

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 19th September, 2012
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. **Declarations of Interest**

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. To confirm the Minutes of the meeting held on 18th July, 2012 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 7. Final Recommendations on the New Electoral Arrangements for Cumbria County Council.
- (D) 8. Health and Wellbeing Locality Forum.

- (D) 9. Cumbria County Council's Minerals and Waste Local Plan (Regulation 18 Consultation).
- (D) 10. National Cradle for Advanced Manufacturing.
- (R) 11. Council Tax Technical Reforms.
- (R) 12. Empty Property Policy.
- (R) 13. Clusters of Empty Homes Fund – Private Sector Housing Assistance Policy.
- (R) 14. Appointment of Independent Person.
- (D) 15. Christmas Holiday Arrangements.
- (D) 16. Revenue Outturn for 2011/2012.
- (D) 17. Treasury Management Annual Report 2011/2012.
- (D) 18. Council Finances 2012/2013 as at 31st August 2012.
- (D) 19. West Shore Park Coastal Defence Works

PART TWO

- (D)/(R) 20. Housing Grants Officer.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 1 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006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) 21. Insolvency Proceedings - Council Tax and NNDR.

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

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: 11th September, 2012.

EXECUTIVE COMMITTEE

Meeting: Wednesday 18th July, 2012
at 2.00 p.m.

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

28 – Minutes

The Minutes of the meeting held on 20th June, 2012 were agreed as a correct record.

29 – Disclosure of Interests

Councillor Garnett declared an Other Registrable Interest in Agenda Item 9 – Barrow Sports Council (Minute No. 33). He was the Chairman of Barrow Citizens Advice Bureau Trustees.

Councillor Guselli declared an Other Registrable Interest in Agenda Item 10 – Cumbria County Council Parking Agreement (Minute No. 34). He was a Member of Cumbria County Council. He also declared a Disclosable Pecuniary Interest in Agenda Item 11 – Barrow Borough Council Housing Statement (Minute No. 35). He left the meeting during consideration of the item.

Councillor Hamilton declared an Other Registrable Interest in Agenda Item 10 – Cumbria County Council Parking Agreement (Minute No. 34). He was a Member of Cumbria County Council.

30 – Apology for Absence

An apology for absence was received from Councillor Pidduck.

Councillor Hamilton substituted for Councillor Pidduck.

31 – Capital Programme

The Committee considered the outturn of the Capital Programme for 2011/2012 as follows:-

Capital Programme	2011/2012 budget as at 30/11/2011 reported 14/12/2011	2011/2012 Outturn as at 31/03/2012
Public Housing	£2,186,736	£2,112,142
Private Housing	£1,049,778	£770,685
Housing Market Renewal	£1,428,700	£1,274,681
Public Buildings	£359,637	£150,406
Other Public Assets	£3,100,425	£2,527,457
Other Initiatives	£389,905	£62,741
Total	£8,515,181	£6,898,112

The expenditure was financed by using the following capital resources:-

Funded by:		
Prudential Borrowing	£1,421,424	£1,307,500
Grants	£3,974,317	£2,523,724
Major Repairs Reserve	£2,113,736	£2,112,142
Revenue Contribution	£44,109	£0
Usable Capital Receipts	£961,595	£954,746
Total Funding	£8,515,181	£6,898,112

The Committee also considered major (over £10,000) alterations to the programme compared to programme reported on 14th December, 2011.

The Committee considered the proposed four year Capital Programme 2012/2013 to 2015/2016 which was summarised as follows:-

Capital Programme	2012/2013 Budget	2013/2014 Budget	2014/2015 Budget	2015/2016 Budget
As at 30/11/2011	£6,405,249	£4,832,014	£4,480,271	£4,279,709
As at 30/06/2012	£7,432,252	£6,004,614	£4,230,271	£4,279,709
Difference	£1,027,003	£1,172,600	(£250,000)	£0

	2011/2012 Budget	2012/2013 Budget	2013/2014 Budget	2014/2015 Budget
Total Programme	£7,432,252	£6,004,614	£4,230,271	£4,279,709
Funded by:				
Prudential Borrowing	1,779,300	3,020,450	1,500,000	1,500,000
Grants	1,818,747	399,000	399,000	399,000
Major Repairs Reserve	1,904,924	1,952,014	2,000,271	2,049,709
Revenue Contribution	44,109	0	0	0
Usable Capital Receipts	1,885,172	633,150	331,000	331,000

Major (over £10,000) alterations to the programme compared to programme reported on 14th December, 2012 were also reported.

RESOLVED:- (i) To note the Capital Programme outturn for 2011/2012; and

(ii) To approve the Capital Programme variations and re-profiling as set out in the report.

32 – Council Tax Reduction Scheme

The Borough Treasurer reminded the Committee that on 20th June, 2012 it had agreed in principle to adopt the Prescribed Default Scheme as the Councils' local scheme. The report set out the background to Council Tax Benefit; the changes to the Council Tax Reduction Scheme; the Prescribed Default Scheme; Options for the Council; risks and proposed consultation scheme.

RESOLVED:- (i) To note the timetable for implementing the local Council Tax Reduction Scheme;

(ii) To approve the Prescribed Default Scheme as the draft local scheme;

(iii) To approve the consultation proposed within the report; for the draft local scheme;

(iv) To note the risks associated with the switch from Council Tax Benefit to localised support;

(v) To agree to review the empty home discounts and premiums and second home discounts at the Executive Committee to be held on 19th September 2012,

(vi) To note that funding proposals would also be presented to this Committee on 19th September 2012, to cover any remaining shortfall; and

(vii) To instruct the Executive Director to write to the Local Government Association asking for the scheme to be reviewed.

33 – Barrow Sports Council

The Borough Treasurer reminded the Committee that the Grants to External Bodies Sub-Committee had met on 5th March, 2012 and had agreed the distribution profile of the £400,000 earmarked from the Restructuring Reserve to transition the removal of support to external bodies.

The starting point for the distribution was the removal of all of the discretionary support apart from reduced funding for the Citizen's Advice Bureau and Barrow

Disability Association. The Sub-Committee then considered the distribution options set out in the report and recommended that the £400,000 be distributed over four years, the headline items being:

Citizen's Advice Bureau and Barrow Disability Association: 100% of previous grant for 2012-2013, reducing over the next three years to, 80%, 60% and 50%.

Arts Organisations: set grant for 2012-2013, reducing by a third in 2013-2014 and 2014-2015, and nil thereafter.

Rate relief for registered charities and community amateur sports clubs: these organisations had received 20% of the NNDR bill as discretionary relief, that had been agreed to continue for 2012-2013, reduced to 10% in 2013-2014, 5% in 2014-2015 and nil thereafter.

Rate relief for non-profit making organisations: 100% discretionary relief ending in but including 2014-2015, nil thereafter.

Previously the Council's budget had included a grant to Barrow Sports Council which had been removed as was all discretionary support. However, it was proposed that the grant be reinstated in line with the other transitioned support and be paid for three years, 2012-2013 to 2014-2015, starting at the previous grant level of £3,000, then £2,000 and finally £1,000 for those years. For the three years that totalled £6,000. Members noted that the Transition Grant Fund was now fully distributed.

RESOLVED:-To agree that a grant be paid to Barrow Sports Council for three years, 2012-13 to 2014-15 starting at the previous grant level of £3,000, then £2,000 and £1,000 for those years.

34 – Cumbria County Council Parking Agreement

The Executive Director informed the Committee that an acceptable Parking Agreement covering administration and enforcement of on-street parking had been received from Cumbria County Council. The key clauses in the Agreement were:-

- a) The Agreement operated for a period of 12 months commencing 1st August 2012 and continued thereafter on a rolling basis with either side having to give six months notice of termination.
- b) The Council would be required to maintain an on-street parking account.
- c) Cumbria County Council would finance any deficit on the on-street account by a maximum of £60,000 pa.
- d) Payments would be made to the Council quarterly.

He considered the Agreement was acceptable, protecting the Council from operating the on-street parking account in deficit and it maintained administration and enforcement of on and off street parking within the Council.

RESOLVED:- To agree the Cumbria County Council Parking Agreement.

35 – Barrow Borough Council Housing Statement

The Executive Director reminded the Committee that at its meeting on 14th December, 2011 the Council had agreed to participate in the County Housing Strategy 2011-15 along with other districts and partners in the County. In agreeing to participate, it had also been agreed that Officers would draft a Housing Statement which reflected the Council's housing objectives.

The Committee considered a copy of the Council's Housing Statement.

The purpose of the document was to provide a summary of the Council's housing priorities and objectives. In drafting the document it had summarised a number of key Council objectives that had previously been agreed over a period of time and summarised them in one document. In doing so, it would serve as a point of reference for Members, other stakeholders and to promote the needs of the Borough where appropriate, including pursuing possible funding opportunities as they arise.

The document had also been considered by the Council's Planning and Policy Working Group and had also been raised for information at the regular Housing Strategy Consultation event held in June with local stakeholders.

The Executive Director verbally updated the report regarding investment in the Housing Stock and Supported Housing Needs.

RESOLVED:- To endorse the Council's Housing Statement.

The meeting ended at 3.05 p.m.

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 7
Date of Meeting:	19th September, 2012	
Reporting Officer:	Executive Director	
<p>Title: Final Recommendations on the New Electoral Arrangements for Cumbria County Council</p> <p>Summary and Conclusions:</p> <p>The Boundary Commission for England have conducted an electoral review of Cumbria County Council to deliver improved levels of electoral equality for local voters.</p> <p>Recommendations:</p> <p>To note the report.</p>		

Report

Background

The Boundary Commission for England has conducted an electoral review of Cumbria County Council to deliver improved levels of electoral equality for local voters. Barrow-in-Furness currently comprises 12 single-member divisions, seven of which would have variances of more than 10% from the county average by 2016. Under a council size of 84 the borough has been allocated 11 members, one fewer than at present.

In the absence of borough-wide proposals they had developed their own division arrangements for the draft recommendations. Under the draft recommendations only one division (Walney South with 11% fewer electors per councillor than the county average by 2016) would have variance of over 10%.

At Stage Three, one submission had been received for Barrow alongside comments in the county-wide submissions of the Cumbria Conservatives and Cumbria Liberal Democrats.

The Cumbria Conservatives put forward a significant amendment to the proposed Abbotsmead, Hawcoat, Newbarns and Beacon Hill and Ormsgill divisions. They objected to the fact that the draft recommendations did not use Abbey Road as a boundary between Hawcoat and Newbarns and Beacon Hill divisions. They proposed a number of amendments to ensure that this road could be used as a division boundary. However, the Commission considered that, with the exception of the Abbey Road boundary, there was insufficient evidence

provided to justify the proposals for the wider area. In particular, they concluded that they would not provide strong and clearly identifiable division boundaries and would be unlikely to reflect community identities in this area. Overall, while there was some limited justification for using Abbey Road as a division boundary, they did not consider there to be sufficient justification for the consequential amendments that would be required.

The Barrow and Furness Labour Party queried whether the draft recommendations could accommodate the development of the North Lonsdale Hospital site, putting forward an amendment that it argued would improve electoral equality.

The Commission have examined the planning data for the Barrow Borough Council area and note that this site is earmarked for development. However, they noted that the Barrow and Furness Labour Party's proposed boundary moves away from the strong boundary provided by the railway line. While the Commission note that there is road access under the railway, they considered that using the railway for its entire length through this area will provide for a stronger division boundary while still providing for good electoral equality in five years' time. They therefore do not propose adopting this amendment as part of their final recommendations.

They do, however, propose adopting the Barrow and Furness Labour Party's proposed division name changes. As a result, they proposed renaming: Abbotsmead division as Risedale division; Barrow Island and Salthouse division as Old Barrow division; and Newbarns and Beacon Hill division as Newbarns and Parkside division.

Under their final recommendations only one division (Walney South) would have an electoral variance of greater than 10% in 2016.

(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.

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

Correspondence held by the Executive Director

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 8
Date of Meeting:	19th September, 2012	
Reporting Officer:	Executive Director	
<p>Title: Health and Wellbeing Locality Forum</p> <p>Summary and Conclusions:</p> <p>Council on 17th July delegated this Committee to appoint three Members to the Health and Wellbeing Locality Forum.</p> <p>Recommendations:</p> <p>To agree to appoint three Members to the Health and Wellbeing Locality Forum (2 Labour: 1 Conservative) in accordance with proportionality rules.</p>		

Report

At its meeting on 17th July Council considered a motion in the following terms:-

“This Council welcomes the setting up of a Health and Wellbeing Locality Forum for the area, acknowledges the contribution that the Council can make to health and wellbeing, through its responsibilities for Housing, Environmental Health, Planning and Leisure and looks forward to working in partnership to improve the health and wellbeing of the people of Barrow.

Council delegates the appointment of Members to the Health and Wellbeing Locality forum to the Executive Committee”.

The Borough Council has three places on the Board; two Labour and one Conservative, nominations are therefore required. One Senior Officer will also attend.

(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 will contribute to Key Priority 4

(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

EXECUTIVE COMMITTEE	(D) Agenda Item 9
Date of Meeting: 19th September, 2012	
Reporting Officer: Executive Director	
Title: Cumbria County Council's Minerals and Waste Local Plan (Regulation 18 Consultation)	
Summary and Conclusions:	
<p>The County Council have carried out an initial consultation on a Mineral and Waste Local Plan, which is intended to replace the adopted Local Development Framework documents including the unadopted Site Allocations document, which has now been withdrawn from Public Examination.</p>	
<p>The short consultation period meant that a report to you could not be prepared before the deadline for comments. Officer's comments were therefore submitted on your behalf. Officers requested that all previous comments from the Borough Council relating to the LDF should be taken into account. Previously made points were reiterated and the importance of a coherent and effective strategy underpinned by suitable evidence was stressed.</p>	
Recommendations:	
<p>That Officer's comments are agreed and noted.</p>	

Report

The Planning and Compulsory Purchase Act, 2004, introduced the requirement for Authorities to produce a Local Development Framework (a portfolio of local planning policy documents that set out the Authorities spatial planning policies). In line with this requirement, Cumbria County Council have produced a Mineral and Waste Core Strategy document, setting out their strategic planning policies for the delivery of mineral and waste facilities throughout the county. The County Council have also produced a Mineral and Waste Generic Development Control Policies document and were in the process of producing a Mineral and Waste Site Allocation document. However, the introduction of the Localism Act and the National Planning Policy Framework (NPPF), in April 2012, brought about significant changes to the national system for producing planning policy documents.

Local Authorities are now required to produce a Local Plan rather than a Local Development Framework and this must be in conformity with the NPPF if it is to have full weight after 27th March 2013.

Even though the Minerals and Waste Site Allocation documents was well progressed, Cumbria County Council decided to withdraw the document from the examination process and abandon any further work on the document in favour of producing a Minerals and Waste Local Plan.

An initial six week consultation period inviting the Borough Council's representation on what the Mineral and Waste Local Plan should contain was received 28th June 2012. The deadline for responses was 8th August 2012. As it was not possible to prepare a report to you before this deadline, Officer's comments were returned. The basis of those comments are set out below and a copy of the letter is included as **Appendix 1**.

Previous Comments

The County Council's consultation letter stated that the Mineral and Waste Local Plan will be based on the Mineral and Waste Development Framework documents. Given this, it was requested that all previous comments made by the Borough Council, relating to the Mineral and Waste Development Framework, be taken into account in the development of the Mineral and Waste Local Plan. These comments form **Appendix 2**.

A Coherent and Effective Strategy

The County's decision to develop a single Local Plan document presents the opportunity for the County Council to develop a coherent and effective strategy for the delivery of Mineral and Waste facilities across the County, something that was difficult to achieve as part of the Local Development Framework system. It proved to be difficult because, although LDF documents were meant to work together, they were produced separately, usually with considerable periods of time between the production of documents. This often resulted in a disjointed rather than joined up strategy.

A coherent and effective strategy should provide a clear indication of the number and location of Mineral and Waste facilities required and this should be based on up to date evidence.

The adopted Mineral and Waste Core Strategy allows for the identification of more than the minimum number of sites, in order to provide flexibility. Providing that this is underpinned by accurate and up to date evidence of Mineral and Waste requirements for the County, this approach would provide the clarity of clearly identified sites whilst still providing the flexibility needed to plan within, what the County Council have described in the past as, the rapidly changing context of planning for waste management.

Although there will always be occasional 'windfall' sites that can be justified and approved, effective application of this approach will require the County Council to resist windfall proposals and the forthcoming Local Plan should make this clear.

Site Allocations

The Council has previously expressed concern at the inclusion of a blanket presumption of approval of waste management facilities on planned or existing industrial estates. Sites should only be allocated for development following a thorough assessment of, not only the Mineral and Waste requirements for the county, but also the suitability and deliverability of each individual site. The blanket presumption of approval and/or the allocation of sites that can not be shown to be suitable and deliverable is not appropriate and such a policy approach should not be adopted in the Mineral and Waste Local Plan.

In line with the NPPF, a sustainable approach to the allocation of Mineral and Waste sites is supported. Centralised locations for facilities that serve the whole county would help to address the issue of waste miles and a proliferation of numerous small similar facilities, in close proximity to each other, should be avoided, where possible.

Consultation Timetable

Although the Regulation 18 consultation does not include the proposed timetable for preparation of the Mineral and Waste Local Plan, the consultation presented the opportunity to comment upon the draft timetable for preparation, which was published on the County Council's website 21st June 2012. The draft timetable indicates that there will be no opportunity to comment on a draft version of the Mineral and Waste Local Plan as the next stage of consultation will relate to the Published version of the Plan (this is the publication of the Plan that the County Council intend to Submit to the Planning Inspectorate). Officers have therefore suggested inclusion of a second round of consultation under Regulation 18, in order to reduce the potential need for re publication.

(i) Legal Implications

The recommendation has no minor or significant implications.

(ii) Risk Assessment

The recommendation has no minor or significant implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no minor or significant implications.

(v) Key Priorities or Corporate Aims

Key aims:

3 – Creating an enhanced quality of life for local residents.

(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



Mr R Evans
Team Leader Mineral and Waste Policy
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**BARROW BOROUGH COUNCIL
REGENERATION &
BUILT ENVIRONMENT DIRECTORATE**

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Our Ref: LPP3/5
Your Ref: RGE/p.334/28

Contact Name: Tiffany Battersby
Direct Line: 01229 876349

Date: 20.07.12

Dear Richard,

**The Town and Country Planning (Local Planning) (England) Regulations 2012
Regulation 18
Consultation about the content of the Cumbria and Minerals and Waste Local Plan**

Thank you for your recent consultation on the above and the opportunity to comment on the forthcoming Mineral and Waste Local Plan.

Please note that these comments are Officer comments only. The comments form the basis of a report for consideration by the borough Council's Executive Committee, which meets on 19 September 2012, seeking Member's endorsement.

Your consultation letter states that the Mineral and Waste Local Plan will be based on the Mineral and Waste Development Framework documents. Given this, the Borough Council would like all our previous comments relating to the Mineral and Waste Development Framework to be taken into account in the development of the Mineral and Waste Local Plan.

The Borough Council welcome the County's decision to develop a single Local Plan document, which presents the opportunity for the County Council to develop a coherent and effective strategy for the delivery of Mineral and Waste facilities across the County, something that was difficult to achieve as part of the Local Development Framework system.

A coherent and effective strategy should provide a clear indication of the number and location of Mineral and Waste facilities that are required and this should be based upon up to date evidence.

The adopted Mineral and Waste Core Strategy allows for the identification of more than the minimum number of sites, in order to provide flexibility. Providing that this is underpinned by accurate and up to date evidence of Mineral and Waste requirements for the County, this approach would provide the clarity of clearly identified sites whilst still providing the flexibility needed to plan within, what the County Council have described in the past as, the rapidly changing context of planning for waste management.

Although it is acknowledged that there will always be occasional 'windfall' sites that can be justified and approved, effective application of this approach will require the County Council to resist windfall proposals and the forthcoming Local Plan should make this clear.

Policy DC4 of the adopted Mineral and Waste Generic Development Control Policies indicates that the waste management facilities listed in policy DC9 of the same document, which includes scrapyards and vehicle dismantlers, will be permitted on existing or planned industrial estates (subject to other environmental criteria). Barrow Borough Council has previously expressed concern at this policy approach and would not wish to see this, or any other, blanket presumption of approval within the forthcoming Local Plan. Sites should only be allocated for development following a thorough assessment of, not only the Mineral and Waste requirements for the county, but also the suitability and deliverability of each individual site.

In line with the NPPF, a sustainable approach to the allocation of Mineral and Waste sites is supported. Centralised locations for facilities that serve the whole county would help to address the issue of waste miles and a proliferation of numerous small similar facilities, within close proximity to each other, should be avoided, where possible.

The Cumbria County Council website indicates a draft timetable (dated 21 June 2012) for the preparation of the Cumbria Minerals and Waste Local Plan. The draft timetable suggests that the next opportunity that the Borough Council will have to comment on the proposed Local Plan will be at Publication (Regulation 19) stage, anticipated to be in December this year, following approval of the draft Local Plan documents at Cabinet.

The Borough Council have made the above comments based on the content of the Mineral and Waste Development Framework documents. The County Council have not scheduled into their draft timetable for preparation of the Mineral and Waste Local Plan a stage of consultation that would allow the Borough Council, and others, to comment upon a draft Mineral and Waste Local Plan prior to its Publication in December.

Although your consultation letter of the 26 June 2012 does not ask for comments on the draft timetable, the Borough Council would like to suggest that a second round of Regulation 18 consultation is added, which should be based on a draft Local Plan document. This is likely to reduce the need for re publication should any thing other than minor changes be necessary as a result of the Regulation 19 consultation.

Yours sincerely

Phil Huck
Executive Director

APPENDIX 2



Richard Evans
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Barrow Borough Council Local Development Framework Section

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Our Ref: ELM/LPP3/3/1
Your Ref:

Contact Name: Elizabeth Murphy Date: 5 December 2011
Direct Line: (01229) 876360

Dear Richard

Re: Cumbria Minerals and Waste Development Framework. Repeated Regulation 27 Publication of Site Allocations Policies DPD and Proposals Map

I refer to your letter dated 21 October 2011 regarding the above. Please find below Officer comments on behalf of Barrow Borough Council.

General

We note that following the quashing of the Adopted Plan, the County Council have opted to repeat the Regulation 27 Publication stage, and that the Regulation 25 stage is not to be repeated. The Council have no objection to this in principle and consider this to be a sensible way forward.

Although the Council's legal challenge was made solely on the matter of the inclusion of Site M12, the Council was never invited to comment on the content of the previously submitted DPD or the subsequently modified adopted document as it should have been in view of the fact that these documents were markedly different from the previously published Regulation 27 DPD on which the Council's comments had been invited.

Paragraph 1.7 of the current Publication document indicates that the published document may be altered. Any alterations, other than minor post-publication changes (editing) which are proposed to improve the legibility of the Plan or ensure it is up to date, should be republished to allow further representations in accordance with the legislation and established procedures.

It is not clear whether the County Council will be relying solely on the three rounds of Regulation 25 consultation carried out in 2009 or using the previous Publication and Examination stages as additional informal Regulation 25 consultation? There

does not appear to have been published the statement described under Regulation 24 and required to be published at the Regulation 27 stage which would have explained this?

Coherence of the overall strategy

The Borough Council is concerned about the overall coherence and effectiveness of the proposed strategy as a whole, and the Site Allocations Policies DPD in particular, and whether or not it effectively identifies the sites required for minerals and waste purposes in the County and the Borough. This has implications for this Borough's LDF. This Council will be identifying and consulting on the locational criteria and quantities of land required for development in its Core Strategy and then identifying sites e.g. for housing and employment, without sufficient certainty as to whether the County Council will be granting planning permission for minerals and waste uses on or near these sites.

Whilst it is acknowledged that there will always be occasional 'windfall' sites that come forward and are approved, the strategy, particularly in respect of energy from waste plants, but also other waste facilities, is not considered to provide the clarity that development plans are meant to provide.

In particular, the Council objects to the text at paragraph 2.3 which effectively seeks to reinterpret Policy 9 of the Core Strategy (which included the estimates of the number of facilities of each type that will be needed for minerals and waste purposes in Cumbria), to state that it is not intended to be used restrictively and that proposals may be able to demonstrate a need for additional facilities. It is not considered appropriate to use the Site Allocations Policies DPD to change the strategic application of the Core Strategy policies – this should be done, if sought, through a review of the Core Strategy. The Site Allocations Policies DPD already identifies more sites than are needed (in line with the Core Strategy policy).

The Council's concerns are illustrated by the discussions which took place when the Plan was previously Examined, in respect of a site at Sandscale Park near Barrow, which was put forward as an energy from waste site by a third party in their previous Regulation 28 representations and at the Hearing (paragraph 57-59 of the Inspector's report). The Inspector decided not to include the site within the DPD stating in paragraph 59 that: "On balance, I agree with the (County) Council that it is not appropriate to recommend the inclusion of this site in the DPD in order for it to be consistent with the CS and thus sound. In reaching this conclusion, I have attached considerable weight to the explanation given by the Council about the way the CS and GDCP policies will be applied and the likelihood that this acknowledged gap in provision can be filled by a planning proposal which accords with the policies of the development plan as a whole."

No 'gap in provision' was apparent then or now. The Core Strategy sought to identify two sites for Energy from Waste incinerators and paragraph 7.26 explained that, at the time it was written, flexibility was needed to accommodate both bids for the municipal waste management contract. However, this was subsequently signed and did not require Energy from Waste plants.

The Site Allocation Policies DPD as previously considered by the Inspector, and the current Publication document, acknowledges this and explains that planning permission for 3 Energy from Waste plants has been granted, one in Barrow, one in Kendal and one in Silloth. It goes on to say that "It is considered that two more

sites are likely to be needed." Four 'First Preference' sites are then proposed, none of which are in Barrow. The strategy and justification here is not understood.

Identified Sites:

The current Publication document identifies 4 sites in Barrow: Goldmire Quarry as additional non-inert landfill capacity; High Greenscoe Quarry as an 'Area of Search' for Minerals; Roose Sand Quarry as a 'Preferred Area' for minerals; and Roosecote sand and gravel quarry extension as an 'Area of Search' for minerals.

Goldmire Quarry (BA10)

Barrow Borough Council objects to the inclusion of this site and reiterates its comments made at previous stages of the DPD production on 6 July 2009, 14 October 2009 and at the previous Publication Stage on 26 January 2010. In the absence of technical and feasibility studies, it is considered premature to allocate the site for non-inert landfill. Without such studies, the suitability of the site, its capacity and its deliverability cannot be adequately demonstrated.

The apparent justification for the allocation in terms of alignment with the Core Strategy and evidence of need as set out in the supporting text in paragraph 3.10 appears illogical. Robust and up-to-date data is essential for the justification of proposed sites and clear evidence should be made available to support such proposals.

It is clear from the Inspectors Report of the 1 December 2010, that the Inspector and the County Council shared the Borough Council's concerns about deliverability (para 66), and I am not aware of any evidence that has become available since the Inspector's Report, to demonstrate deliverability.

High Greenscoe Quarry (M5)

No objections.

Roose Sand Quarry (M27)

No objections.

Roosecote Sand and Gravel Quarry Extension (M12)

Barrow Borough Council objects to the inclusion of this site and reiterates its comments first made on the 6 July 2009 that the site is a completely stand alone area of land separated from the existing Roosecote Quarry by Rampside Road. It is noted that the area of the site is reduced from that identified in 2009 and included in the adopted DPD. The area is a prominent area of greenfield land located in an area of valuable open countryside, the development of which for sand and gravel extraction has not been demonstrated to be justified in accordance with policies CSP4, DCP3, DCP6 and DCP12.

Sustainably Appraisal & Appropriate Assessment

The Sustainably Appraisal (SA) for site M12 identifies no adverse environmental/sustainability impacts under its assessment against criteria EN2 and NR4. The Council does not agree with these conclusions and would therefore

question the methodology used in the SA. The Commentary/Explanatory/Issues text at the bottom page 88 is cut off. The SA also states that 'This site is within a Minerals Safeguarding Area'. This is incorrect - are not the MSAs are to be identified by the Site Allocations Policies DPD?

We note that Site M12 is not included in the Habitats Regulations Assessment, which states in paragraph 1.8 "The Assessment does not include land that the Council is proposing should be indentified as Areas of Search for extending quarries or as Minerals Safeguarding Areas."

Conclusion

In conclusion and for the above reasons, Barrow Borough Council objects to the Published Cumbria and Minerals and Waste Development Framework Site Allocations Policies DPD and Proposals Map and considers it unsound. The Council would further urge the County Council to satisfy itself that its processes will ultimately lead to a legally compliant Plan.

Yours sincerely

Phil Huck
Director of Regeneration & Community Services

		Part One
EXECUTIVE COMMITTEE		(D)
Date of Meeting:	19th September, 2012	Agenda Item 10
Reporting Officer:	Executive Director	
<p>Title: National Cradle for Advanced Manufacturing</p> <p>Summary and Conclusions:</p> <p>Partners from Furness have prepared a strategy to guide economic development in the area</p> <p>Recommendations:</p> <p>To adopt the strategy. .</p>		

Report

A broad range of economic development partners from Furness have recently published a strategy document to guide future economic development in the area. The strategy is attached at **Appendix 3**.

The strategy is intended to take advantage of the anticipated levels of investment in the following industrial sectors:

- Submarine construction
- Energy production (including offshore wind, gas production and storage)
- Civil Nuclear in West Cumbria
- Biopharmaceuticals

It seeks to maximise the benefits of these investments for the Furness area.

The strategy has been prepared for consideration by Cumbria Local Enterprise Partnership. South Lakeland District Council and Cumbria County Council were involved in preparing this strategy.

(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.

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



A national cradle for advanced manufacturing

Towards a new economic vision for

July 2012

A national cradle for advanced manufacturing

Towards a new economic vision for Furness

July 2012

A strategy document agreed by:

John Woodcock
MP for Barrow and Furness



Rob Cairns
Chairman
Barrow Regeneration
Barrow Community Trust
Barrow Credit Union



Jackie Arnold
Head of Financial Governance
and Strategy
BAE Systems Submarine
Solutions



Jonathan Lee
Publisher and Editor
North-West Evening Mail



Jackie Miller
Marketing and
Communications
Manager
Gen II Engineering
and Technology
Training Ltd

Greig Rooney
Site Director
GlaxoSmithKline, Ulverston



Mike Astell
Regional Director, EIS
Centrica Energy



John Fallows
Honorary Secretary
Confederation of Shipbuilding and
Engineering Unions 31 Branch



Ian Stephens
Managing Director
Cumbria Tourism



Anne Atwood
Principal
Furness College



Harry Knowles
Chief Executive
Furness Enterprise Partnership



Nick Ridehalgh
Port Director
ABP Short Sea



Phil Collier
Managing Director
Turnstone HR Consultancy



Dave Pidduck
Leader
Barrow Borough Council



Archie Workman
Ulverston Business Alliance



Robert Johnston MBE, FCIM
Chief Executive
Cumbria Chamber of Commerce

Andrew Murphy
Commercial Director
LECK Construction



Phil Lister
Leader
Ulverston Town Council



Tim Bell
Chairman
Boosting Barrow & Furness
Group



Gary Lovatt
Regional Chairman
Federation of Small Businesses
Lancashire and Cumbria Region

Introduction

There is so much potential in the Furness region. Over the coming years, businesses and working people here have the opportunity to become the economic engine powering the Cumbrian economy.

The economic downturn is taking its toll in Furness, as it is across the UK, but key changes secured in recent years give the area an opportunity to buck the national trend, delivering thousands more high skilled jobs and becoming a national cradle for advanced manufacturing.

Where once industrial decline was accepted as inevitable and written into economic plans for the area, changes over the last decade have turned high skilled engineering and manufacturing into a potential growth area in south and west Cumbria.

The Furness economy has been significantly boosted by improvements in a number of sectors, including: the commitment to the submarine programme over the last decade; investment in UK energy production including increased incentives for offshore wind and offshore gas extraction and the decision to give the green light to new civil nuclear; growth in the low carbon lighting cluster around Ulverston; and the GSK biopharmaceutical investment triggered by new tax incentives introduced in recent years.

Few areas of Britain have this growth potential from advanced manufacturing. But we must identify and overcome a number of barriers and challenges if the area is to deliver these key developments successfully, particularly given overlapping timeframes and competing claims for scarce resources such as skilled labour.

Further, we need to plan now so the opportunities on the horizon are not the high point for the area, but are instead the foundation for a renewed prosperity and growth that can drive the wider Cumbrian economy in future decades. The expansion of advanced manufacturing can complement and run alongside an expansion of tourism in Furness, while a growth in well remunerated jobs will generate increased demand for leisure opportunities and opportunities for retailers. If we ensure key infrastructure requirements are met and the right business support is offered, the remarkable quality of life in this coastal area on the edge of the Lake District can nurture and attract a new generation of entrepreneurs keen to set up away from more expensive big cities.

In all this, a joined up approach from the public and private sectors is essential to deliver a successful economic strategy for Furness.

The Furness economy now, and future investment already on the horizon

The Furness area is still coming to terms with changed economic circumstances and the reduced landscape of public sector support for private enterprise, including the replacement of the North West Development Agency with sub-regional local enterprise partnerships and uncertainty over the future of Furness Enterprise and Barrow Regeneration.

But changes over the last decade means there is substantial employment growth and investment in train for the area.

A timeframe prepared by Furness Enterprise, on the following page, gives an indication of the number of areas in which investment in Furness is planned over the next decade. The current BAE investments in the Astute submarine programme, being followed by the successor submarine programme is crucial to growth, but it sits alongside expansion in a range of other areas, including biopharmaceuticals, the energy sector and some public sector capital investment.

Delivering the jobs already in the pipeline – overcoming challenges we face

Securing greater certainty in key investment

A number of the key investments that will help to secure the economic future of the Furness area remain the subject of political or financial uncertainty, affecting the prospects for wider investment in the region and the ability to attract and retain the necessary skill base.

The nature of the high technology economy in the Furness area means that gaps in investment can have devastating effects for communities, businesses and individuals and can decimate the skilled workforce. This is not merely a theoretical threat: the Astute submarine programme is still grappling with the exodus of skills from Barrow shipyard resulting from a gap in the order book for submarines in the 1990s.

The maintenance of the order book in the shipyard is therefore vital. In the short term this has been secured through the confirmation in the government's strategic defence and security review of the order for seven Astute-class submarines. However, these boats represent a finite workload which will need to be followed seamlessly by the commencement of work on the successor nuclear deterrent if Barrow shipyard is to grow in the way projected. Political uncertainty over the decision to press ahead with the successor deterrent has been prolonged by postponing the parliamentary vote on main gate until 2016. The government's review of alternatives to the submarine-based ballistic missile system is set to report to the prime minister by the end of the year.

Further, there is a need for greater certainty over the future of civil nuclear power, including over the new build proposals in Cumbria. There currently exists a broad consensus on civil nuclear within the UK, which does not exist in many other countries and needs to be maintained. Greater certainty over timescales and funding arrangements for new nuclear from ministers should be part of that.

Actions:

- *Organisations from across the Furness area and the county-wide local enterprise partnership need to speak with a single voice on the importance of certainty over future investment for the area;*
- *An agreed joint advocacy strategy co-ordinated by KOFAC should be agreed for the period leading up to the successor deterrent main gate decision in 2016.*

Housing

For Furness to be able to meet the demands that new investment will place on it, the area's housing stock needs significant improvement and expansion. This includes investment to ensure affordable quality homes that will encourage a high-skilled workforce to move to and remain in the area. All sectors - social, private rental and privately owned – need the flexibility and capacity to cope with changing demands.

Census data for 2011 published this month revealed that Barrow-in-Furness had the largest decline in population in England and Wales during the ten years between 2001 and 2011. The decrease of 4 per cent to 69,100 is especially noticeable in the 0-14 and 30-44 age groups. The population of Barrow-in-Furness is projected to increase by 1,800 to 72,800 in 2035 (+2.5 per cent); this is the smallest projected proportional increase of any district within Cumbria, though this does not take

into account those areas of Furness that fall under South Lakeland District Council or the population in the wider travel-to-work area.

Such statistics can subdue speculative housing or other developments but employment forecasts provide a far more positive picture which is not factored into official projections. Here, Furness is anticipated to outperform the rest of Cumbria.

Employment in Barrow was stable between 2008 and 2010 compared to falls of 3.4 per cent nationally and 2.4 per cent for Cumbria as a whole. The Experian economic forecasting model for Cumbria estimates that this stability will continue in the immediate future with employment growth of 3.3 per cent anticipated in Barrow between 2012 and 2015 compared to 1.5 per cent for Cumbria and 2.4 per cent nationally. In the medium to longer term, Barrow is projected to continue to outperform Cumbria (5.4 per cent versus 2.8 per cent growth in 2012-2020 and 4.6 per cent versus 3.6 per cent growth in 2012-2026).

Due to the statutory requirements placed upon them to provide accommodation for particular client groups, public sector and third sector organisations have tended to concentrate on the provision of social housing or to increase the availability of low cost homes. This is welcome and right. Yet the nature of the economic opportunities in Furness suggests there is also opportunity for a considerable expansion in higher value accommodation. This provision, alongside a suitable range of sizes of homes, could be crucial to the Furness area's future economic success.

The marina village development in Barrow remains a prime example of the potential for higher value housing in a unique environment. If unblocked, this could provide the basis for widespread regeneration. Around £15 million is required to create the cut between the dock systems and Walney channel to progress the scheme.

Actions:

- *Barrow and South Lakeland councils should ensure housing strategies complement each other and together provide the range of homes and accommodation necessary for Furness to prosper;*
- *Strengthen existing arrangements for information sharing on all aspects of the housing market (private rented, social rented, and owner occupied) across Furness to support medium and long term planning and maximise lasting value from temporary surges in labour requirements;*
- *A renewed drive to secure funding for the Barrow marina development as soon as possible, with local authorities and the local enterprise partnership committing to support the scheme, and co-ordinated lobbying of government to release funding;*
- *Focus on housing market renewal across the whole borough with the aim of improving quality and choice of housing stock across all markets bands.*

The skills and education challenge

Addressing the quality and scope of the education offer is essential to allow Furness' young people to get the best from the area's opportunities. There is also a need to ensure the quality of provision is not a barrier to attracting new people in.

There are hugely significant improvements to further and higher education in the area. The new £43 million Furness College, housing a University of Cumbria base, is a beacon for the area that can significantly improve the education lifelong learning and employer based offer. In addition, GenII remains committed to continuing to provide high quality apprentice training in the area and to investment in new facilities in Ulverston.

Moreover, there are real improvements in secondary schools already and the capital works being undertaken and planned at Barrow Sixth Form College and other schools have the potential to change perceptions of educational provision in the Furness area. There is a new single site purpose-built academy, long-awaited investment in Walney school and three rebuilt and refurbished primaries. These new facilities and improving outcomes in many areas, including at Ulverston Victoria High School and Dowdales, should be celebrated and promoted. The full range of options for Chetwynde school, which is currently independent but fighting to stave off closure, also should be explored to secure its place as a strong performer in the area for years to come.

But there is much more to do to identify where skills gaps will come in future years. In particular, the build timetables for civil nuclear and the successor deterrent has the potential to create a surge in demand for skilled nuclear engineers at around the same time. There are also likely to be future skills demands around sustainable engineering and low carbon energy in which the Furness area can make a major contribution.

Actions:

- *Furness should work with the LEP and ensure local stakeholders engage with its activities to grip the skills issue by bringing together employers, schools and training providers to predict future demand and communicate clearly to providers and schools;*
- *Engaging with primary schools should provide for stronger links between schools and local employers in order to be able to inspire pupils choosing subjects and specialisms and help them make informed choices about the opportunities that will be available for them;*

Making Furness an even better place to live and attracting new talent

Residents rightly want to see improvements in their area, and perceptions of Furness as remote or in decline remain a key barrier to attracting in immediate requirements for high-skilled labour and keeping more of Furness' bright young things here.

Improvements in town centres such as Barrow have been completed and make a striking difference, while Ulverston town centre has been holding its own despite the difficult economic climate and trends towards greater take up of online purchasing. Yet there remain far too many empty premises with many small retailers struggling to keep afloat or deterred from getting started. Every empty shop represents a missed opportunity for struggling small firms, as well as having a negative impact on impressions of the area.

In addition, there is scope to improve the first visual impression visitors get when they arrive in Furness. The living environment is stunning, yet relatively small things like rubbish on railway embankments approaching Barrow can have a disproportionate negative impact. Great assets such as Ulverston's canal head remain relatively under-utilised.

More substantial work is also needed to improve the leisure offer in the area, including promoting links between the area and the Lake District, and in developing a distinct retail offer. The marina village development, if unblocked, could raise the standard of leisure offer in Barrow. The potential for growth of Furness as a short break destination and day trip option for visitors elsewhere in the Lake District also provides the opportunity to underpin a renaissance in the leisure offer in the area.

As well as providing valuable jobs in their own right, growth in the retail, leisure and service sector economies also has the potential to assuage concerns over employment opportunities for spouses or older children of high-skilled professionals considering moving to the area.

Public sector organisations such as the National Health Service also need confidence they can attract in new talent at the highest level. In recent years key services have been hampered by slowness in recruiting particular specialists. The focus of health services locally has been to ensure issues raised by Monitor and the CQC are acted upon. It is important that the area's subsequent review of health provision retains and enhances key services in the area, such as a full consultant-led maternity unit at Furness General Hospital. Failure to do this could reduce the attractiveness of the area for inward migration, particularly for young families.

Actions:

- *A renewed focus on improving the gateways to Furness, from Ulverston's canal head to the approach into Barrow by rail;*
- *Consideration of ways to give more effective area or county support for retailers and town planners looking to adopt innovative approaches to breathe fresh life into town centres;*
- *Ensuring that positive messages on education and health are communicated and easily accessibly to potential employees;*
- *Stressing the economic value of retaining and enhancing key health services provided in the area in maintaining Furness' appeal for working people.*

Transport and communication links

Both genuine and perceived geographical isolation have the potential to hold the Furness area back as a destination for inward investment and be a barrier to attracting and retaining a skilled workforce. Whilst there have been significant improvements to connectivity, particularly on the A590 route and improvements to Barrow port, there needs to be continued investment in road, sea and rail links to the Furness area to reduce journey times and improve safety and reliability.

This should include work to make the journey from the M6 along the A590 safer and where possible quicker. Key priorities are provision of a roundabout at Greenodd, one of the most dangerous junctions on the road, and better connections to serve the expanding GlaxoSmithKline site.

Up the west coast, the A595 route to Sellafield and the likely site of a new generation nuclear power station is slow, with high numbers of casualties. Car sharing employees leaving their vehicles on the route from Furness is putting unacceptable stress in areas such as Broughton. Investment is needed to reduce journey times on this road, including addressing some of the more dangerous corners if the Furness area is to fully benefit from the employment opportunities and economic spin-offs from existing and new activities at this site.

In addition, chronic issues of overcrowding on commuter rail services between Barrow and Sellafield need to be addressed. Action is needed now, and the renewal of the rail franchise in 2014 provides a further significant opportunity.

Furness' isolation has also been reduced over the last decade by the provision of a frequent, direct rail service linking the area to Manchester and its airport. This provides links to key regional economic centres and valuable direct access to important international links via Manchester airport. This service is threatened with reduction from 2014 and potential complete removal from 2015, as a side effect of the electrification of other parts of the network. This would once again place Furness at the end of a branch line, increasing the reality and perception of isolation.

There is strong local support for retaining these services and a need to push for further improvements, including cycle links and more frequent bus services to give people more options and promote greener travel. Proposals by Alliance Rail for a direct rail service between south and west Cumbria and London should be supported locally. Also, longer-term plans to reduce geographical isolation should be kept on the table, including the long standing proposals for a bridge across Morecambe Bay to reduce journey times between Furness and points to the south, or recent plans for a hovercraft link to Fleetwood being proposed by Hovercraft Service Ltd.

The provision of high-speed broadband across all parts of the Furness area, including rural portions, is essential to providing a business-friendly environment. Fast, reliable internet connections are vital to most businesses, especially to SME start-ups or the tourism sector. Skilled call centre work, which provides hundreds of jobs in Barrow, often also demands fast connections.

The potential for web entrepreneurship in the area is underlined by a recent award for Ulverston from Google, but businesses and individuals are currently struggling with outdated connections.

Faster broadband would also help to facilitate more home or distance working, which can be key to attracting skilled inward migration. The uncertainty and delays over the awarding of the contract to roll out high-speed broadband in Cumbria, and questions as to how comprehensive this coverage will be, need to be resolved urgently. There is a particular need to upgrade Ulverston, which has been left out of commitments made by BT to upgrade other areas including Barrow, Dalton and Newby Bridge.

Actions:

- *Actively support the Cumbria Better Connected campaign to retain the direct rail link from Barrow to Manchester airport;*
- *Press ministers and the Highways Agency for improvements to the A590, including roundabouts at Greenodd and an improved link to the GSK site;*
- *Work with Sellafield and the future operators of a new civil nuclear site on strengthening travel from Furness, including greater provision of park and ride services;*
- *Push to ensure that commitments to faster broadband are delivered as soon as possible, including in Ulverston;*
- *Promote Barrow port as a significant economic asset for the region.*

Reaching our full potential – diversifying our economy

The area is determined to grasp this opportunity to succeed in a difficult national economic climate. It should be equally determined to ensure the employment and investment on the horizon can be the bedrock of work to embed a new era of prosperity for the area.

Substantial change in culture, attitudes and practices is needed if Furness' long sought after goal of a more diverse economy is to become a reality.

Some progress has been made over the last decade, and further success will not be easy, particularly given more limited resources from public and private sector organisations in the current climate. But it is important not to lose sight of the prize of a more secure Furness economy with a wider range of job opportunities for future generations.

Opening up supply chains to let local firms in

The economic future of the Furness area does not rest simply on a successful top tier of firms in the defence, energy and pharmaceutical sectors. It is also essential to ensure that as great a part of the supply chain as possible is based locally. There is already considerable strength locally in this regard, particularly in the defence sector. As an example, the cluster of LED firms in Ulverston has developed partially as a result of its ability to feed into the defence supply chain, both at Barrow and also the defence aerospace sector in Lancashire. Such examples demonstrate the ability for supply chain manufacturers to provide high-skilled employment across the Furness area.

Skills development, retention and attraction is important to developing the supply chain sector, as are good communication links and infrastructure. However, there is also a need for Furness' top tier manufacturers to nurture and support the local supply chain.

Actions:

- *There should be a new culture of transparency from the top tier about the opportunities for suppliers. This needs better and perhaps more formalised communication between the larger local employers and local SMEs on supply chain opportunities as they arise;*
- *Work is also needed to ensure that non-locally based firms who are undertaking investment in the area live up to promises to provide genuinely open supply chains. This is particularly the case with the predominantly foreign-based investors behind the next round of off-shore wind farms;*
- *There needs to be co-ordinated pressure and scrutiny from local organisations, representatives and businesses to ensure that promises are kept and local SMEs are supported in bidding for supply chain contracts.*

Nurturing an enterprise culture

There is a clear need to remove barriers to business start-up in the Furness area and to empower local residents to start successful new enterprises.

Furness became a prospering steelworks region thanks to entrepreneurs, leading to the arrival of the shipbuilding industry, effectively founding Barrow as a major town. There are many brilliant examples of small business success, for example the remarkable entrepreneurial spirit shown by Jonathan Chapman, who founded the highly successful Cumbria Karting in Barrow aged just 21.

Yet despite sterling work by Furness Enterprise and business support groups over the years, levels of business start-up in the area are currently very low: in Barrow-in-Furness in 2010, one new business was created for every per 505 residents; in South Lakeland, the ratio was 1 per 314 residents. This compares with a UK-wide ratio of one start-up for every 265 residents.

Furness needs to tackle the enterprise deficit, which is perhaps deepened by the dominance of large employers in the local economy. There may be generational expectations of employment in one of the large local employers, leading to a greater reluctance to pursue paths such as business degrees. In some areas of the economy, the dominant businesses have led to spin off SMEs, such as the solid state lighting cluster in Ulverston. But in others, the dominance of the economy by a small number of businesses or sectors has perhaps historically held back small businesses from flourishing.

To ensure effective continued business support there needs to be better integration between the local providers of business support, such as the valuable work done by Cumbria Chamber of Commerce, the Federation of Small Businesses and the reduced level of publicly funded support contracted from national government.

Actions:

- *A review of existing support for start-ups in the area from existing providers, with recommendations on: how to maximise support through different providers co-operating with each other; stronger systems for mentoring from established firms; and how best to target limited resources;*
- *A co-ordinated effort from schools, colleges, employers and business support organisations to further promote an enterprise culture amongst young people in Furness. This could take the form of a roll-out across all schools of the '£5 challenge' scheme, which challenges young people to make a business idea work with minimal resources. Guaranteed support for such a scheme over a number of years from local employers would help to achieve buy-in from schools and colleges.*

Boosting the visitor economy

Furness contains many great and diverse draws for tourists:

- South Lakes Wild Animal Park has become one of the country's leading wildlife attractions, and is the 4th busiest visitor attraction in Cumbria, bringing in more than 309,000 visitors per year;
- Ulverston goes from strength to strength as a festival town;
- Stunning Furness Abbey and Piel Island continue to attract visitors from across the country;
- Walney's beautiful beaches are the site of increasing amounts of activity, including hosting annual kite surfing contests;
- There are wonderfully scenic nature reserves at both south and north Walney featuring rare and endangered flora, fauna and wildlife;
- Despite budget reductions the Dock Museum remains a significant institution in Barrow, attracting over 68,000 visitors annually;
- Furness is now the site of the largest indoor go-karting venue in Cumbria with the nearest southward being at Preston.

Yet despite the £2 billion spent annually by tourists across Cumbria, the Furness area does not have a combined tourism marketing strategy designed to attract people visiting other parts of the Lake District and maximise revenue from those who do visit Furness to see one of the above attractions.

In addition to improving issues related to making Furness a better place to live it is important a sense of pride and loyalty to the area is promoted to keep spending local. There is also a need to improve the visitor experience be they in Furness for business, as tourists or visiting friends or family.

There is latent weekend capacity in many of the area's hotels and guest houses, which are often fuller during the week with industrial contractors.

Action:

- *The Boosting Barrow and Furness group should draw up a growth marketing strategy designed to increase the visitor economy in Furness in conjunction with businesses and lead agencies. The strategy should complement the themes for Cumbria's campaigns, namely quality, culture, food and drink and outdoor adventure. Potential for international market opportunities should also be taken in to consideration.*

Batting for Furness, boosting Cumbria: how best to structure the area's economic discussions

Furness is determined to play its full part in a county-wide economic strategy led by the new Cumbrian local enterprise partnership. The county will be strongest when it speaks with one voice.

Yet to maximise the positive role Furness can play in a county-wide strategy, the area needs to be clear on its own economic priorities. Furness stakeholders coming together to agree the economic vision in this document is an important part of that, but this combined effort should not be a one-off enterprise: there is a need for an ongoing dialogue that should feed into the LEP's planning.

There is a void in support for the area left by the replacement of the North West Development Agency with a county-wide partnership operating on a fraction of the resources. There is a further question mark over the future of Barrow Regeneration, which spearheaded efforts to create and co-ordinate an effective economic strategy in previous years. A Furness economic development forum, with Barrow Borough Council as secretariat, could extend the area covered by the Barrow Regeneration committee, provide strategic oversight and prompt a shift of focus from regeneration to economic development.

Action:

- *Stakeholders should agree a mechanism and structure to take forward economic development for the whole Furness area, considering re-naming Barrow Regeneration as a strategic body charged with economic development. The new Furness economic development forum would need secretarial support from public or private sector organisations. This body would need to maintain a strong link to the local enterprise partnership; for example, there should be a standing invitation to the chair of the LEP to attend meetings.*
-

EXECUTIVE COMMITTEE	(R) Agenda Item 11
Date of Meeting: 19th September, 2012	
Reporting Officer: Borough Treasurer	

Title: Council Tax Technical Reforms

Summary and Conclusions:

At the Executive Committee of 18th July, 2012, Members agreed to review the technical reforms to Council Tax with a view to identifying the potential funding for the Council Tax Reduction Scheme.

This report considers the proposals to change a number of Council Tax discounts and premiums from April 2013 and presents other Council Tax technical reforms.

All of the Cumbrian billing authorities have agreed to put Council Tax Technical Reform proposals to Members. There is no consensus of the level of discounts or the length of time to be applied at the moment.

Recommendations:

To recommend to Council that from April 2013:

1. The Council Tax discount on second homes is reduced from 10% to 0%;
2. A Council Tax premium of up to 50% is applied (subject to any statutory or locally determined exemptions) to houses empty for more than two years;
3. The Council Tax discount on houses empty for more than six months is reduced from 50% to 0%;
4. The Council Tax discount for properties subject to major works or structural alteration remains at 100% (for up to twelve months);
5. The Council Tax discount for properties vacant for up to six months remains at 100%.
6. To agree to fund any shortfall between the costs of the Council Tax Reduction Scheme and the changes from the Council Tax Technical Reform from the Councils' reserves.

Report

A. Background

At the Executive Committee of 18th July, 2012, Members agreed to review the technical reforms to Council Tax with a view to identifying the potential funding for the Council Tax Reduction Scheme.

The Council currently receives £6,747,570 (2012/2013 budget) as Council Tax Benefit subsidy which is based on the amounts awarded throughout the year. From April 2013 the Council Tax Reduction Scheme will be funded by a grant which is set at the beginning of the year and indications are that the previous subsidy will be reduced by at least 10% (£674,757). The reduction is shared between the main preceptors, based on the 2012/2013 precepts:

Preceptor	Precept 2012/2013	Split	Share of 10% reduction
Barrow Borough Council	£4,602,250	13.56%	£91,496
Cumbria County Council	£25,013,948	73.70%	£497,293
Cumbria Police Authority	£4,324,193	12.74%	£85,968
Total	£33,940,391	100.00%	£674,757

The Council can recover some of this cost by reducing some of the existing discounts and exemptions. These are the technical changes to Council Tax included in the Local Government Finance Bill. In summary these are:

- The Council Tax discount on second homes can be reduced to 0% (the current statutory minimum is 10%);
- A Council Tax premium of up to 50% can be applied to houses empty for more than two years (the regulations may prescribe certain exemptions);
- The exemption for properties undergoing major repairs or structural alteration is abolished. A discount will apply for twelve months, but billing authorities will be able to determine the level of discount, including 0%;
- The exemption for properties which have been unoccupied and substantially unfurnished for less than six months is to be abolished. Billing authorities will be able to determine the level and duration of the discount for this category of properties;
- Council Tax payers will be given a legal right to pay by twelve instalments on request, although the default will still be ten instalments; and
- Councils will no longer need to provide each Council Tax payer with a hard copy of the Council Tax leaflet that supports the Council Tax bill.

B. Second homes

The Government will allow billing authorities to levy up to the full Council Tax on second homes for 2013/2014. Currently the rules mean that the majority of second homes will receive a 10% discount. There will be no duty to inform the billing authority if a property is used as a second home and, therefore, if the Council requires this information they may need to introduce a process for information gathering and classification status.

There are 355 second homes as of September 2012. Changing the discount to 0% would make an additional £37,185 of Council Tax collectible.

The down-side of this change would be that there would be no incentive for owners to declare their houses as second homes and the record of second homes would become less accurate over time. However, the Council Tax Team will still ask householders for the current status of the property. It is assumed that most owners will provide accurate information.

Increasing the cost of maintaining a second home may move them back onto the housing market.

C. Premium on houses empty for more than two years

There is a Government policy to ensure that empty homes are placed back into use and the statement of intent supports the idea that a billing authority should have the option to levy an empty premium onto properties left vacant.

It is considered that two years is the right vacancy period before this premium is added. Currently these properties receive a 50% reduction once they are beyond the two years.

The suggested value of the premium will be an additional amount of up to 50% so liability could go up to 150% of the council tax if the dwelling remained unoccupied. However, it is unlikely that all properties empty for more than two years will attract the 50% premium as statutory or locally determined exceptions will apply to some cases.

There are 257 properties that have been empty for more than two years as of September 2012. Introducing a 50% premium and removing the reduction in Council Tax beyond the two year period would make an additional £134,599 of Council Tax collectable; assuming that half of the properties attract a premium.

The higher Council Tax would also act as an incentive to the owners of long term empty properties to return them to the housing market.

D. Long term (more than six months) empty houses

The Council currently gives a discretionary discount of 50% on long term (greater than six months) empty houses. The discount was set mainly to encourage owners to register their property as empty. As with second homes, reducing the discount to 0% would be that there would be no incentive or

requirement for owners to declare their house as empty. However, this information is available from other sources.

There are 797 dwellings that have been empty more than six months but less than two years as of September 2012. Changing this discount from 50% to 0% would make an additional £208,708 of Council Tax collectible; assuming that half of the properties remain empty.

E. Empty dwellings undergoing major works

The current exemption for properties in this category would be 'Class A' exemption which is an unoccupied dwelling which requires or is undergoing structural alteration or major repair, for up to 12 months. After 12 months, the exemption class ceases and a full charge is applicable.

The Government will be replacing this exemption with a discount which billing authorities have the discretion to set at 100% or any % lower which seems reasonable: having regard for local circumstances.

An enabling measure has been included as Clause 9 of the Bill which will amend section 11A of the Local Government Finance Act 1992. This will then allow a class of dwelling that the Authority can determine a discount for of between 0% and 100%.

It is important to note there is no change to the period for which this discount will be awarded so it will remain at one year or as long as it continues to be undergoing major repair (whichever is less).

There are 124 dwellings undergoing major repair as of September 2012. Given the nature of these properties and that the Council encourages the renovation of empty properties; it is proposed that the 100% discount remains. It is likely that the Council Tax payers may be paying on another property whilst carrying out works.

F. Dwellings empty for up to six months

Currently, a property which is unoccupied and substantially unfurnished is exempt for up to six months from the date it became unoccupied. This exemption will be abolished and replaced with a discount. The Council will be able to set the discount at between 0% and 100% and can determine the period for which the discount will apply (up to six months).

There are 370 dwellings in this category as of September 2012. Properties usually fall into this category during the sale process to between tenants for unfurnished lets. Given these factors and the current economic climate, it is proposed that the 100% discount remains.

G. Other technical reforms

Payment by Instalment - the Government wanted to give 12 instalments as the default instalment scheme and retain 10 instalments, or another instalment pattern, through agreement. This was greatly opposed by the Local authorities and in the face of this opposition the government has decided to leave the default at 10 instalments, but will take forward its proposal to grant Council Tax payers the legal right to pay by 12 monthly instalments and ensure they are duly informed of this.

Information to be supplied by the demand notice - clause 12 of the Local Government Finance Bill will allow billing authorities to publish the information (supplied with the demand notice) online. There will still be an option to request a paper copy if preferred.

H. Financial summary

Applying the illustrated changes would make additional Council Tax collectible:

Item	Barrow Borough Council	Cumbria County Council	Cumbria Police Authority	Total
Second homes	£5,042	£27,405	£4,738	£37,185
Premium on empties greater than two year	£17,897	£99,501	£17,201	£134,599
Empties over six months	£28,300	£153,817	£26,591	£208,708
Total	£51,239	£280,723	£48,530	£380,492
Cost of Council Tax Reduction Scheme	£91,496	£497,293	£85,968	£674,757
Remaining shortfall	£40,257	£216,570	£37,438	£294,265

It is recommended that the shortfall between the costs of the Council Tax Reduction Scheme and the changes from the Council Tax Technical Reforms is funded from Council reserves as well as any of the additional income that is forgone. The proposed changes are shown with the current discounts in **Appendix 4**

(i) Legal Implications

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

(ii) Risk Assessment

The risks are set out in the body of the report.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no significant 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

Documentation from the Department for Communities and Local Government.

Council Tax Technical Reforms

Category		Up to 6 months	Up to 1 year	Up to 2 years	Over 2 years
Second Homes	Current	10% discount -£104.75			
	Proposed	0% discount			
Empty homes with major repairs	Current	100% discount -£1,047.47	50% discount -£523.74		
	Proposed	100% discount -£1,047.47	0% discount	50% premium +£523.74	
Vacant dwellings	Current	100% discount -£1,047.47	50% discount -£523.74		
	Proposed	100% discount -£1,047.47	0% discount	50% premium +£523.74	

Council Tax figures expressed as Band A per property. The liability on a property empty longer than 2 years would be £1,571.21.

EXECUTIVE COMMITTEE	(R) Agenda Item 12
Date of Meeting: 19th September, 2012	
Reporting Officer: Executive Director	
Title: Empty Property Policy	
Summary and Conclusions:	
A policy to address problematic empty properties is presented for approval.	
Recommendations:	
To recommend the Council:-	
<ol style="list-style-type: none">1. To approve the Empty Property Policy attached as Appendix 5 to the report;2. To delegate to the Executive Committee authority to make resolutions concerning the registration of appropriate charges with the Land Registry under the Enforced Sales Procedure; and3. To delegate authority to the Assistant Director, Regeneration and Built Environment to serve the relevant notices pursuant to the Law of Property Act where the Enforced Sales Procedure is being used.	

Report

1. Background

- 1.1. Members have received a number of reports on various funding streams aimed at bringing empty property back into use for housing. These funding streams include the Clusters of Empty Homes Fund and the Cumbria Infrastructure Fund. This issue is a key element of the Government's approach set out in "Laying the Foundations: A Housing Strategy for England".
- 1.2. The Council is able to take various forms of action against empty properties, particularly those that form a nuisance to the neighbourhood. However, the Council has no overall approach to determine which, if any action, it will take in a particular case. This has become more of an issue with the reduction in capacity to deal with enforcement generally and the adoption of a revised Planning Enforcement Policy (Minute 10 23/05/12 refers)

- 1.3. It is plausible that the continuing downturn in the housing market will make the problem of blight from empty properties worse. Whilst the resources available to the Council are limited, it is important that we do what we reasonably can to tackle the problem.
- 1.4. It should also be borne in mind that the change in the number of long-term empty properties from year to year has an impact on the allocation of New Homes Bonus (NHB), and that an increase in the number of long term empty properties will reduce the Council's allocation of NHB.

2. Council's Powers to Act

- 2.1. A draft policy is attached for approval as **Appendix 5**.
- 2.2. The Council has powers to take action on empty properties under a range of statutory provisions. The draft policy is intended to take a structured approach to the use of these powers, the responsibilities for which are located in various sections of the Council.
- 2.3. The draft policy also suggests the use of the Enforced Sales Procedure (ESP) as a means of bringing empty properties back into use. This procedure has been used successfully by many other local authorities. Whilst it is technically a means of recovering debt accrued through the use of the Council's enforcement powers, it forces the sale of the empty property in question, normally to owners who intend to bring the property into use. The ESP uses powers available under the Law of Property Act 1925, and appropriate delegation of powers to serve notices under this legislation needs to be made. ESP also requires the registration of a charge against the property with the Land Registry. It is recommended that a resolution to register such a charge is made by this Committee in each individual case.

(i) Legal Implications

The recommended policy uses appropriate powers already available to the Council.

(ii) Risk Assessment

No significant risks.

(iii) Financial Implications

Budgetary provision will have to be made to cover the costs of work in default where the Enforced Sales Procedure is considered.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

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

The recommendation has a positive impact on the quality of housing.

The recommendation has a positive impact on the long term economic recovery for our community

The recommendation has a positive 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 a positive effect on the Health and Wellbeing of users of this service by improving housing conditions.

Background Papers

Laying the Foundations: A Housing Strategy for England

<http://www.communities.gov.uk/documents/housing/pdf/2033676.pdf>

Draft Empty Property Policy

Scope of Policy

The policy will help to determine and guide action to be taken in respect of empty and nuisance properties in Barrow Borough.

Policy Framework

One of the Council's key priorities is to:

“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”

One of the means by which this can be achieved is through taking action against empty property in the Borough. Empty property can blight otherwise attractive neighbourhoods, and can attract anti-social behaviour, such as fly tipping and drug taking. Empty properties are also a wasted resource that could in other circumstances be providing homes for people who need them.

Empty homes also form part of the Government's Housing Strategy for England. Grant funding has been made available for Registered Providers and others to bring empty properties back into use. Local Authorities are also rewarded through the New Homes Bonus for reducing the number of long-term empty properties (i.e. those that have been empty for over six months) in their areas.

However, the resources available to the Council to deal with problem empty properties have reduced as a consequence of the Budget Strategy adopted by Council. Complaints arising from empty properties can be dealt with in the teams responsible for Environmental Health, Private Sector Housing, Building Control and Development Control. All of these teams have had reductions in staffing levels over the last 12 months. It is therefore important that the prioritisation of action and the limitations in capacity are clearly understood and can be seen to be fair and consistent.

It should be recognised that this policy relates to empty properties. Most of the powers available to deal with this issue can also be used against occupied properties. Although these are outside of the scope of this policy, similar principles can be applied to deal with dilapidation occurring within occupied properties.

Policy Objectives

- To protect public health and safety and the health and safety of occupiers and potential occupiers;
- To protect amenity value of residential areas;
- To bring empty properties back into use.

Statutory Framework

The main powers available arise from the following statutory provisions:

- Environmental Protection Act 1990 (EPA);
- Local Government (Miscellaneous Provisions) Act 1982 (LGMPA)
- Building Act 1984 (BA);
- Town and Country Planning Act 1990 (TCPA);

- Housing Act 2004 (HA);

The various forms of action that can be taken can be summarised as follows:

- Abatement Notice (s80 EPA);
- “Boarding Up” Notice (s29 LGMPA)
- “Dangerous structure” Notice (s77-78 BA);
- “Ruinous and dilapidated” Notice (ss79 BA);
- “Wasteland” Notice (s215 TCPA);
- Improvement Notice (s11 HA);
- Prohibition Order (s20 HA);
- Empty Dwelling Management Order (EDMO) (Part 4 HA);
- Compulsory Purchase Order (CPO) (s17 Housing Act 1985; s226 TCPA);

Priorities for action

Action would normally be considered following a complaint from a member of the public, although this will not be the exclusive means by which action will be considered. Clearly if during the course of their duties, a member of staff encountered a situation where it is obvious that action may be appropriate, this should not be ignored.

At present there is no work planned to actively seek out, identify and survey empty properties. If at any future time an exercise of this nature is undertaken, this policy will be used as a means of prioritising action.

Action will normally be considered in the following circumstances:

- Existence of a statutory nuisance where the local authority has a duty to abate the nuisance;
- If the property is insecure or open to access the local authority has power to require the owner to board it up or prevent unauthorised access
- Circumstances where there is a risk to public health and safety;
- Existence of a Category 1 Hazard under the Housing Act 2004 where the local authority has a duty to take the most appropriate course of action;
- In other cases, an assessment of the property will be undertaken using a standard pro-forma. This pro-forma (including the Visit Record and Scoring Matrix) is attached as Appendix 1 to this policy. Action will be prioritised according to the property score, level of demand and resources available to the Council at the time.

Nature of action to be taken

The main objective of this policy is to improve local amenity. This will form a structured approach to bring empty homes back into use, prioritising those properties that cause neighbourhood blight. However, the capacity of the Council to act has to be recognised in a realistic way. A more determined policy of bringing empty properties back into use, and set an example to encourage other empty property owners to act would need to include tools such as EDMOs and CPOs. This is unrealistic given the current level of resources available to the Council.

Whilst there may be exceptional circumstances where (for example) CPO will be appropriate within other strategic initiatives – these can be dealt with separately. Other than this we need to recognise the limits to our capacity to act. This policy aims to establish an approach that targets our current resources effectively.

Within this overarching policy, then the main forms of action, other than where we have a statutory duty, will be under the Building Act or the Town and Country Planning Act. The flowchart below represents the “decision tree” that aids the determination of when one act is more useful than another. TCPA refers to “land” and can thus be used other than on the building itself, and the test relating to amenity is arguably more stringent in BA. The procedure aims to arrive at a local interpretation of what constitutes “adversely affected” (referred to in s215 TCPA) and “seriously detrimental” (referred to in s79 BA). Where the condition of a property has “adversely affected” the amenity of the neighbourhood/area, but is not “seriously detrimental”, then TCPA will be appropriate. Where the adverse effect is “seriously detrimental”, then although either power could be used, BA would be more appropriate, unless the detriment arises from the condition of land other than the building itself. For example, where demolition is an option that might be seriously considered from the state of the property, then “serious detriment” could be seen to exist.

In all cases, if a Statutory Nuisance exists, the Council will have a duty to act under EPA, and will take appropriate action as required.

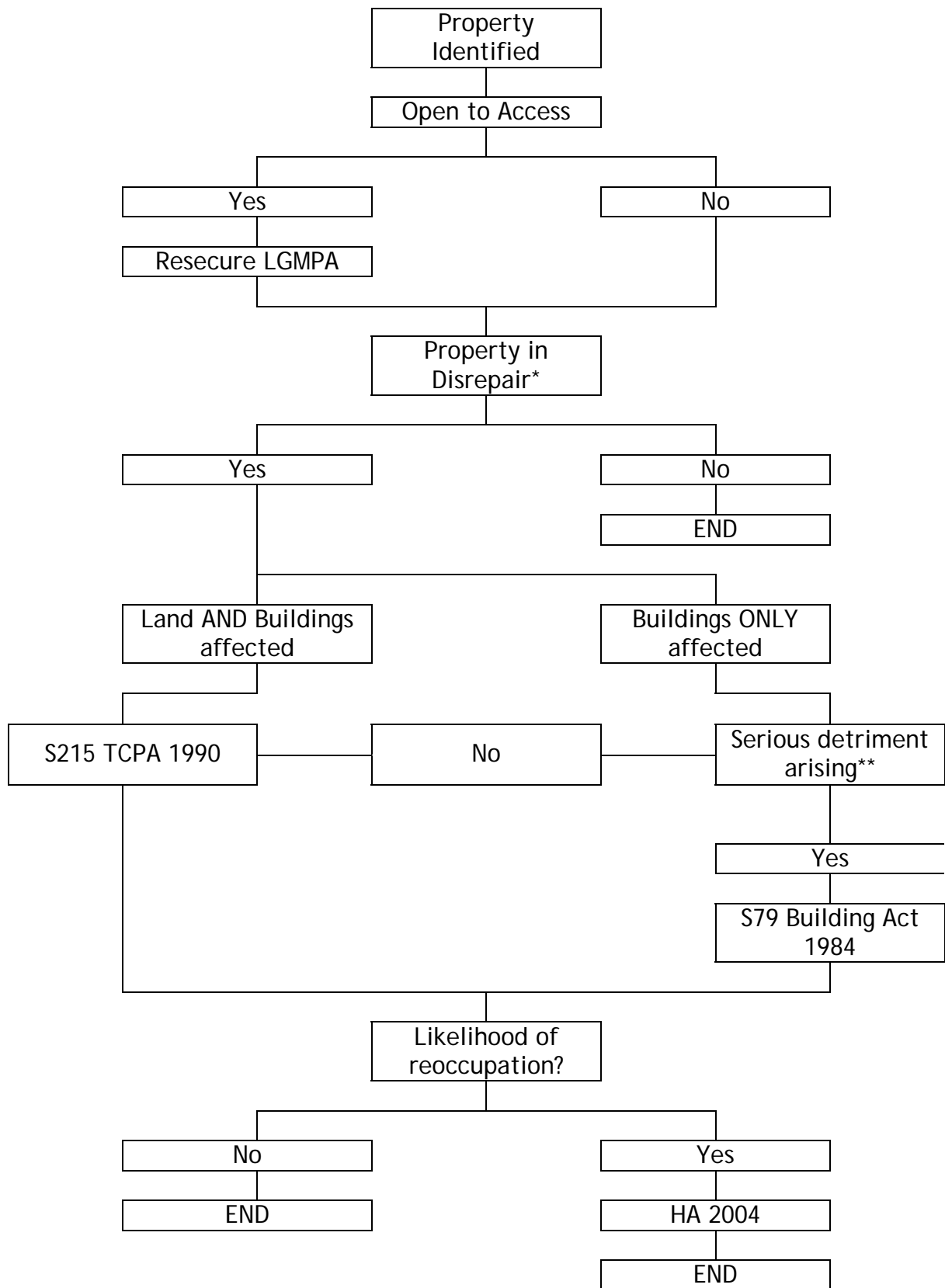
Enforced Sale

Where a notice served using one of the powers listed above is not complied with, the Council will consider carrying out the works itself, and placing a charge against the property. If this charge is not paid, it will in certain circumstances be possible to register the charge with the Land Registry, and to force the property to be sold to recover the charge under the terms of the Law of Property Act 1925. This will require the service of notices under the terms of the Law of Property Act, and the Council’s Executive Committee to make a resolution to register the charge in each individual case.

The Enforced Sales Procedure (ESP) is a means of debt recovery, but has the advantage of changing the ownership of the property, and this will in most cases bring the property back into use. ESP will not be used for debts of under £500. For the avoidance of doubt, ESP will only be used on empty properties, not occupied properties.

A flowchart outlining the ESP is shown below.

Empty Property Procedure Flowchart



* Defined by appropriate score sheet threshold - "adverse effect on neighbourhood
 ** e.g. Serious structural problems, difficulty in securing, real prospect of demolition being the best option, substantial local blight

Appendix 1 - Empty Homes Policy: Vacant Property Visit Record

Address:

Surveyor:

Visit Date:

D	D	M	M	Y	Y
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General Condition - First Impression

Derelict	A
Serious disrepair	B
Minor disrepair	C
Poor condition	D
Good condition	E
Being renovated	F
Renovation complete	G

Structural Condition

Roof	
Chimney	
Gutters	
Walls	
Windows/doors	
Structural stability	

Key: A: Good B: Fair C: Bad

Construction Date

Pre 1919	A
1919- 1945	B
1646- 1964	C
Post 1964	D

Description if Required:

Survey Building

Flat in block	A
Flat above commercial	B
Detached house	C
Semi detached house	D
End terrace house	E
Mid terrace house	F

Storeys in Building

Storeys in Vacant Dwelling

Problems relating to emptiness

Infestation	
Accumulations	
Vandalism	
Poor Security	
Arson	
Graffiti	

Key: A: Yes B: No

Impact on surrounding neighbourhood

Serious	A
Poor	B
Average	C
Nil	D

Optional Comments

Likely Ownership

Privately owned	A
Local authority	B
Housing Association	C
Unknown	D
Other	E

Date of last land registry check

Occupation / Vacancy

Occupied	A
Vacant for sale/let	B
Vacant being modernised as at visit	C
Vacant (not for sale, mod., or to let)	D
Unlicensed occupation	E

How certain are you it is vacant?

Probably vacant	A
Definitely vacant	B

Duration of Vacancy

6 months or less	A
6-12 months	B
1-2 years	C
2-5 years	D
5-10 years	E
More than 10 years	F
Was access gained?	G

If so, how?

Source(s) of information on vacancy:

Council Tax
EH Records/files
Land Registry
Other

Notes for photo's:

Photo 1 ID:

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Photo 2 ID:

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Empty Homes Scoring Matrix

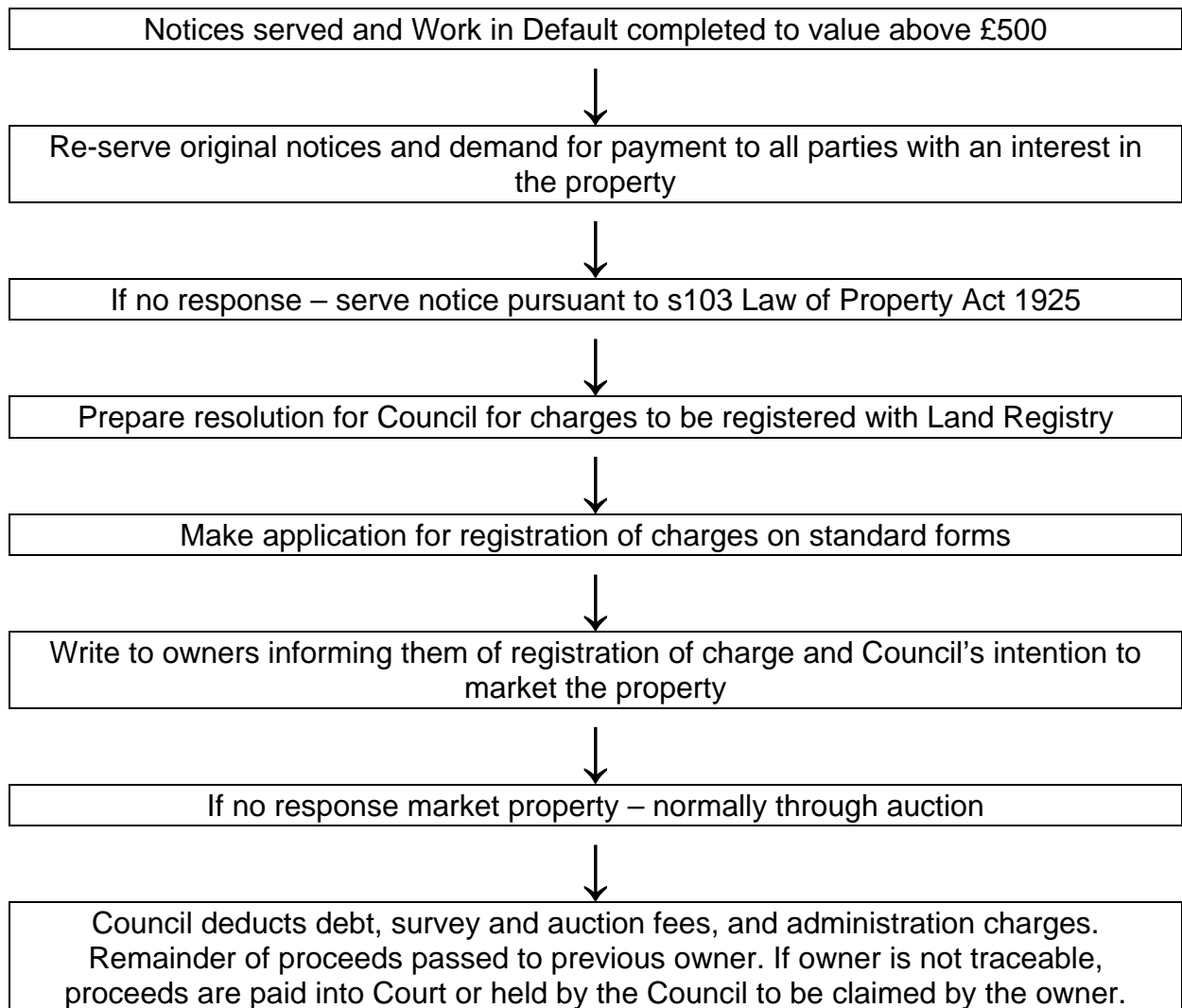
Address

Date confirmed empty: _____ - Date assessed: _____

Criteria	Classification	Score	Flare Score
Property Type	Flat over commercial/Purpose built flat	5	5
	Semi Detached	10	10
	Terraced	15	15
	Detached	-	20
Location	Prominent site (main road)	10	10
	Situated on 'Gateway', regeneration or deprivation area	20	20
	Both	-	30
Time Vacant	Less than 6 months	0	5
	6-12 months	5	10
	12-24 months	10	15
	24-36 months	15	20
	36+ months	20	25
Management Standard	Securely Managed	0	5
	Enforcement action (for each action)	5	20
	Poor management	20	20
	Land Charges	10	20
	More than one of above	-	50
Owner Contact	No response (for each no response)	10	5
	No reliable address for owner	5	10
	No firm plans for bringing the property back into use	10	10
	No confirmed funding in place to bring the property back into use	10	10
	More than one of above	-	35
Future Potential	(Future potential units of accommodation.)	5	-
	Low	-	5
	Medium	-	10
	High	-	20
Total Score			

Property hard-file check (if a file exists)	
Flare check (history, no of attempts to contact by EH)	
Planning Applications check (owner contact, plans for use)	
Building Control check (owner contact, plans for use)	
Check GI mapping (deprivation indices)	
Land Registry search request sent (ownership)	
Land Charges enquiry (charges)	
Land Registry search returned (RFI)	
Council Tax check (duration of vacancy)	
Site visit: 'Vacant Property Visit Record' completed	
Scoring Matrix	

Enforced Sale Procedure



Note – full payment of the debt registered against the property at any point will end the process

EXECUTIVE COMMITTEE	(R) Agenda Item 13
Date of Meeting: 19th September, 2012	
Reporting Officer: Executive Director	
<p>Title: Clusters of Empty Homes Fund – Private Sector Housing Assistance Policy</p> <p>Summary and Conclusions:</p> <p>Members have previously endorsed the Council successful bid to the Clusters of Empty Homes (CoEH) fund, targeted on the Barrow Island Flats. An allocation of £3.442m has been made from this fund to the Council.</p> <p>It is proposed to use the Council's powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to deliver the stated objectives of the bid. To enable these powers to be used, the Council must adopt an appropriate policy under the terms of the Order.</p> <p>A revised policy for the provision of private sector housing assistance is presented for consideration.</p> <p>Recommendation:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none">1. To approve the proposed Private Sector Housing Assistance Policy attached as Appendix 7 to the report; and2. To delegate authority to the Housing Renewal Manager (i) to draw up detailed procedures for the provision and authorisation of these agreed forms of assistance, and (ii) to authorise assistance consistent with these procedures and the agreed policy statement.	

Report

1. Background

- 1.1. Members have previously received a report on the successful bid for the Clusters of Empty Homes Fund (Minute No. 16 20/06/12 refers). This will be used to help bring empty properties back into use in the Barrow Island Flats.
- 1.2. The proposed approach is to use the fund as a “soft” loan facility to enable the owners of the Flats to both accelerate their programme of

improvement and extend the scope of the works. This approach will also allow the remodelling of the housing stock in the area, by allowing conversions of two flats into one. In addition, the fund will also allow the Council to carry out improvements to the public realm. The bid requested a total of £3.5m of HCA funding, and the Council was allocated £3.442.

- 1.3. Officers are currently in the process of procuring legal services for this project to ensure that the Council's interests are protected and that any financial risk is minimised.

2. Powers to Provide Assistance

- 2.1. The Council's powers to offer this type of assistance are contained in article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO). This gives housing authorities wide ranging powers to offer assistance in any form (for example grant or loan). They can impose conditions on assistance, or choose not to. They can also take any form of security in respect of all or part of the assistance provided.
- 2.2. Under article 4 of RRO, the local housing authority may not exercise the power conferred under article 3, unless it adopts a policy for the provision of assistance, which is available for public inspection, and the power is exercised in accordance with this policy.
- 2.3. The Council has previously adopted a grants policy to allow it to exercise the power conferred by RRO (Exec Minute 117 10/12/08 and Council Minute 20/01/09 refer). This policy does not allow for the assistance proposed using the Clusters of Empty Homes Fund, and therefore requires amending.
- 2.4. The current adopted policy is attached as **Appendix 6** and the proposed policy attached as **Appendix 7**. A number of other changes have also been made to the proposed policy to reflect changes in Government policy and the availability of funding. In summary, these include:
 - 2.4.1. **Removal of Energy Efficiency Grants:** in practice, these grants have added little value to Government-funded energy efficiency schemes. The Green Deal and associated Energy Company Obligations will be introduced by the end of 2012. This scheme is the preferred means for improving standards of insulation and energy efficiency in both residential and non-residential property. Additional grants from the Council are only likely to add to confusion and complication for customers. If insulation measures are required as part of a planned scheme (for example through Group Repair Grants), they can be incorporated without the need for a separate, specific, grant.

- 2.4.2. **Removal of Decent Homes Grants:** to date it has never been possible to give any grants under this policy due to the lack of funding. Since the funding available for private sector assistance has reduced substantially since the original policy was adopted, it is unrealistic to expect that it will be possible to implement any such grants in the foreseeable future.
- 2.4.3. **Removal of Relocation Grants:** these were used to assist owner occupiers with the purchase of a replacement property where their current home was to be demolished by the Council. Since no further demolition is planned, these grants are now redundant.
- 2.4.4. **Introduction of Empty Property Loans:** this will allow a general policy of giving loans to bring empty property back into residential use. This can be used generally across the Borough as funding becomes available. This will, for example, allow the agreed use of funding from the Cumbria Infrastructure Fund (Minute No. 17 20/06/12 refers).
- 2.4.5. **Introduction of Empty Property Grants (CoEH):** this will allow the delivery of the approved CoEH programme.
- 2.5. Members should also note that Minor Works Grants and Renovation Grants are currently suspended due to lack of funding. It is recommended that the option to give these grants is retained, as these forms of assistance have previously been offered on a regular basis in the past when funding has allowed.

(i) Legal Implications

Appropriate legal provision will have to be made for the implementation of Empty Property Loans to private owners.

(ii) Risk Assessment

There is a potential financial risk to the Council in terms of the need to act as the accountable body for the Clusters of Empty Homes Fund. The funding will only be accepted if the terms of the agreement restrict this risk to an acceptable level.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

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

The recommendation has a positive impact on the quality of housing.

The recommendation has a positive impact on the long term economic recovery for our community

The recommendation has a positive 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 a positive effect on the Health and Wellbeing of users of this service by improving housing conditions.

Background Papers

Nil

Private Sector Housing Grants Policy (Adopted Jan 09)

General Principles

1. The overarching general principle is that repairs are fundamentally the responsibility of the property owner, and grant assistance should only be given in the following circumstances;
 - 1.1. in cases of hardship where there is an imminent risk to health and safety
 - 1.2. as part of strategic area-based schemes, such as Renewal Areas;
 - 1.3. assistance will be restricted to owner occupiers, except where giving grant assistance to landlords will support a wider strategic scheme;
 - 1.4. assistance will not be given where other forms of assistance are in place (e.g. Warm Front). In these cases, applicants will be directed to these alternatives before applications are considered.

General Conditions

2. To support these general principles, the following General Conditions will apply:
 - 2.1. All grants will be discretionary;
 - 2.2. Outside defined priority areas, grants will be available only to owner occupiers and tenants with repairing obligations, who have occupied (and in the case of owner occupiers, owned) the property for three years immediately prior to the application;
 - 2.3. Grants will be repayable in full where the property is disposed of for whatever reason within three years of the award of the grant. This will be enforced by placing a local land charge on the property (except in the case of a grant to a tenant);
 - 2.4. Unless otherwise stated, all grants will be subject to a Test of Resources, to assess the ability of the applicant to contribute towards the cost of works. The amount of any eligible grant will be reduced by the applicant's assessed contribution.

Types of Grant

3. The following types of grant may be made available:
 - 3.1. **Minor Works Grants:** These will provide assistance borough-wide to combat immediate risk to health and safety of occupants

(Category 1 Hazards under Housing Health and Safety Rating System), unless there are significant levels of general disrepair;

- 3.2. **Renovation Grants:** Available to owner occupiers and tenants with repairing obligations in defined priority areas only, to deal with substantial disrepair. This will cover work to roofs, chimney stacks, rainwater goods, walls, external doors and windows, rewiring, and any other Category 1 Hazards. Renovation Grants will not normally be made available where a Group Repair scheme is planned within the next three years;
- 3.3. **Group Repair Grants:** Available in programmed schemes in priority areas only. This will cover external works to roofs, chimney stacks, rainwater goods, walls, external doors and windows. These will be made available to any property owner in the programme area. A financial contribution may be required from the owner, subject to a financial assessment. This will be determined on a scheme by scheme basis by the Council's Executive Committee;
- 3.4. **Relocation Grants:** Available to assist owner-occupiers whose homes are to be demolished by the Council. This grant will be made available to owner-occupiers to assist with the purchase of a similar property to the owner's current home in the same neighbourhood, where the value of a similar property is greater than the amount of compensation received. To qualify, the applicant must have owned and occupied the property for the 12 months preceding the application;
- 3.5. **Decent Homes Grants:** Available to owner occupiers and tenants with repairing obligations in "decent homes target areas". These grants will assist with bringing properties up to the Decent Homes Standard. This will include internal works such as rewiring, kitchen and bathroom renewals, heating and thermal insulation measures. Grants will be available on items that cause a failure to meet the Decent Homes Standard, and other than installation of heating and thermal insulation, will be subject to the Test of Resources. For heating and thermal insulation measures, the Council will provide a minimum 50% contribution. Decent Homes Grants will normally only be made available in specified areas that are also benefiting from Group Repair schemes.
- 3.6. **Energy Efficiency Grants:** These will provide assistance borough-wide to provide free loft insulation and/or cavity wall insulation to the following vulnerable groups: householders over the age of 60 and householders with children under the age of 5 years. The grant regime also provides subsidised cavity wall insulation or loft insulation for £99 for all other households. Any applicable Carbon Emissions Reduction Target (CERT) funding will be put towards the maximum grant allowed.

Maximum Amounts of Grant

4. The maximum amounts of grant will be as follows:

- 4.1. **Minor Works Grants:** £5,000
- 4.2. **Renovation Grants:** £20,000
- 4.3. **Group Repair Grants:** £25,000
- 4.4. **Relocation Grants:** £20,000
- 4.5. **Decent Homes Grants:** £10,000
- 4.6. **Energy Efficiency Grants:** £350

Definitions

5. The following definitions will apply:

- 5.1. **Test of Resources:** The test of resources applied is set out in the Housing Renewal Grants Regulations 1996 (as amended);
- 5.2. **Priority Areas:** The current priority areas are the Hindpool Renewal Area and the North Central Renewal Area. The Hindpool Renewal Area is the area bounded by Blake St, Duke St, Abbey Rd and Bath St, and is declared a Renewal Area until January 2012. The North Central Renewal Area is the area bounded by Rawlinson St, Greengate St, the railway line and Abbey Road, and is declared a Renewal Area until October 2018;
- 5.3. **Relocation Grants:** These are currently available to assist owner-occupiers affected by demolition in Sub Area D of the North Central Renewal Area (Sutherland St 1-81 (odd numbers), and in Arthur St);
- 5.4. **Same Neighbourhood:** For the purposes of Relocation Grants, includes anywhere in Hindpool or Central wards;
- 5.5. **Similar Property:** For the purpose of Relocation Grants, means a property of reasonably similar type and size to the current property, and which is in reasonably good condition, such that it is not likely to require significant immediate repair work. Relocation Grants will only be paid on any given property up to the open market value assessed by the Council's valuer;
- 5.6. **Programmed Group Repair Schemes:** These are planned in the North Central Renewal Area, in the following streets: Sutherland St and Marsh St (2009-12), Arnside St, Lindal St, Silverdale St, Lord St and Harrison St (2010-14), Thwaite St, Brewery St and Whitehead St (2013-15);
- 5.7. **Decent Homes Target Area:** For the purposes of Decent Homes Grants this area is Sub Area D of the North Central Renewal Area (Crellin St 96A/B, Sutherland St 2-84 (even numbers), Marsh St 119-215 (odd numbers) 190-222 (even numbers));

5.8. **Decent Homes Failures:** For the purposes of awarding Decent Homes Grants, the following failures shall be considered:

- Dwellings containing one or more hazards assessed as serious ('Category 1') under the HHSRS.
- Dwellings not in a reasonable state of repair due to **either** one or more of the key building components are old and, because of their condition, need replacing or major repair; **or** two or more of the other building components are old and, because of their condition, need replacing or major repair.
- Dwellings without reasonably modern facilities and services, by virtue of lacking three or more of the following:
 - a reasonably modern kitchen (20 years old or less);
 - a kitchen with adequate space and layout;
 - a reasonably modern bathroom (30 years old or less);
 - an appropriately located bathroom and WC;
 - adequate insulation against external noise (where external noise is a problem);
 - adequate size and layout of common areas for blocks of flats.
- A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria;
- Dwellings that do not provide a reasonable degree of thermal comfort by virtue of not having both effective insulation and efficient heating;
- More detailed definitions of the reasons for failure of the Decent Homes Standard can be found in the Department for Communities and Local Government publication *Decent Homes, definition and guidance for implementation: June 2006 update*.

Private Sector Housing Assistance Policy (Revised Sept 12)

General Principles

1. The overarching general principle is that repairs are fundamentally the responsibility of the property owner, and grant assistance should only be given in the following circumstances;
 - 1.1. in cases of hardship where there is an imminent risk to health and safety
 - 1.2. as part of strategic area-based schemes, such as Renewal Areas;
 - 1.3. assistance will be restricted to owner occupiers, except where giving grant assistance to landlords will support a wider strategic scheme;
 - 1.4. assistance will not be given where other forms of assistance are in place (e.g. Warm Front). In these cases, applicants will be directed to these alternatives before applications are considered.

General Conditions

2. To support these general principles, the following General Conditions will apply:
 - 2.1. All grants will be discretionary;
 - 2.2. Outside defined priority areas, grants will be available only to owner occupiers and tenants with repairing obligations, who have occupied (and in the case of owner occupiers, owned) the property for three years immediately prior to the application;
 - 2.3. Grants will be repayable in full where the property is disposed of for whatever reason within three years of the award of the grant. This will be enforced by placing a local land charge on the property (except in the case of a grant to a tenant);
 - 2.4. Unless otherwise stated, all grants will be subject to a Test of Resources, to assess the ability of the applicant to contribute towards the cost of works. The amount of any eligible grant will be reduced by the applicant's assessed contribution.

Types of Grant

3. The following types of grant will be made available:
 - 3.1. **Minor Works Grants:** These will provide assistance borough-wide to combat immediate risk to health and safety of occupants

(Category 1 Hazards under Housing Health and Safety Rating System), unless there are significant levels of general disrepair;

- 3.2. **Renovation Grants:** Available to owner occupiers and tenants with repairing obligations in defined priority areas only, to deal with substantial disrepair. This will cover work to roofs, chimney stacks, rainwater goods, walls, external doors and windows, rewiring, and any other Category 1 Hazards. Renovation Grants will not normally be made available where a Group Repair scheme is planned within the next three years;
- 3.3. **Group Repair Grants:** Available in programmed schemes in priority areas only. This will cover external works to roofs, chimney stacks, rainwater goods, walls, external doors and windows. These will be made available to any property owner in the programme area. Although they will not normally be subject to a test of resources, a financial contribution may be required from the owner, subject to a financial assessment. If a financial contribution is required, this will be determined on a scheme by scheme basis by the Council's Executive Committee;
- 3.4. **Empty Property Loans:** Available to eligible owners to assist with bringing empty properties back into use for residential occupation. These will be made available to contribute towards the cost of carrying out an agreed package of works to properties that have been empty for over six months. It will normally be expected that the property will be brought up to the Decent Homes Standard. These loans will be repayable by the owner, either when the property is sold, or over an agreed term, normally no longer than five years, if it is rented out, or otherwise not sold. If the property is genuinely marketed for sale as soon as practicable following renovation, repayment in full will become due once the property is sold. Otherwise repayments over the agreed term will become due. If demand for grants exceeds supply, priority will be determined by reference to the Council's Empty Property Policy. These loans are not subject to a test of resources.
- 3.5. **Empty Property Grants (Clusters of Empty Homes):** Grants will be made available to allow the delivery of the Clusters of Empty Homes programme.
The level of grant will be in line with the CoEH bid with a grant of £8000 per property, although in exceptional circumstances, it will be possible to increase the level of grant up to the maximum equivalent to that which applies for Empty Property Loans (3.5 above). Grant will be allocated to allow work to be carried out on a block by block basis.
The amount of grant payable will be the grant payable per property multiplied by the number of empty properties in the block at a point in time determined by the Council, having due regard to the funding bid for Clusters of Empty Homes Fund. Consistent with

the objectives of the bid, although grant will be allocated based on the number of empty properties, it may be used to fund work on other properties in the same block. However, the total grant will not exceed that calculated by the method above.

In cases where accommodation is to be reconfigured such that the total number of units in a block is reduced, the grant per property will be £12,000.

These loans will be repayable by the owner under terms set out in an appropriate legal agreement, either when the property is sold, or over an agreed term, which may be up to ten years, if it is rented out by the recipient of the grant, or otherwise not sold. If the property is genuinely marketed for sale as soon as practicable following renovation, repayment in full will become due once the property is sold. Otherwise repayments over the agreed term will become due.

In exceptional circumstances, where the strategic objectives of the scheme are not reasonably practicable with the payment of repayable grant as set out above, the Council may allocate grant on a non-repayable basis. This assistance is not subject to a test of resources.

Maximum Amounts of Grant

4. The maximum amounts of grant will be as follows:

4.1. Minor Works Grants:	£5,000
4.2. Renovation Grants:	£20,000
4.3. Group Repair Grants:	£25,000
4.4. Empty Property Loans:	£15,000
4.5. Empty Property Grants (CoEH):	£15,000

Definitions

5. The following definitions will apply:

- 5.1. **Test of Resources:** The test of resources applied is set out in the Housing Renewal Grants Regulations 1996 (as amended);
- 5.2. **Priority Areas:** The current priority area is the North Central Renewal Area. The North Central Renewal Area is the area bounded by Rawlinson St, Greengate St, the railway line and Abbey Road, and is declared a Renewal Area until October 2018;
- 5.3. **Programmed Group Repair Schemes:** These are planned in the North Central Renewal Area, in the following streets: Sutherland St and Marsh St (2009-12), Arnside St, Lindal St, Silverdale St, Lord St and Harrison St (2010-14), Thwaite St, Brewery St and Whitehead St (2013-15);

- 5.4. **Clusters of Empty Homes Fund:** Properties eligible for grant are those located in Devonshire Buildings, Barque St, Brig St, Schooner St, Ship St, Sloop St and Steamer St.
- 5.5. **Decent Homes Standard:** Properties meet the Decent Homes Standard if they For the purposes of awarding Decent Homes Grants, the following failures shall be considered:
- Dwellings containing one or more hazards assessed as serious ('Category 1') under the HHSRS.
 - Dwellings not in a reasonable state of repair due to **either** one or more of the key building components are old and, because of their condition, need replacing or major repair; **or** two or more of the other building components are old and, because of their condition, need replacing or major repair.
 - Dwellings without reasonably modern facilities and services, by virtue of lacking three or more of the following:
 - ◆ a reasonably modern kitchen (20 years old or less);
 - ◆ a kitchen with adequate space and layout;
 - ◆ a reasonably modern bathroom (30 years old or less);
 - ◆ an appropriately located bathroom and WC;
 - ◆ adequate insulation against external noise (where external noise is a problem);
 - ◆ adequate size and layout of common areas for blocks of flats.
 - ◆ A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria;
 - Dwellings that do not provide a reasonable degree of thermal comfort by virtue of not having both effective insulation and efficient heating;
 - More detailed definitions of the reasons for failure of the Decent Homes Standard can be found in the Department for Communities and Local Government publication *Decent Homes, definition and guidance for implementation: June 2006 update*.

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 14
Date of Meeting:	19th September, 2012	
Reporting Officer:	Deputy Executive Director	
<p>Title: Appointment of Independent Person</p> <p>Summary and Conclusions:</p> <p>Officers have identified a suitable Independent Person who will provide advice to the Monitoring Officer and Deputy Monitoring Officer in the event that complaints are received about Members breaching the code of conduct.</p> <p>Recommendations:</p> <p>To recommend the Council that Amanda Bligh be appointed as the Council's Independent person for a period of 4 years with immediate effect.</p>		

Report

Section 28(7) of the Localism Act 2011 places an obligation on all authorities to appoint at least one Independent person:-

- (a) whose views are to be sought and taken into account by the Authority before it makes the decision on an allegation that it has decided to investigate; and
- (b) whose views may be sought:-
 - (i) by the Authority in relation to an allegation in circumstances not within paragraph (a) above;
 - (ii) by a member or co-opted member of the Authority if that person's behaviour is the subject of an allegation; and
 - (iii) by a member or co-opted member of a parish council if that person's behaviour is the subject of an investigation and the Authority is the parish council's principal authority.

The Act stipulates that the vacancy for an independent person must be advertised in such manner as the authority considers is likely to bring it to the attention of the public. We placed an advertisement in the Evening Mail in June 2012. The advertisement was also posted on the Council's website. Amanda Bligh subsequently submitted an application and was interviewed by the Monitoring Officer and his Deputy on 10th July 2012.

Amanda is currently studying for an LLB Law Degree with the Open University. She has worked in local government and with the Citizens Advice Bureau. Her work has involved mediation and conflict resolution. She is keen to take on this voluntary unpaid role for the Council and I recommend that her appointment is formally confirmed for a period of four years with immediate effect.

(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.

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

Correspondence held by the Monitoring Officer

EXECUTIVE COMMITTEE	(D) Agenda Item 15
Date of Meeting: 19th September, 2012	
Reporting Officer: Deputy Executive Director	
Title: Christmas Holiday Arrangements	
Summary and Conclusions:	
To determine arrangements for the closure of Council offices at Christmas 2012.	
Recommendations:	
That one of the following options be agreed:-	
1. That the closure of Council offices on 24 th December 2012, be facilitated by granting one additional day's leave to all staff in accordance with a request from Unison.	
2. That the closure be facilitated by staff using one day of their annual leave entitlement.	
3. That the Council opens for business as usual on 24 th December 2012.	

Report

Christmas Eve this year falls on a Monday.

We have received a request from the local Unison branch asking that the Council grant an additional day's leave to all employees over the Christmas period, the day in question being Christmas Eve. They cite four reasons for the request:-

Pay Freeze

Employees have endured a pay freeze for the past 3 years and currently this looks like it will continue into a fourth year at least

Redundancies

Many departments have been affected by the voluntary redundancies which has resulted in a decrease in morale.

Increased Workload

Due to the redundancies, all remaining staff have had to pick up extra work and have received no financial compensation for the increase in their work.

Operational Reasons

The Town Hall would only open to the public for half a day on Christmas Eve as it is customary to close at lunch time. To open for the Monday would have costs for the Council, such as heating and lighting the building, effectively for an extra 3 days. Experience has shown that the number of customers who call in on Christmas Eve is minimal.

Unison believe that the granting of Christmas Eve as an additional holiday would go a long way to boosting morale and showing all the staff in the Town Hall that all the hard work and endeavour they have put in over this challenging period is appreciated.

From a management perspective, we agree that there is low demand for Council services on Christmas Eve. The energy costs associated with opening offices for one day are significant and a business case could be made for closure. However, it should be noted that staff have already benefitted from an extra day's leave this year as part of the Queen's Jubilee celebrations.

There are three options for Executive Committee to consider:-

1. Agree to Unison's request and grant one day's additional leave on 24th December 2012.
2. Agree to close on 24th December but ask staff to use one day of their leave entitlement to facilitate this (note – staff will already be expected to use one day of their leave to facilitate closure on 31st December as per our usual practice).
3. Open for business as usual on Monday, 24th December.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

Closure on 24th December will reduce operating costs in Council buildings.

(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, though it will reduce access to Council services for an extended Christmas period.

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

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 16
Date of Meeting: 19th September, 2012	
Reporting Officer: Borough Treasurer	
Title: Revenue Outturn for 2011/2012	
Summary and Conclusions:	
<p>The final accounts for the year 2011/2012 have been finalised and submitted to the Audit Commission on 29th June, 2012; to enable the Appointed Auditor to carry out the required statutory audit. The Statement of Accounts will be submitted for approval to the Audit Committee on 27th September, 2012.</p>	
<p>This report presents the revenue outturn for the year ended 31st March, 2012.</p>	
Recommendations:	
<p>To note the report.</p>	

Report

General Fund - actual revenue outturn 2011/2012

On 1st March 2011 the Council approved the 2011/2012 General Fund revenue budget as £14,113,724:

- Net revenue budget before using any reserves £12,289,200
- Use of earmarked reserves £1,824,524
- This totals £14,113,724 and is the Net Revenue Budget
- This was funded from Council Tax £4,443,685
- General Government grants £9,670,039
- This totals £14,113,724 to produce the required fully funded budget and is the Total Revenue Financing.

The Budget Strategy was approved by Council on 24th January 2012 and set out the key components required to achieve a saving of £5,012,688 by 2015/2016; this is the projected difference between the Net Revenue Budget going up and the Total Revenue Financing going down. To reduce and

eliminate this deficit or shortfall by 2015/2016, the key components were estimated to achieve (at 2015/2016 prices):

- Use of the Restructuring Reserve £600,000
 - Efficiency savings locked in from 2012/2013 £468,610
 - Savings in staff costs £1,726,958
 - Increased income £1,489,650
 - Service reductions effective from 2012/2013 £527,470
 - Anticipated growth from economic recovery £200,000
- Totalling £5,012,688

The Council offered voluntary redundancy to staff and during 2011/2012 the cost of these was met from the Transition Grant received in 2011/2012. There were also one-off service restructuring costs as a consequence of reducing staffing levels that were also met from the Transition Grant received in 2011/2012.

Net revenue budget before using any reserves

The net revenue budget before using any reserves was set at £12,289,200. The actual outturn was £13,180,257; a net increase of £891,057.

The main items that caused the net increase are set out below:

1. The biggest item is the cost of staff redundancies at £807,554; this is the net cost after deducting the savings from salaries saved for leavers during the year. This is a one-off cost and was fully funded by the Transition Grant received in 2011/2012.
2. There were one-off costs of service restructuring of £70,586 that were fully funded by the Transition Grant received in 2011/2012.
3. The income from pay and display car parks was expected to be £1,093,660 in the original budget. The actual income for 2011/2012 was £832,771; a shortfall of £260,890. The 2012/2013 budget was based on the 2011/2012 income being achieved. The outturn shortfall will need to be addressed as this income is part of the key components of the Budget Strategy.
4. During 2011/2012 Members were informed of the change to the recycling credits income that the Council expected to receive; the credits were capped.

The original 2011/2012 budget expected £986,000 and the actual income was £848,626; a cost to the Council of £137,374. The reduction of income for this capping is incorporated into the 2012/2013 budget and Medium Term Financial Plan.

5. The Park Leisure Centre income expected for 2011/2012 was £745,400 and the actual income was £626,111; a cost to the Council of £119,289. However, 2011/2012 was the last year of the price reduction and freeze agreed by Members in 2008/2009. The prices at the centre were reduced by 10% and held for three years, this ended on 1st December 2011. At the time of the pricing decision, a reserve was set up to support the General Fund to pay for the loss of income. The final balance in the reserve of £124,662 was returned to the General Fund in 2011/2012 to pay for the lost income.

The budgeted income for 2012/2013 for the Park Leisure Centre is based on the new pricing structure agreed as part of the Budget Strategy.

6. The Council has bad debt provisions for Council Tax, housing rents, benefit overpayment recoveries and other sundry debts. As part of closing the accounts for 2011/2012 the Borough Treasurer must consider the sufficiency of the provision that are held, taking into account what has been recovered, what has been written off and what is the likelihood of recovering the remaining debts. The sundry bad debt provision was reviewed against these factors and it was determined that the level of the provision is higher than required. The reduction in the provision of £322,853 goes back into the General Fund in 2011/2012.
7. Since 2009/2010 the Council has been pursuing VAT recovery on leisure activities. The claims have been successful and the recovered amounts plus interest have been paid to the Council over the last couple of years. The amount received in 2011/2012, net of the fees for professionals to pursue these claims, is £81,483. Unless any additional interest is awarded, these claims are now finalised.
8. The income for the Cemetery and the Crematorium in the original 2011/2012 budget was £452,030 and the actual income is higher at £493,079; a saving to General Fund of £41,049. The increased income level was built into the 2012/2013 budget along with the pricing set out in the Budget Strategy.
9. The interest payable on external borrowing attributable to the General Fund was originally budgeted as £621,250 and this included taking out a new loan to fund the capital programme. The capital programme was still partly financed by borrowing, but in cash terms there was no requirement to take out a loan. This reduced the amount of interest payable by the General Fund to £584,643; a saving to General Fund of £36,607.

The interest earned from putting temporary cash surpluses into an interest bearing account was budgeted to generate income of £19,540. This actually generated £24,410; a saving to General Fund of £4,870.

The net saving on treasury activities is £41,477.

Table 1 summarises the main items that increased the net revenue budget before using any reserves:

Item	Cost to the Council	Saving for the Council
Staff redundancies	£807,554	
One-off service restructuring costs	£70,586	
Shortfall on pay and display car parks	£260,889	
Capped recycling credits	£137,374	
Reduced Park Leisure Centre income	£119,289	
Reduction in bad debt provision		£322,853
VAT recovered on leisure services		£81,483
Additional Cemetery and Crematorium income		£41,049
Saving from treasury activities		£41,477
Total	£1,395,692	£486,862

Table 1

The net cost to the Council of these main items is £908,830. However, some of the costs are funded by reserves as set out in the narrative and these are set out below.

Use of earmarked reserves

Table 2 shows the original budgeted use of reserves (planned), the actual use of reserves when the 2011/2012 accounts were closed and the difference that produced.

The original 2011/2012 budget had net earmarked reserves being put away of £1,824,524. The actual outturn had £1,204,783 being put away in to reserves; a difference of £619,741 from less money being reserved and being used during 2011/2012 instead.

This table shows money added into reserves as a positive figure. The figures in brackets are where existing reserves are used.

	Planned	Actual	Difference
Revenue grants			
Use of earmarked revenue grants	(£121,480)	(£46,041)	£75,439
New Restructuring Reserve			
Create Restructuring Reserve: from Transition Grant	£1,698,978	£420,838	
Add additional Government settlement: from Transition Grant	£136,882	£136,882	
Add additional Government settlement: from Formula Grant	£48,504	£48,504	
Add net surplus on 2011/2012 outturn		£150,734	
	£1,884,364	£756,958	(£1,127,406)
Other new reserves			
CCTV: from Transition Grant	£120,000	£184,296	
NMT: from Transition Grant	£50,000	£50,000	
Grants to external bodies: from Transition Grant		£400,000	
	£170,000	£634,296	£464,296
Other existing reserves			
Ring fenced properties	£46,370	£174,162	
Leisure Centre income support		(£124,662)	
Budget setting support	(£155,000)	(£155,000)	
Festival fund		(£34,930)	
	(£108,630)	(£140,430)	(£31,800)
Overall totals	£1,824,254	£1,204,783	(£619,471)

Table 2

The earmarked revenue grants belong to specific services and projects. These are carried forward as the grant must be used when the expenditure has occurred; this is a timing difference. The £75,439 in Table 2 is the net of grants previously received being used and new grants received but not yet spent.

The new Restructuring Reserve has been created from the Transition Grant not spent or separately allocated in 2011/2012, together with the small additional Formula Grant awarded as the final settlement and the net surplus on the General Fund for 2011/2012. The difference is explained in Table 3:

	Original budget	Budget Strategy	Actual Outturn
Transition Grant			
Transition Grant received for 2011/2012	£2,544,279	£2,544,279	£2,544,279
Used to fund 2011/2012 budget deficit	(£395,869)	(£395,869)	(£395,869)
New CCTV reserve	(£262,550)	(£262,550)	(£184,296)
Used to fund CCTV in 2011/2012			(£78,254)
New NMT reserve	(£50,000)	(£50,000)	(£50,000)
New grants to external bodies reserve		(£400,000)	(£400,000)
Used to fund redundancy costs in 2011/2012		(£808,900)	(£807,554)
Used to fund one-off service restructuring in 2011/2012		(£48,100)	(£70,586)
Transition Grant to new Restructuring Reserve	£1,835,860	£578,860	£557,720
Additional Formula Grant for 2011/2012	£48,504	£48,504	£48,504
Net surplus on the General Fund for 2011/2012			£150,734
New Restructuring Reserve	£1,884,364	£627,364	£756,958

Table 3

Total Revenue Financing

The amount raised from Council Tax £4,443,685 is the amount that the General Fund demands from the Collection Fund and this stays the same as the budget, with any difference from the 2011/2012 anticipated performance going towards the calculation of the 2013/2014 Council Tax demand.

The General Government grants in the original 2011/2012 budget of £9,670,039 increased to £9,941,356 in the actual outturn as shown in Table 4. The additional grants were not budgeted for in 2011/2012, but are included in

the 2012/2013 General Fund revenue budget and the following years apart from the homelessness prevention grant which is awarded on an annual basis.

General Government grant	Original Budget	Actual Outturn
Formula Grant including NNDR	£7,016,946	£7,016,946
Transition Grant	£2,544,279	£2,544,279
Council Tax Freeze Grant	£108,814	£108,795
Homelessness Grant		£113,470
New Homes Bonus		£157,866
Total	£9,670,039	£9,941,356

Table 4

General Fund Reserves and Balance

The revenue resources of the General Fund are set out in Table 5:

	Item	Total
Committed reserves		
New: Restructuring Reserve	£756,958	
New: CCTV	£184,296	
New: NMT	£50,000	
New: grants to external bodies	£400,000	
VAT and insurance	£1,144,264	
Public buildings	£500,000	
Pay review	£175,624	
Ring fenced properties	£515,993	
Total		£3,727,135
Available reserves		
General reserve	£1,367,735	
Festival fund	£27,502	
Market Hall	£50,650	
Park Vale	£56,290	
Total		£1,502,177
Committed: revenue grants		£3,197,315
General Fund balance		£2,289,622
Overall total		£10,716,249

Table 5

The levels of reserves and balances have been reviewed when closing the 2011/2012 accounts and the Borough Treasurer considers these to be adequate. The reserves and balances are under constant review and will be

reported to Members with the Council Finances Report and the Budget Setting Report.

Members should note that the Budget Strategy and Medium Term Financial Plan are based on the Restructuring Reserve and the General Fund balance being managed over the spending review period, to ensure that the Councils' core budget reduces to the funding level. This means that the Councils' Net Revenue Budget is reduced to the amount that is funded by Council Tax and Government support (which together are the Total Revenue Financing available to the Council). The other new reserves are separated from the Restructuring Reserve and again are linked to the Budget Strategy and Medium Term Financial Plan.

The VAT and insurance reserve is held to cover the risks associated with these aspects of the Councils' operations; the VAT exemption limit, fees on settlement of the Isle of Wight car parking case, insurance excesses from settled claims and uninsured losses. As part of the Budget Strategy, the annual budget for insurance excesses was removed and this reserve will be used to fund any excesses that the Council has to pay.

The public building reserve will be used over 2012/2013 to 2015/2016 to fund major repair works and has allowed a reduced level of public buildings maintenance in the General Fund budget to remain constant. Major repair works are not cyclical and will be funded from the reserve as needed.

The pay review reserve is held for the pay and grading review that the Council is progressing. The reserve is there to cover any external services that are required during the process and also to fund any protection for affected post holders on completion of the review.

The ring fenced properties are the industrial units created with specific Government funding. The funding was conditional on future rent streams covering the costs of running the units as well as maintaining and managing them into the future. In the early years this reserve will grow, until major works become necessary which will deplete the reserve.

Where the Restructuring Reserve is held for service restructuring and for the delivery of the Budget Strategy, the general reserve must take into account the key assumptions underpinning the strategy and the Councils' financial management arrangements. These include the level of borrowing, debt outstanding, council tax collection rates, utilities, inflation and other economic factors.

It is also important to note that the Budget Strategy and Medium Term Financial Plan do not include the financial impact of several upcoming items as it was not possible to quantify them at that time. It is still not possible to quantify these items with any certainty, but potentially some of the general reserve may have to be used for the effects of these:

- Council Tax Reduction Scheme

- Recycling credits further reduction
- New grant distribution from Central Government
- NNDR redistribution and retention
- Universal Credits

Members will also recall that the Budget Strategy and Medium Term Financial Plan are balanced to by using £600,000 from the Restructuring Reserve up to and including 2015/2016. Each time the annual budget is set the intention is to eliminate that deficit from efficiencies and economies before we get to 2015/2016.

There is also a shortfall of around £1,000,000 in the funding available for capital financing for the agreed four year capital programme. This is a manageable position as projects can be delayed until the funding is in place however, should capital works become essential then it may be necessary to consider utilising reserves to fund capital.

The festival fund, Market Hall and Park Vale reserves are there to cover future costs for these specific purposes. Until the reserve is committed it is still available should other priorities take precedence. Executive Committee can approve a change of use for earmarked reserves.

The revenue grants are committed to specific services and projects as mentioned earlier in this report.

The General Fund balance is the prudent level maintained for potential emergencies, unexpected events or un-budgeted statutory expenditure. The Section 151 Officer (the Borough Treasurer) can authorise this type of expenditure but must report it to the Executive Committee at the earliest opportunity.

The Net Revenue Budget is reducing going forward, the monetary value of the reserve can reduce and it will become necessary to set a minimum level for the General Fund balance and the general reserve; a percentage of the Net Revenue Budget may produce an inadequate balance.

Reserves and balances will continue to be reviewed on an on-going basis as stated and formally with the Executive Committee when the budget is set each year.

Housing Revenue Account - actual revenue outturn 2011/2012

On 1st March 2011 the Council approved a balanced budget for the 2011/2012 Housing Revenue Account. The outturn for the fund was a surplus of £483,883 that mainly came from the planned maintenance programme where works cannot be timed to occur with absolute certainty and a new contractor was appointed for responsive repairs.

Housing Revenue Account Reserves and Balance

The resources of the Housing Revenue Account are set out in Table 6:

	Total
Committed reserves	
Major Repairs Reserve	£1,601
Housing Revenue Account balance	£1,521,771
<i>Of which: committed to on-going housing maintenance £371k</i>	
Overall total	£1,523,372

Table 6

Collection Fund - actual revenue outturn 2011/2012

The Collection Fund for 2011/2012 resulted in a surplus of £165,469. This is shared in between the major preceptors on the basis of their precepts for 2012/2013 and is distributed for inclusion in the Council Tax setting for 2013/2014. Table 7 shows the distribution of the 2011/2012 surplus:

Main preceptor	Share of 2011/2012 surplus
Cumbria County Council	£121,950
Barrow Borough Council	£22,437
Cumbria Police Authority	£21,082
Total	£165,469

Table 7

(i) Legal Implications

The Accounts and Audit Regulations 2003 require the approval and publication of the Statement of Accounts by 30th September, 2011.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no significant 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

Statement of Accounts 2011/2012

EXECUTIVE COMMITTEE	(D) Agenda Item 17
Date of Meeting: 19th September, 2012	
Reporting Officer: Borough Treasurer	
Title: Treasury Management Annual Report 2011/2012	
Summary and Conclusions:	
<p>The purpose of this report is to inform Members on the operation and effectiveness of the Council's Treasury Management function for 2011/2012.</p> <p>During 2011/2012, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators are found in the main body of the report. The statutory borrowing limit (the authorised limit) was not breached.</p> <p>The implementation of housing finance reform at the end of 2011/2012 abolished the housing subsidy system financed by central government and, consequently, new housing debt of £17,089k was taken on to pay the one-off buy out of the system.</p>	
Recommendations:	
<p>Members are recommended to note the report and the 2011/2012 prudential and treasury indicators.</p>	

Report

A. Background

The Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2011/2012. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

The Council adopted the Code on 14th March 2002.

During 2011/2012 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council, 1st March 2011);
- an annual report following the year describing the activity compared to the strategy (this report).

In addition, the Executive Committee has received quarterly treasury management update reports on 20th July 2011 (quarter 1) and 16th November (quarter 2) 7th March 2012 (quarter 3).

The regulatory environment now places a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

The Council has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by this committee before they were reported to the full Council.

During 2011/2012, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators are found in the main body of the report. The Borough Treasurer confirms that borrowing was only undertaken for a capital purpose and the statutory borrowing limit (the authorised limit), was not breached.

The financial year 2011/2012 continued the challenging environment of previous years; low investment returns and on-going heightened levels of counterparty risk remained.

The implementation of housing finance reform at the end of 2011/2012 abolished the housing subsidy system financed by central government and, consequently, a new housing debt of £17,089k was taken on to pay the one-off buy out of the system. The payment resulted in a corresponding increase in the Housing Revenue Account Capital Financing Requirement.

This annual review report for 2011/2012 covers:

- i. Capital expenditure and financing during the year;
- ii. Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement CFR);
- iii. Reporting of the required prudential and treasury indicators; and
- iv. Overall treasury position identifying how the Council has borrowed in relation to its indebtedness and the impact on investment balances.

B. Capital expenditure and financing 2011/2012

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- i. Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- ii. If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to borrowing.

The actual level of capital expenditure forms one of the required prudential indicators.

The table below shows the actual capital expenditure and how this was financed.

General Fund	2010/2011 Actual £000	2011/2012 Original £000	2011/2012 Actual £000
Capital Expenditure	7,062	4,382	4,559
Financed by:			
Capital Receipts	529	998	955
Capital Grants	6,378	1,963	2,297
Capital Reserves	100	-	-
Revenue	55	-	-
Unfinanced Capital Expenditure	-	1,421	1,307

Housing Revenue Account <i>2011/2012 Actual includes subsidy settlement payment</i>	2010/2011 Actual £000	2011/2012 Original £000	2011/2012 Actual £000
Capital Expenditure	1,846	2,383	19,201
Financed by:			
Capital Receipts	-	-	-
Capital Grants	-	-	-
Capital Reserves	1,846	2,383	2,112
Revenue	-	-	-
Unfinanced Capital Expenditure	-	-	17,089

C. Borrowing need, prudential and treasury indicators

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's requirement to take on external debt. The CFR results from the capital activity of the Council and what resources (financing in the tables above), have been used to finance the capital activity. It represents the 2011/2012 unfinanced

capital expenditure (see tables above) which has not yet been paid for by revenue and other resources.

Part of the Council's treasury activities is to address the long-term funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury function organises the Council's cash position to ensure sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board (PWLB) or the money markets), or alternatively utilising temporary cash resources within the Council.

The General Fund underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets financed through borrowing are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. There is no statutory requirement for the Council to reduce the HRA CFR.

The Council's 2011/2012 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2011/2012 on 1st March 2011.

The Council's CFR for the year is shown below, and represents a key prudential indicator. As a result of the abolition of the Housing Subsidy system at the end of the 2011/2012 financial year; the settlement payment of £17,089k and increase in PWLB had a corresponding increase in Housing Revenue Account CFR.

Capital Financing Requirement - General Fund	2010/2011 Actual £000	2011/2012 Original £000	2011/2012 Actual £000
Opening Balance	24,933	23,812	23,812
Add unfinanced capital expenditure (as above)	-	1,421	1,307
Less MRP/VRP	(1,121)	(1,085)	(1,085)
Closing Balance	23,812	24,148	24,034

Capital Financing Requirement - Housing Revenue Account	2010/2011 Actual £000	2011/2012 Original £000	2011/2012 Actual £000
<i>2011/2012 Actual includes subsidy settlement payment</i>			
Opening Balance	9,010	9,010	9,010
Add unfinanced capital expenditure (as above)	-	-	17,089
Less MRP/VRP	-	-	-
Closing Balance	9,010	9,010	26,099

Actual borrowing activity is constrained by the prudential indicators for net borrowing and the CFR and by the authorised limit; these are described below.

Net borrowing and the CFR: in order to ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for capital activity. This essentially means that the Council is not borrowing to support revenue expenditure. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2011/2012 plus the expected changes to the CFR in 2012/2013 from financing the Capital Programme. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

Net Borrowing and the CFR	2010/2011 Actual £000	2011/2012 Revised £000	2011/2012 Actual £000
Net borrowing position	22,390	40,900	39,479
CFR	32,822	50,247	50,133

The authorised limit: the authorised limit is the "affordable borrowing limit" required by section 3 of the Local Government Act 2003. The Council must formally approve any increase in the authorised limit before borrowing above the approved level, (the table below demonstrates that during 2011/2012 the Council has maintained gross borrowing within its authorised limit).

The operational boundary: the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached.

Actual financing costs as a proportion of net revenue stream: this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

Trend in Cost of Capital against Net Revenue Stream	2010/2011 Actual £000	2011/2012 Actual £000
Authorised Limit	31,000	47,000
Maximum gross borrowing position	22,390	39,479
Operational Boundary	28,000	44,000
Average gross borrowing position	22,390	22,576
Financing costs as a proportion of net revenue stream:		
General Fund	10%	11%
Housing Revenue Account	8%	6%
The Council Overall	9%	9%

The Authorised Limit and Operational Boundary were increased for the anticipated Housing Subsidy settlement payment:

Changes in borrowing	2011/2012 Original £000	2011/2012 Variation £000	2011/2012 Revised £000
Authorised Limit	29,000	18,000	47,000
Operational Boundary	26,000	18,000	44,000

D. Treasury Position as at 31st March 2012

The Council's debt and investment position is organised to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through Member reporting and through officer activity detailed in the Council's Treasury Management Practices.

At the close of the Housing Subsidy system the Council's debt portfolio was split and is now managed in two separate debt portfolios, one for the General Fund (GF) and one for the Housing Revenue Account (HRA); this is reflected in the closing position for 2011/2012.

At the beginning and the end of 2011/2012 the Council's treasury position was as follows:

Treasury Position	Financial Year 2010/2011		Financial Year 2011/2012 (2 Pools)			
			General Fund		Housing Revenue Account	
	£000	%	£000	%	£000	%
	as at 31/3/2011		as at 31/3/2012		as at 31/3/2012	
Fixed Rate Debt	22,390	100%	13,380	100%	26,099	100%
Total Investments	-	0%	-	0%	-	0%
Net Debt	22,390		13,380		26,099	

The maturity structure of the debt portfolio was as follows:

Maturity structure of fixed rate debt during 2011/2012	31/03/2011 Actual %	2011/2012 Original Max %	31/03/2012 Actual %
Under 12 months	0%	20%	0%
12 months to 2 years	0%	20%	0%
2 years to 5 years	0%	50%	0%
5 years to 10 years	0%	75%	13%
10 years and above	100%	100%	87%

The exposure to fixed rates was as follows (no variable rate exposure):

Interest Rate Exposure	31/03/2011 Actual £000	2011/2012 Revised Max £000	31/03/2012 Actual £000
Fixed Rate (Principal)			
Borrowing	22,390	42,000	39,479
Net	22,390	42,000	39,479

E. The Strategy for 2011/2012

The expectation for interest rates within the strategy for 2011/2012 anticipated low but rising Bank Rate (starting in quarter one of 2012) with similar gradual rises in medium and longer term fixed interest rates over 2011/2012. Continued uncertainty in the aftermath of the 2008 financial crisis created a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

In this scenario, the treasury strategy was to limit borrowing to avoid the cost of holding higher levels of investments to reduce counterparty risk.

For 2011/2012 the Council's budgeted for an investment return of 0.3% on temporary cash surpluses invested during the financial year, this assumed the Bank Rate would start increasing from January 2012 in the initial strategy. The actual investment rate achieved was 0.3%.

F. Borrowing Portfolio Outturn for 2011/2012

The Council's borrowing strategy for 2011/2012 was that the cheapest borrowing would be internal borrowing; running down cash balances and foregoing interest earned at low rates.

Borrowing of £17,089k was taken out for the Housing Subsidy settlement payment. No other new borrowing was taken out for 2011/2012.

The Council has continued its policy of running down cash balances and maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement) has not been fully funded with loan debt; alternatively cash supporting the Council's reserves, balances and cash flow have been utilised as a temporary measure. This position remained prudent as investment returns were low and counterparty risk high, therefore the Council's strategy for internal borrowing was maintained throughout the financial year; the Council's under-borrowed position is highlighted in the **Net Borrowing and CFR** table on page 5.

The Council's opening capital financing requirement (CFR) for 2011/2012 was £32,822k rising to £50,133k by 31st March 2012 (including the Housing Subsidy settlement payment). The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from

the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). As stated above, the balance of external and internal borrowing is being driven by market conditions.

Borrowing during the financial year for the Housing Subsidy settlement payment was undertaken at special low PWLB rates available solely for the amount of debt that each paying authority had to pay to the DCLG. The borrowing is repayable over the 30 years of the HRA Business Plan, which was used by the DCLG in calculating the settlement payment. The average interest rate for the £17,089k borrowed is 2.76%.

The Council did not engage in any debt-rescheduling during 2011/2012.

The Council's overall interest rate of 4.36% on debt can be compared to the initial rate in the Strategy of 4.41% for the year; the reduction in the rate is due to the Housing Subsidy settlement borrowing as above.

G. Investment Rates in 2011/2012

The tight monetary conditions following the 2008 financial crisis continued through 2011/2012 with little material movement in the shorter term deposit rates.

The Bank Rate remained at its historic low of 0.5% throughout the year while market expectations of an increase was gradually pushed further and further back during the year to 2014/2015 at the earliest.

H. Investment Portfolio Outturn for 2011/2012

Investment Policy: the Council's investment policy is governed by CLG guidance, which was been implemented in the annual investment strategy approved by the Council on 1st March 2011. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies and limits on values and duration of deposits.

During 2011/2012 the Council continued to restrict the investment of temporary cash surpluses with its' own appointed bank (HSBC Bank plc). This cautious approach excludes investing in the money market until such time as stability is returned and the rates and risks are acceptable.

The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.

Detailed below is the result of the investment strategy undertaken by the Council; the investment of temporarily surplus cash:

Invested Funds	31/03/2011 Actual £000	2011/2012 Original £000	31/03/2012 Actual £000
Average principal deposited	7,034	6,250	7,843
Interest earned	20	20	24
Average interest rate	0.3%	0.3%	0.3%

The Council had no sums invested beyond 364 days at any time during the year.

(i) Legal Implications

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

(ii) Risk Assessment

The risks are set out in the body of the report.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no significant 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

EXECUTIVE COMMITTEE	(D) Agenda Item 18
Date of Meeting: 19th September, 2012	
Reporting Officer: Borough Treasurer	
Title: Council Finances 2012/2013 as at 31st August 2012	
Summary and Conclusions:	
This report presents financial information for the current financial year, as at 31 st August 2012. It contains summary information and key data for the:	
A. General Fund B. Treasury Management C. Capital Expenditure and Financing D. Housing Revenue Account E. Collection Fund F. Bad Debt Provisions and Write Offs G. Reserves and Balances	
Recommendations:	
To note the information contained in the report.	

Report

Introduction

This report contains all of the key data relating to the Councils' finances for the period ended 31st August 2012. Where key data is not available at the end of the reporting period date, the latest available key data has been used and this is noted where applicable.

A. General Fund

The General Fund brings together all of the functions of the Council except the Housing Revenue Account which is ring-fenced. The General Fund summarises all of the resources that have been generated, consumed or set aside in providing services during the year. There are certain statutory items that are taken into account in determining the Councils' budget requirement and in turn its Council Tax demand.

The budget for 2012/2013 was agreed by Council on 28th February 2012 at £13,152,648.

It should be noted that it is too early in the financial year to be certain that the current trends will continue, but for illustration, the items that are currently adrift of expectations have been extrapolated to give a full year figure. These are to demonstrate the work case scenario and are not intended to provide an outturn estimate. A particular area that this caveat applies to is income. When prices are increased there is initial resistance which can be expected to diminish over time and it is too early to determine the effect of that now. Work is underway to review the key income streams and should any action be necessary, this will be reported to Members. In terms of the overall Budget Strategy the key components and their target reductions remain valid. The current status of the Budget Strategy is:

Component	Reduction £M	Proportion	Current status
Efficiency savings	0.5	10%	Achieved
Staff pay savings	1.7	34%	Achieved
Increased income	1.5	30%	On-going
Service reductions	0.5	10%	Achieved
Growth	0.2	4%	From 2014/15
Use of reserves	0.6	12%	Up to 2015/16
Total	5.0		

There are certain items of income and expenditure that are incurred throughout the year and other items that are entered into the General Fund at the end of the financial year. The on-going items and their position at 31st August 2012 are set out below, the actual spend compared to the budget to date is shown as a % for comparison. In general the budget assumes expenditure is incurred on a straight line basis, but adjustments are made for timing differences.

Item	Original budget £000	Budget at 31st August £000	Actual at 31st August £000	Variance £000	%
Staff pay	4,684	1,992	1,980	12	99%
Staff other costs	120	57	57	0	100%
Transport costs	125	57	49	8	86%
Property costs	2,045	959	962	(3)	100%
Supplies and services	2,706	1,144	1,215	(71)	106%
Contract services	6,585	2,391	2,364	27	99%
External income	(7,594)	(2,791)	(2,582)	(209)	93%
Direct costs	8,671	3,809	4,045	236	106%

Key data:

Staff pay is within 1% of the budget profile; the profile excludes the budgeted pay award. The slight underspend is due to the holiday purchase scheme, £14,439.

Staff other costs are training, insurance and eye tests.

Transport costs are lower than the budget profile. The transport budget was amended to remove the lease car scheme and this mileage was converted to essential rates. However it looks as though there are not as many miles being claimed where it was initially thought that the mileage would still be undertaken. The vans used by the Council services are also in this heading. This area will continue to be monitored and is likely to produce a budget reduction of around £15,000.

Property costs are marginally ahead of the budget profile.

Supplies and services are ahead of the budget profile, but this relates to the payment of grants to voluntary bodies at the beginning of the year and is funded from the Grants to External Bodies reserve.

Contract services are invoiced at different times and the budget profile has been adjusted for that. Having reviewed the inflation on these services, they have all come in under the budget assumption. This should realise a saving of around £75,000 for 2012/2013.

External income is behind the budget profile and the main items are set out below:

- Park Leisure Centre

Fees – budget to date £211,587 less actual £159,405 = shortfall £52,182. This represents a 25% shortfall so far and applying that rate to the whole budget of £507,810 would make a loss to the Council of £126,953 for 2012/2013.

The actual income at this point last year was £147,344.

Fitness Suite – budget to date £137,500 less actual £111,263 = shortfall £26,237. This represents a 20% shortfall so far and applying that rate to the whole budget of £330,000 would make a loss to the Council of £66,000.

The actual income at this point last year was £100,965.

The activity for the Centre is attached at **Appendix 8**.

- Cemeteries and Crematorium

Charges for services – budget to date £191,644 (profiled against the trend for previous years) less actual £207,525 = exceeding target by £15,881 at this point. This represents 8% more income so far and applying that rate to the whole budget of £735,480 gives potentially additional income of £58,838.

The actual income at this point last year was £148,110.

- Car Parking

Pay and display – budget to date £400,000 less actual £253,355 = shortfall £146,645. This represents a 30% shortfall so far and applying that rate to the whole budget of £960,000 would make a loss to the Council of £288,000.

The actual income at this point last year was £291,167.

The activity for the car parks is attached at **Appendix 9**.

To summarise the current position, there are a couple of areas where savings will be realised and other areas where the budget may not be achieved:

Item	Saving £000	Loss £000	Net £000
Transport costs	15		
Contract services	75		
Park Leisure Centre		153	
Cemeteries & crematorium	59		
Pay and display car parking		288	
Total	149	441	292

There may be other areas where savings will be achieved and this will be monitored throughout the year. Some expenditure has not occurred as yet and there may be additional income in other areas.

B. Treasury Activities

Treasury activities are all the borrowing and investment transactions for the Council. All transactions take place in accordance with the Councils' approved Treasury Management Strategy for the year, which also sets the Prudential Indicators. Prudential indicators are measures and limits that control the affordability, risk and proper practice in all treasury transactions.

Following the abolition of the Housing Subsidy system it became necessary to split the Councils' loans into two pools: General Fund and the Housing Revenue Account. The interest paid on borrowings is attributed to each pool. The interest earned on investments belongs to the General Fund. Should the interest paid on borrowings or the interest earned from investments be different

from the budget estimate, this will impact on the General Fund and Housing Revenue Account as applicable.

Key data:

- o Interest paid on borrowings compared to budget estimate:

The Council currently has no short-term temporary borrowing. The Council's long-term debts are all with the Public Works Loan Board and interest is payable every six months, the first payment for the period 1st April 2012 to 30th September 2012 to be paid on 1st October 2012:

Interest paid on borrowing	Budget £000	To 31st August £000	Actual £000
General Fund	638	0	0
Housing Revenue Account	1,133	0	0
Total	1,771	0	0

- o Interest earned on invested short-term temporary surplus cash compared to the budget estimate:

Interest earned on investing temporary surplus cash	Budget £000	To 31st August £000	Actual £000
General Fund	49	9	8

At the time of writing this report the Council had £12,900,000 invested with the HSBC.

- o Change in the Council's borrowings:

There has been no new long-term borrowing undertaken in 2012/2013. The Council's borrowings at 31st August 2012 were £39,478,734.

The Authorised Limit that the Council's debt cannot exceed in 2012/2013 is £57,000,000.

C. Capital Programme

The Councils' capital expenditure plans are one of the key prudential indicators. This expenditure can be paid for immediately by resources such as capital receipts and capital grants, and any remaining expenditure forms the Councils' borrowing requirement for the year.

The borrowing requirement for the capital programme impacts on the General Fund as the Council is statutorily required to set aside a prescribed amount to repay the Council's total borrowing requirement. The current borrowing requirement in the capital programme is reflected in the General Fund budget. Any changes in the requirement will impact on the General Fund.

Key data:

- Spend to 31st August 2012 compared to the programme projected:

As at:	Capital Programme £000	Actual Spend £000
24 th January 2012 – approved by Council	6,405	1,578
18 th July 2012 – as reported to this Committee	7,432	

D. Housing Revenue Account

The Housing Revenue Account reflects the statutory obligation to account separately for Council housing provision. The Housing Revenue Account is a ring-fenced account and legislation sets out the items that can be paid and received.

The budget for 2012/2013 was agreed by Council on 28th February 2012 as a break-even for the year. The budget did not include the use of the Housing Revenue Account balance.

There are certain items of income and expenditure that are incurred throughout the year and other items that are transacted at the end of the financial year. The on-going items and their position at 31st August 2012 are set out below, the actual spend compared to the budget to date is shown as a % for comparison. In general the budget assumes expenditure is incurred on a straight line basis, but adjustments are made for timing differences.

Item	Original budget £000	Budget at 31 st August £000	Actual at 31 st August £000	Variance £000	%
INCOME					
Dwelling rents	(9,515)	(3,965)	(3,965)	0	100%
Other income	(505)	(246)	(310)	64	126%
Gross income	(10,020)	(4,211)	(4,275)	64	102%
EXPENDITURE					
Management	2,297	842	716	126	85%
Maintenance	2,967	429	410	19	96%
Gross expenditure	5,264	1,271	1,126	145	89%

E. Collection Fund

The Collection Fund reflects the statutory requirement to maintain a separate record of transactions in relation to council tax and business rates and to distribute these to precepting authorities, the national non-domestic rates pool and the General Fund.

When the council tax is set, there is a certain amount set aside for uncollectible council tax. Where the uncollectible council tax for the year is different to the estimate, for illustration there is more uncollected council tax than estimated, this deficit is shared between the Council, the County and the Police. Due to the timing of setting the council tax, the deficit would impact on 2014-15 General Fund.

Key data:

- o Percentage of council tax collected at 31st August 2012 compared to the previous year:

Year	Amount due for the year £000	Amount collected £000	Collection Rate
2012/2013	28,190	13,535	48.0%
2011/2012	27,829	13,296	47.8%

- o Percentage of business rates collected at 31st August 2012 compared to the previous year:

Year	Amount due for the year £000	Amount collected £000	Collection Rate
2012/2013	23,231	11,697	50.4%
2011/2012	22,492	11,400	50.7%

F. Bad debt provisions and write offs

Each fund has a provision set aside to cover the writing off of bad debts. The provisions are specific to each fund that they are created from.

For the General Fund, the bad debt provision has been built up from contributions from the General Fund over time. If the provision falls below prudent levels, General Fund revenue resources would be used to replenish the provision.

Key data:

- o The bad debt provisions at 1st April 2011 and at the amounts written off to 30th June 2011 are shown below:

Fund	1 st April 2012 £000	Written off during 2012/2013 £000
General Fund	272	0
Housing Revenue Account	243	15

At this point in the year the bad debt provisions are satisfactory to cover the outstanding debts.

G. Reserves and balances

Reserves and balances are specific to each fund.

Reserves are created by earmarking specific amounts from a fund and setting it aside, this may be for a specific purpose at the time, or for a specific purpose to be identified later.

Once reserves are earmarked and agreed by Executive Committee, they may be used for that specific purpose. Where the use of a reserve is to change, then Executive Committee may agree this. Where there is a new use of reserves identified, this must be agreed by Council.

The Borough Treasurer can authorise the use reserves for emergency or un-budgeted statutory items where service delivery would otherwise be affected.

Fund balances are maintained at prudent levels determined in accordance with the approved Reserves and Balances Policy. Fund balances are held for potential emergency or extraordinary expenditure.

Key data:

- The General Fund reserves and balance held at 1st April 2012 are shown below:

	Item	Total
Committed reserves		
New: Restructuring Reserve	£756,958	
New: CCTV	£184,296	
New: NMT	£50,000	
New: grants to external bodies	£400,000	
VAT and insurance	£1,144,264	
Public buildings	£500,000	
Pay review	£175,624	
Ring fenced properties	£515,993	
Total		£3,727,135
Available reserves		
General reserve	£1,367,735	
Festival fund	£27,502	
Market Hall	£50,650	
Park Vale	£56,290	
Total		£1,502,177
Committed: revenue grants		£3,197,315
General Fund balance		£2,289,622
Overall total		£10,716,249

- The Housing Revenue Account reserves and balance at 1st April 2012 are shown below:

	Total
Committed reserves	
Major Repairs Reserve	£1,601
Housing Revenue Account balance	£1,521,771
<i>Of which: committed to on-going housing maintenance £371k</i>	
Overall total	£1,523,372

- The reserves and balances are sufficient and remain at satisfactory prudent levels.

H. Medium Term Financial Plan

The impact on the Medium Term Financial Plan is not yet quantifiable. There are the items currently identified as the main budget variances in Section A, but as previously stated income may increase and spend items may be reduced and savings achieved. Once we are further into the year and items remain adrift of the budget assumptions, these will be adjusted and the impact fed into the Medium Term Financial Plan.

(i) Legal Implications

The recommendation has no significant implications.

(ii) Risk Assessment

As set out in the report, the risk applies to the achievement of the Medium Term Financial Plan.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no significant 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

Usage

2012/13

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Pool Hall	12,566	12,594	12,486	10,784	10,162	0	0	0	0	0	0	0
Sports Hall	2,863	3,046	2,880	3,542	4,088	0	0	0	0	0	0	0
Fitness Suite	3,690	3,955	3,674	4,290	3,667	0	0	0	0	0	0	0
AWP	0	0	0	0	0	0	0	0	0	0	0	0
Studio	1,708	1,882	1,421	1,288	1,304	0	0	0	0	0	0	0
Balance	20,827	21,477	20,461	19,904	19,221	0	0	0	0	0	0	0

Overall Yearly Total Usage **101,890****Usage**

2011/12

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Pool Hall	11,249	15,225	14,822	14,738	11,620	14,221	17,082	14,226	7,270	14,691	14,072	15,193
Sports Hall	3,938	5,131	4,224	4,377	4,865	5,063	5,145	4,869	3,478	5,469	0	5,837
Fitness Suite	3,709	3,899	3,992	3,966	3,696	5,001	4,320	4,172	2,874	5,010	4,804	4,786
AWP	1,422	2,666	1,870	1,386	1,474	1,540	742	610	0	0	0	0
Studio	1,095	1,343	1,248	1,125	1,557	1,445	1,602	1,718	932	1,525	1,766	1,671
Balance	21,413	28,264	26,156	25,592	23,212	27,270	28,891	25,595	14,554	26,695	20,642	27,487

Overall Yearly Total Usage **295,771**

TOTAL TICKET SALES APRIL 2012 - AUGUST 2012 - BARROW CAR PARKS

Car Park	M/c No.	<u>Up to 1 Hr.</u>	<u>Up to 2 Hrs.</u>	<u>Up to 3 Hrs.</u>	<u>Up to 4 Hrs.</u>	<u>Up to 10 Hrs.</u>	TOTALS
Market Street	1	5,128	3,051	1,586	0	723	10,488
<i>Short & Long Stay</i>	2	4,342	3,240	1,437	0	538	9,557
Market Street	3	5,229	3,028	1,296	0	683	10,236
Portland Walk & Market	4	0	91	22	19	73	205
<i>Short & Long Stay</i>	5	0	53	15	20	67	155
	6	0	18	2	1	10	31
	7	0	548	172	77	257	1,054
	8	0	1,121	225	137	293	1,776
<i>Short Stay Only</i>	9	0	176	30	10	0	216
	10	0	2,516	664	124	0	3,304
	11	0	4,521	893	179	0	5,593
	12	0	9,135	1,613	372	0	11,120
Oldham Street	13	1,673	441	110	0	0	2,224
<i>Short Stay Only</i>	14	9,396	2,522	658	0	0	12,576
Hall Street	15	10,349	5,392	1,679	0	0	17,420
<i>Short Stay Only</i>	16	11,327	5,858	2,140	0	0	19,325
Fell Street	17	4,293	2,207	718	0	0	7,218
<i>Short Stay Only</i>	18	2,778	1,322	449	0	0	4,549
Whittaker Street	19	9,362	4,803	1,546	0	960	16,671
<i>Short & Long Stay</i>	20	2,503	1,442	618	0	219	4,782
High Street	21	407	262	199	0	119	987
<i>Short & Long Stay</i>	22	247	194	162	0	65	668
Emlyn Street	23	1,272	980	391	0	90	2,733
<i>Short & Long Stay</i>	24	673	447	272	0	189	1,581
TOTALS		68,979	53,368	16,897	939	4,286	144,469

TOTAL TICKET SALES APRIL 2011 - AUGUST 2011 - BARROW CAR PARKS

Car Park	M/c No.	Up to 1 Hr.	Up to 2 Hrs.	Up to 3 Hrs.	Up to 4 Hrs.	Up to 10 Hrs.	TOTALS
Market Street	1	5,807	3,489	1,856	0	1,237	12,389
<i>Short & Long Stay</i>	2	5,649	4,012	1,710	0	682	12,053
Market Street	3	5,273	2,902	1,246	0	591	10,012
Portland Walk & Market	4	0	112	21	45	145	323
<i>Short & Long Stay</i>	5	0	28	13	25	21	87
	6	0	27	4	4	7	42
	7	0	710	172	117	268	1,267
	8	0	1,346	229	152	264	1,991
<i>Short Stay Only</i>	9	0	262	58	20	0	340
	10	0	1,938	379	96	0	2,413
	11	0	8,810	1,662	394	0	10,866
	12	0	7,316	1,088	283	0	8,687
Oldham Street	13	6,472	1,636	353	0	0	8,461
<i>Short Stay Only</i>	14	6,309	1,546	359	0	0	8,214
Hall Street	15	14,199	7,112	2,027	0	0	23,338
<i>Short Stay Only</i>	16	9,251	4,600	1,405	0	0	15,256
Fell Street	17	2,000	909	284	0	0	3,193
<i>Short Stay Only</i>	18	5,683	2,646	759	0	0	9,088
Whittaker Street	19	9,646	5,118	1,614	151	711	17,240
<i>Short & Long Stay</i>	20	2,601	1,455	508	39	125	4,728
High Street	21	491	304	240	0	141	1,176
<i>Short & Long Stay</i>	22	250	143	115	0	48	556
Emlyn Street	23	1,362	945	390	0	79	2,776
<i>Short & Long Stay</i>	24	794	528	317	0	216	1,855
TOTALS		75,787	57,894	16,809	1,326	4,535	156,351

Quick comparison:

April to August	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 10 hours	Totals
2012	68,979	53,368	16,897	939	4,286	144,469
2011	75,787	57,894	16,809	1,326	4,535	156,351
Up/(down)	(6,808)	(4,526)	88	(387)	(249)	(11,882)

EXECUTIVE COMMITTEE	(R) Agenda Item 19
Date of Meeting: 19th September, 2012	
Reporting Officer: Executive Director	
Title: West Shore Park Coastal Defence Works	
Summary and Conclusions:	
<p>Contributions towards the cost of providing a 20 year temporary sea defence at West Shore Park have been agreed with DEFRA, the Regional Flood Committee and Embra Investments Ltd. This leaves a gap of £55,000 which the Borough Council is asked to finance. The Borough Council should lobby for the total funding for the defence to be made available in the 2013/14 financial year.</p>	
Recommendations:	
a) To note the report;	
b) To agree to commit £55,000 from the Capital Programme Asset Investment Fund in 2013/14 and 14/15 towards the cost of a temporary sea defence protecting the frontage of West Shore Park.	
c) To instruct the Executive Director to commission and implement the above works.	
d) To agree that the Borough Council lobbys the Environment Agency to reprofile all GiA for the project to the 2013/14 financial year.	

Report

Members will be aware of the ongoing discussions with potential funders with regards to a temporary coastal defence along the full frontage of West Shore Park. The defence, in line with the Shoreline Management Plan and the Walney Island Strategy, would have a life of 20 years to allow relocation of vulnerable chalets and uses on the landward side.

Under the new policy for funding coastal defence works, Government Grants through DEFRA will not pay 100% of the costs as previously. The precise percentage is calculated through the Grants in Aid formula which takes into account scheme costs and benefits and the ability of the direct beneficiaries of the scheme to make a financial contribution. The estimated cost of the defence is £615,000. The proposed funding package is as follows:

	£
1. Grant in Aid	335,000
2. Regional Flood Committee	75,000
3. Embra Investments Ltd	150,000
4. Barrow Borough Council	55,000
Total	615,000

Contributors 1, 2 and 3 have agreed their contributions although the GiA is subject to further detailed business case approval. The proposed contribution from the Borough Council is not currently within the agreed Capital Programme and would need to be funded from the Asset Investment Fund.

The current medium Term Plan submission to DEFRA assumes the scheme will be funded across 2013/14 and 2014/15. However, subject to the approval of the new Walney Island Strategy which is expected in early 2013, the works could be completed in the 2013/14 financial year, and the Borough Council and others should lobby for the GiA resources to be reprofiled in this way.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no, minor or significant implications.

(iii) Financial Implications

The Borough Council would contribute £55,000 to the cost of the works from the approved Capital Programme.

(iv) Health and Safety Implications

Site works will be subject to CDM Regulations and would be undertaken by the Borough Council.

(v) Key Priorities or Corporate Aims

Impact on the quality of housing.

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

The recommendation will make a positive contribution to the KP4 improving 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