to the Council. It should also be noted that the conversion of new dwellings to Band D equivalents will adversely affect low value areas such as Barrow.
- 3.5. The grant awarded in any given year will be payable for a total of six years. For example, grant awarded arising from growth between the Council Tax base forms submitted in 2010 and 2011 would be payable each year from 2012-13 to 2017-18. Eventually, in principle, NHB would be paid to a local authority for the grant arising for each of the six preceding years.
- 3.6. The enhancement for affordable homes will be calculated using official statistics on gross additional affordable housing supply.

### 4. Consultation Questions

Proposed responses are given to the specific questions contained in the consultation paper listed below:

1. Do you agree with our proposal to link the level of grant for each additional dwelling to the national average of the council tax band?

*No, not if the proposal to weight the payment for new homes according to their council tax band (as set out in paragraph 4.3 of the consultation paper) is retained. This weighting will adversely affect local authorities with predominantly low banded properties. It will be more difficult for Barrow to promote the development of higher band properties than it would be in an area where house prices are higher. We understand the desire of the Government to support development of good quality housing that supports the economic development of an area, rather than a "race to the bottom" to push up the numbers. However, the logic that higher band properties need more land is flawed. A property that in Barrow would fall into Band A would fall into a higher band even in neighbouring Cumbrian authorities, let alone in very high value parts of South East England.*

*The proposal to link grant to the national average of council tax protects local authorities in high value areas. The weighting scheme does the same. Either the payment should be linked to the Council Tax Band D in the local authority area to which the payment is being made, or the weighting should be removed.*

2. The Government proposes an affordable homes enhancement of £350 for each of the six years - what do you think the enhancement should be?

*Yes, we agree that a flat rate payment is simple and transparent. The figure of £350 is clearly somewhat random but seems of the right order of magnitude.*

3. Do you agree with the proposal to use PPS3 and also include pitches on Gypsy and Traveller sites owned and managed by local authorities or registered social landlords to define affordable homes?

*Yes, this seems reasonable and in line with other Government policy on affordable housing.*

4. Do you agree with the proposal to reward local authorities for bringing empty properties back into use through the New Homes Bonus? Are there any practical constraints?

*This is supported in principle. It should encourage local authorities to undertake proactive empty homes work. There may however be some practical anomalies. For example, a large portfolio landlord in our borough is currently in administration. These properties are currently exempt from Council Tax, and do not show as long term empties, even though many of them are empty. Assuming that the properties are ultimately sold on, they may then suddenly show as a batch of long term empties which would count against any NHB grant. This would reflect neither the performance of the local authority, nor any meaningful changes in the housing market.*

5. Outside London: Do you agree with the proposal to split the payment of the New Homes Bonus between tiers: 80 per cent to the lower tier and 20 per cent to the upper tier, as a starting point for local negotiation?  
If not, what would the appropriate split be, and why?

*This split would be supported. We recognize that the upper tier authority will incur costs for providing services as a result of growth. However, we also support the principle of localism, and retaining as much of the funding as is reasonable within the district where the growth occurs. We would not support a reduction of the 80% split to the lower tier authority.*

6. Do you agree with the proposal to use the data collected on the Council Tax Base form as at October to track net additions and empty homes?

*Yes. This will allow the data used to be of the best quality possible.*

7. Do you agree with the proposal for one annual allocation based on the previous year's Council Tax Base form, paid the following April?

*Yes. This is consistent with the scheme objectives of simplicity and transparency.*

8. Do you agree that allocations should be announced alongside the local government finance timetable?

*Yes. This seems sensible if NHB is to be part of local governments core funding.*

9. Do you agree with the proposal to reward local authorities for affordable homes using data reported through the official statistics on gross additional affordable supply?

*Yes. This would seem to be the best source of information.*

10. How significant are demolitions? Is there a proportionate method of collecting demolitions data at local authority level?

*We assume that this refers only to demolitions of affordable housing. These have been significant in some years in the past, but are unlikely to be so significant in the future. Due to the low overall numbers in the Borough, data collection is not likely to be problematic, and could be requested as an addendum to the Council Tax Base form if required.*

11. Do you think the proposed scheme will impact any groups with protected characteristics?

*No comment.*



12. Do you agree with the methodology used in the impact assessment?

*No comment.*

13. We would welcome your wider views on the proposed New Homes Bonus, particularly where there are issues that have not been addressed in the proposed model.

*There is a significant issue in the Borough that is likely to be replicated in other Housing Market Renewal Pathfinder areas. There are a substantial number of properties that are due to be demolished as part of the HMR programme, funded through Government. These will reduce, probably to below zero, the net increase in housing in the Borough for the next 18-24 months, and will mean that we may not benefit from NHB funding in the early years of the scheme, whatever planning policies are applied to promote the development of new housing. Although the HMR programme was a policy of the previous Government, it is neither practical nor desirable to try to reverse programmes currently underway. We would suggest that a transitional allowance be made to disregard specified demolitions in HMR areas. The disregard in any given local authority area could be arrived at through negotiation with CLG based on the specifics of the HMR programme in that area.*

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

An adverse outcome of the NHB would present a financial risk to the Council.

(iii) Financial Implications

The NHB proposals will have a direct effect on the Council's annual financial settlement.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

This supports:

KP 2: Meet the housing needs of the Borough and make decent housing more accessible

(vi) Equality and Diversity

An equality impact assessment has been carried out by the Government.

(vii) Health and Wellbeing Implications

Not Applicable.

Background Papers

New Homes Bonus Consultation Paper: Department for Communities and Local Government; November 2010

Planning Policy Statement 3 (Housing): Department for Communities and Local Government; June 2010

These are both available on [www.communities.gov.uk](http://www.communities.gov.uk)

		<b>Part One</b>
<b>EXECUTIVE COMMITTEE</b>		<b>(D) Agenda Item 11</b>
<b>Date of Meeting: 15th December, 2010</b>		
<b>Reporting Officer: Director of Corporate Services</b>		
<p><b>Title: Petition Scheme</b></p> <p><b>Summary and Conclusions:</b></p> <p>The Local Democracy, Economic Development and Construction Act 2009 includes requirements for Local Authorities in respect of petitions.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. To note the report of the Director of Corporate Services; and</li> <li>2. To approve the Petitions Scheme.</li> </ol>		

## **Report**

### **Background**

The Local Democracy, Economic Development and Construction Act 2009 requires every local authority to set up a scheme for handling petitions, and to provide an on-line petition facility, under which anyone may set up a petition on the authority's website thus giving other petitioners the opportunity to "sign up" to the petition on-line. The act prescribes that the online element must be in place by 15th December 2010.

The Act defines different categories of petitions, and allows the authority to define the number of signatures required for each category: -

- "Petitions for Debate" must be reported to and debated at full Council;
- "Petitions to hold an Officer to Account" trigger an open meeting of an Overview and Scrutiny Committee at which the named officer will report and be questioned on their actions
- "Exempted Petitions" – Petitions received in relation to issues where there are existing statutory consultation mechanisms (e.g. planning and licensing applications) and petitions which fail to gather sufficient support are outside the scope of the Scheme and will be rejected.
- "Ordinary Petitions", for which the authority can determine how these petitions will be handled.

The Petition Scheme would only apply to petitions which relate to matters that the Council has responsibility or which it is able to influence. Petitions related to

matters for which the Council has no responsibility may be redirected to an appropriate organisation.

Attached at **Appendix 1** is a draft of the Petitions Scheme.

(i) Legal Implications

The Local Democracy, Economic Development and Construction Act 2009 requires every local authority to have a petition scheme, including on-line facilities.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

£1999 per year to be met from within existing budgets.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP 3 - Provide easier access to our services

(vi) Equality and Diversity

The Petition Scheme will provide further opportunities for local people to be involved in influencing Council. The online element broadens accessibility of the scheme and provides scope for engagement with younger people, people with mobility issues or other disabilities, people in more remote parts of the Borough, and people with work or other commitments during normal office hours.

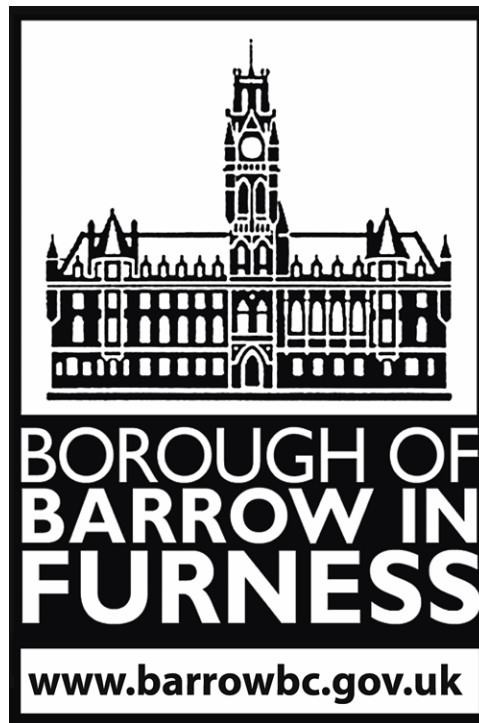
(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

# Barrow Borough Council Petition Scheme



**Draft: November 2010**

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## Background and scope

1. Barrow Borough Council Petition Scheme (The Scheme) has been developed in accordance with the Local Democracy, Economic Development and Construction Act 2009 and applies to most petitions submitted to the Council that have 50 or more signatures. Please note though that some petitions are not covered by the Scheme and these are described in paragraphs 8 and 9 below.
2. The scheme applies to both paper and E-petitions, and guidance for the submission of both forms of petition is included.
3. Any petition that contains less than 50 signatures, or does not meet the guidelines within the scheme, is treated as standard correspondence and receive a reply from the relevant Council officer.

## Guidelines for Submitting Petitions

4. The Council welcomes petitions and recognises that petitions are one way that people can tell us about their concerns or priorities.
5. Petitions may be created, signed and submitted either on paper or online through the Council's E-petitions facility.

Paper petitions can be sent to:

Democratic Services  
Barrow Borough Council  
Town Hall  
Duke Street  
Barrow-in-Furness  
LA14 2LD

6. Petitions submitted to the Council must include:
  - a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take; and
  - the name and address and signature of any person supporting the petition.
7. Petitions must be accompanied by contact details, including a postal address, for the petition organiser. The petition organiser can be anyone who lives, works or studies in the Borough of Barrow-in-Furness. This is the person the Council will contact to explain how we will respond to the petition.

## E-petitions

8. The Council welcomes e-petitions which are created and submitted through our website at [www.barrowbc.gov.uk/petitions](http://www.barrowbc.gov.uk/petitions).
9. As with paper petitions petition organiser must provide their name and contact details, including a postal address and email address. You will

- also need to decide how long you would like your petition to be open for signatures, up to a maximum of 6 months.
10. When you create an e-petition, it may take up to ten working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.
  11. If we feel we cannot publish your petition for some reason, we will contact you within ten working days to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within a further ten working days then a summary of the petition and the reason it has not been accepted will be published under the 'rejected petitions' section of the website.
  12. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

13. You can see all the e-petitions currently available for signature on our website at [www.barrowbc.gov.uk/petitions](http://www.barrowbc.gov.uk/petitions).
14. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

## Excluded Petitions

15. We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.
16. If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as Council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available on our website (Planning Meetings, Licensing Applications) or by contacting Democratic Services.



## How we will respond to petitions?

### Acknowledgement and Processing

17. An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website, except in cases where this would be inappropriate.
18. If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will explain the reasons for this.
19. If your petition is about something that a different Council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.
20. You can find more information on the services for which the Council is responsible on our website at [www.barrowbc.gov.uk](http://www.barrowbc.gov.uk) .
21. Where a petition is received on the same or similar topic as one the Council has received in the last six months it will not be treated as a new petition. The Council will acknowledge receipt of the petition within 10 working days and include details of its response to the previous petition on the topic.
22. Where the Council is still considering a petition on the same or similar topic, the new petition will be amalgamated with the first received petition.
23. We will write to the petition organiser at each stage of the petition's consideration.
24. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed.
25. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a debate at a meeting of Executive Committee or Council, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

## Responding to the Issue

26. Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- debating the petition at a meeting of elected members
- undertaking research into the issue
- holding a public meeting or undertaking other consultation
- holding a meeting with petitioners
- referring the issue for consideration by the Council's Overview and Scrutiny Committee<sup>1</sup>
- calling a referendum<sup>2</sup>
- making a written response to the petition setting out our response

27. Local Ward Councillors will be informed of all valid petitions received for their area and will be consulted on the appropriate response. (Valid petitions are those that contain 50 or more signatures and are not subject to the exclusions described in paragraphs 8 and 9.)

28. Where further consideration of the issue is required the way we consider a response will be dependent on the number of signatories to the petition. The table below summarises the Councils approach:

Number of signatories	Response
less than 50	Response from Officer (Petition treated as standard correspondence).
50 – 499	Response from the Chief Executive or appropriate Director. (Following consultation with the Local Ward Councillor(s) as described at paragraph 27)
500 – 999	Referred for consideration by Executive Committee <b>and/or</b> Officer(s) called to provide evidence at a meeting of the Overview and Scrutiny Committee (see section 7), <b>where such action is requested in the petition.</b>
At least 1,000	Debated at a meeting of the full Council (see page 5).

<sup>1</sup> The Overview and Scrutiny Committee is a committee of Councillors who are responsible for scrutinising the work of the Council – in other words, the overview and scrutiny committee has the power to hold the Council's decision makers to account.

<sup>2</sup> A referendum is where an issue of public policy is the subject of a direct election.

29. Where the petition is referred to the Executive Committee the petition organiser will be invited to make a written statement in support of the petition.

## **Exceptions**

30. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

## **Full Council Debates**

31. If a petition contains more than 1,000 signatures it will be referred to the Full Council for debate, unless it is a petition asking for a senior Council officer to give evidence at the Overview and Scrutiny Committee (See footnote on page 4).
32. Where the petition is referred to the Full Council the petition organiser will be invited to make a written statement in support of the petition or to present the petition at the meeting.
33. If the organiser wishes to present the petition at the meeting, confirmation must be given to the Democratic Services Manager at least 10 working days before the meeting.
34. If the petition organiser chooses to present the petition at the meeting then he or she will be given five minutes to do so, and the petition will then be discussed by Councillors.
35. The Council will try to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.
36. The Council will decide how to respond to the petition at this meeting. They may decide to support the action the petition requests, or not, or refer the matter to the Executive or Overview and Scrutiny Committee for further consideration. The petition organiser will receive written confirmation of this decision.

## **Petitions Asking Senior Officers to Provide Evidence**

37. Your petition may ask for a senior council officer to give evidence at a meeting of the Overview and Scrutiny Committee about something for which the officer is responsible as part of their job. For example, your petition may ask a senior officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

38. If your petition requests such action and contains at least 500 signatures, the relevant senior officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee.
39. Only Chief Officers and Deputy Chief Officers of the Council can be petitioned to give evidence. A full list of these Officers is provided on our website at [www.barrowbc.gov.uk/petitions](http://www.barrowbc.gov.uk/petitions) .
40. You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant Councillor to attend the meeting.
41. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chair of the Committee by contacting Democratic Services up to ten working days before the meeting.

## **What can I do if I feel my petition has not been dealt with properly?**

42. If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.
43. The Committee will try to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine we have not dealt with your petition adequately, it may investigate the matter, make recommendations to the Executive or arrange for the matter to be considered at a meeting of the Full Council.
44. Once the Committee has completed its review the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## **What other action can I take to engage with the Council?**

45. Apart from petitions, there are many ways in which you can contact the Council and tell us what you think about the local area and services. Visit [www.barrowbc.gov.uk/consultation](http://www.barrowbc.gov.uk/consultation) or send an email to [consultation@barrowbc.gov.uk](mailto:consultation@barrowbc.gov.uk) to find out more.
46. You can also contact your local Councillor with any questions or concerns. Details of your local Councillor and how to contact them can be found on our website at [www.barrowbc.gov.uk](http://www.barrowbc.gov.uk) .

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 12</b>
<b>Date of Meeting: 15th December, 2010</b>	
<b>Reporting Officer: Policy Review Officer</b>	
<b>Title: Car Parking Charges</b>	
<b>Summary and Conclusions:</b>	
The Joint Overview and Scrutiny Committee have undertaken a review of charges for Off-street car parking.	
<b>Recommendation:</b>	
<ol style="list-style-type: none"><li>1. To agree to support the proposed increase in charges to £1.10 for up to one hour, £2.10 for up to two hours, £3.00 for up to 3 hours, £3.80 for up to 4 hours and £6 for up to 10 hours;</li><li>2. To agree to increase contracted prices to £700 per year from 1<sup>st</sup> January, 2011; and</li><li>3. To agree not to adopt a policy of matching Ulverston charges from January 2012 but to monitor Ulverston increases on an annual basis and use data to inform further increases in charges.</li></ol>	

### **Report**

At the scrutiny meeting to review the charges for off street car parking the Council's Chief Executive Officer made the following recommendations.

- 1) Increased Pay & Display charges to current Ulverston tariffs from 1st January, 2011 and adopt a policy of matching Ulverston charges from 1st January, 2012.
- 2) Increased contracted prices to £700 a year from 1st January, 2011.

Members considered the information and agreed that prior to making a recommendation to the Executive Committee additional information should be sought. Members also agreed that a work group should be established to gather and consider all the necessary factors. The work group would include Councillors Bell, Callister, Dawes, English, Hammond, and M. A. Thomson.

Members requested the work group consider the following:

1. Price comparisons against CIPFA family group authorities and geographical neighbours.

2. Financial tracking of increases by the local authority and the impact on ticket sales and income.
3. The current running costs for car parks and what the income from car parks was currently spent on.
4. The views of town centre retailers and town centre residents on the likely impact of the proposed increases.
5. Explore the possibility of using five percent of the car park budget (25% of the increase proposed) for marketing town centres.
6. Explore the possibility of using five percent of the car park budget (25% of the increase proposed) for improving town centres.

### **Information provided**

1. The price comparison shows the car park charges in Barrow are in the mid range for the family group and are slightly lower than the average for our geographical nearest neighbours.

Half of these authorities have increased car parking charges since 2008. The other half including Barrow have kept their charges the same.

The five authorities where data is available are considering increasing car park charges to £1.20 per hour in 20011/12.

2. Historical data shows that immediately following an increase in car parking charges ticket sales have both increased and decreased but the change in the number of tickets sold is not significant and is within normal variation. The data indicates that increasing the parking charges results in an increase in income irrespective of the change in ticket sales.

3. In the current year the cost of administering off-street parking is anticipated to be £363,000 but will be off set by an income £930,000. The residual income will be used to support the General Fund Budget.

4. Members of the scrutiny committee met with representatives of town centre retailers and representative of town centre residents.

The general view was that car parking in Barrow should be cheaper than Ulverston but did not think it appropriate to compare Barrow and Ulverston.

They also thought that increasing the car parking charges would have a negative impact on retailing in the town centre because it would reduce the number of people shopping in the town centre. Although this is a widely held view there is no tangible evidence to support this view.

They thought that increasing the charges at the beginning of January may deter shoppers from attending the post Christmas sales and would prefer to delay the increase until later in January.

Town centre residents had a mixed view as to whether the increase would affect them because it is already difficult to park on-street near their homes.

5 & 6. Members agreed that improving and marketing the town centre was important but that it was out with the scope of this review and should be dealt with in separate review.

Having reviewed the information provided the committee agreed that although increasing the car parking charges may have negative impact on retailers and residents the Council has to make difficult decisions to protect public services. Members agreed to support the Chief Executive Officer's proposal to increase Pay and Display charges and contracted car parking charges. Members did not think it appropriate to match Ulverston charges from 2012 but the changes in car parking charges in Ulverston should be considered when Barrow's car parking charges are next reviewed.

Management Team have indicated that they welcome and support the recommendations of the Overview and Scrutiny Committee and that taking into account the comments of trader's representatives and for technical reasons any increase in pay and display charges can be deferred until 1<sup>st</sup> February 2011.

(i) Legal Implications

Public notice to be given of the increase in pay and display parking charges.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

It is anticipated that there will be an increase in income.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

There will be an impact on all people using car parks.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil.

<b>EXECUTIVE COMMITTEE</b>	<b>(D) Agenda Item 13</b>
<b>Date of Meeting: 15th December, 2010</b>	
<b>Reporting Officer: Director of Regeneration and Community Services</b>	
<b>Title: Disposal of Land on Former West shop Site, Bridge Road</b>	
<b>Summary and Conclusions:</b>	
A local business has expressed interest in buying Council owned employment land on Bridge Road which is currently being serviced. The report recommends marketing the site and making purchases subject to development agreements.	
<b>Recommendations:</b>	
1. To agree to market the freehold or leasehold of the remaining former West Shop site either as a whole or in plots; and	
2. To agree that as part of the disposal to require purchasers or lessees to obtain planning consent within four months of purchase and to undertake the development within 12 months of the grant of planning permission.	

**Report**

The Council acquired the site of the former West Shop, attached at **Appendix 2** in 2003. Since that time a portion of the site has been leased to BAE Systems for car parking and Members recently approved the tender for construction of an access road, including servicing ducts into the site from Bridge Road. This contract is programmed to last 14 weeks and commenced in early December.

A local business has expressed an interest in buying a plot of land on the site following completion of the access road, but in order to ensure best value is obtained, the site would need to be openly marketed.

As the site was acquired using North West Development Agency grant, clawback provisions would apply, although the Council's investment in the road would allow it to retain a portion of the capital receipt.

I see no advantage in selling any of the land unless there are imminent plans for its development and I would, therefore, recommend the attachment of an agreement to any sale requiring its development within a 12 month period of obtaining planning consent which would itself be time limited.



Light or general industrial uses would be appropriate for the site though general office development not linked to an industrial use would not be supported due to potential impact on the town centre.

The site would be marketed freehold or leasehold and subject to planning permission.

(i) Legal Implications

Land is currently owned freehold by the Council. Freehold or leasehold disposal through open marketing is proposed. Legal agreements to ensure plots are developed within an acceptable period will be required.

(ii) Risk Assessment

The site is contaminated from previous uses. Development will “cap” the site to prevent pollutant linkages.

(iii) Financial Implications

Disposal will generate a capital receipt to the Council, though clawback provisions from North West Development Agency will also apply.

(iv) Health and Safety Implications

Development will be required to be carried out in a form which would mitigate the risks set out in (ii) above.

(v) Key Priorities or Corporate Aims

KP4 Support economic regeneration.

(vi) Equality and Diversity

Not Applicable.

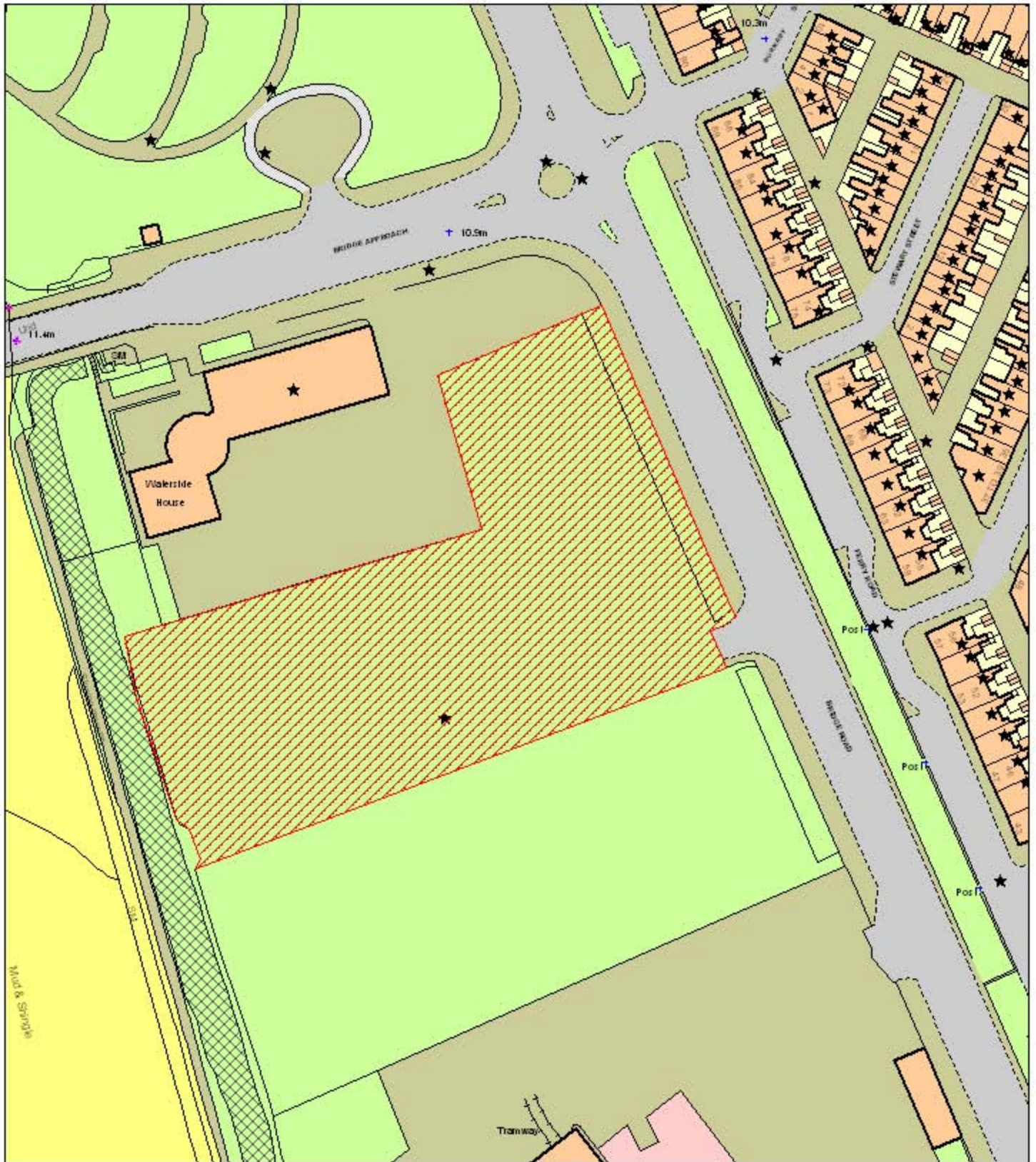
(vii) Health and Well-being Implications

Not applicable.

Background Papers

Nil

# Land at Bridge Road, Barrow in Furness



## ESTATES DEPARTMENT

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Scale : 1:1250

Grid : None



Produced on : 07/12/2010

