

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 22nd September, 2010
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

A G E N D A

PART ONE

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

3. **Admission of Public and Press**

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

4. Disclosure of Interests.

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

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

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

5. To confirm the Minutes of the meeting held on 21st July, 2010 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 7. Recommendations of the Housing Management Forum, 26th August, 2010.

- (D) 8. To note the Minutes of the Grants Sub-Committee held on 14th July, 2010 (copy attached).
- (D) 9. Budget Timetable and Strategy 2011-2012.
- (D) 10. Annual Treasury Report 2009-10.
- (D) 11. Write offs – Business Rates.
- (R) 12. Audit Committee/Scrutiny Committee Remit.
- (D) 13. Car Parking.
- (D) 14. North West Federation of Small Businesses (FSBNW) Small Business Accord.
- (R) 15. Housing Market Renewal Programme – North Central Renewal Area Demolition.
- (R) 16. The Barrow Port Health Authority Order 1977.
- (R) 17. The Building (Local Authority Charges) Regulations 2010.
- (D) 18. Land at Marsh Street, Barrow.
- (D) 19. European Regional Development Fund (ERDF) Grant Application for Extension to Waterside House.
- (D) 20. Rural Projects Fund: Dalton Drill Hall.
- (D) 21. Askam Youth Café Project.
- (D) 22. Responses to Government Consultations on Local Enterprise Partnerships and Regional Growth Fund.
- (D) 23. Shoreline Management Plans (SMP 2).

PART TWO

- (D) 24. Housing Market Renewal Programme – North Central Renewal Area – 123 Marsh Street, Barrow.

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

- (R) 25. Proposed Revocation of Section 52 Agreement.

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

(D) 26. Ship Inn Phase IV.

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

(R) 27. Relocation Expenses.

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

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

Membership of Committee

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

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Published: 14th September, 2010

EXECUTIVE COMMITTEE

Meeting: 21st July, 2010
at 2.00 p.m.

PRESENT:- Councillors Guselli (Chairman), Williams (Vice-Chairman), Barlow, English, Garnett, Heath, McEwan, Pidduck, Richardson and Waiting.

42 – Disclosure of Interests

Councillor Guselli declared a personal and prejudicial interest in Agenda Item 9 – Council Finances Report – Quarter 1 2010/11 – Section H (Minute No. 48). He was a private landlord. He left the meeting during consideration of Section H of the item.

Councillor Williams declared a personal and prejudicial interest in Agenda Item 9 – Council Finances Report – Quarter 1 2010/11 – Section H (Minute No. 48). He was a private landlord. He left the meeting during consideration of Section H of the item.

43 – Minutes

The Minutes of the meeting held on 30th June, 2010 were agreed as a correct record.

44 – Apologies for Absence

Apologies for absence were received from Councillors Doughty, Hamezeian and Marcus.

Councillors Heath and McEwan substituted for Councillors Marcus and Hamezeian respectively.

45 – Early Retirement Panel

RESOLVED:- To note the Minutes of the Early Retirement Panel held on 30th June, 2010.

46 – Drop Zone Youth Projects Body

The Committee was informed that a request had been received from the Chairman of the Drop Zone Youth Projects (DZYP), a Charity based in Cornwallis Street that two representative be elected to serve on the body. DZYP acts with the young persons of Barrow over a variety of activities.

Two trust Members had been lost over the last twelve months and need to be replaced as they were now down to two members.

RESOLVED:- (i) To agree to appoint two Councillors as representatives of the Council as Trustees to the Drop Zone Youth Projects body; and

(ii) To agree that the representatives of the Council would be notified to the Drop Zone Youth Projects in due course.

47 – Appointment of Chairman

RESOLVED:- To agree that Councillor Richardson be appointed Chairman of the Committee regarding Section H of the under-mentioned item only.

48 – Council Finances Report – Quarter 1 2010-2011

The Committee considered a detailed report of the Borough Treasurer regarding financial information for the first quarter of the financial year. It contained summary information and key data for the General Fund, Treasury Management, Capital Expenditure and Financing, Housing Revenue Account, Collection Fund, Bad Debt Provisions and Write Offs, Reserves, Balances and Provisions, and Benefits Performance.

RESOLVED:- To note the information contained in the Council Finances Report – Quarter 1 2020-2011.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

49 – Covert Surveillance Policy

The Director of Corporate Services informed the Committee that the Council undertook covert surveillance to support enforcement activities. Under the Regulation of Investigatory Powers Act (RIPA) the Council were required to have a Covert Surveillance Policy to ensure that the Council were conforming to the Act. The policy had been updated to include the Director of Regeneration and Community Services and the Borough Treasurer as additional authorisers.

RECOMMENDED:- To recommend the Council to agree to adopt the revised Covert Surveillance Policy.

50 – Equality Scheme and Equality Action Plan

The Director of Corporate Services reminded the Committee that in July 2004 the Council had adopted its first Comprehensive Equality Policy (CEP). The CEP (subsequently revised in 2005) set out the Council's commitment to equality and diversity and explained how the Council would meet its statutory duties under a range of equality legislation.

The CEP had also incorporated the Council's existing Race Equality Scheme, Disability Equality Scheme and Gender Equality Scheme.

New legislation, progress in delivering on the content of the existing CEP, and the Council's commitment to reaching the 'Achieving' stage of the Equality Framework for Local Government, had rendered the existing policy out of date.

The Committee considered a copy of the Equality Scheme that had been prepared by the Policy and Strategy Officer in consultation with the Corporate Equalities Group and partners, including those retained under service level agreements to offer the Authority advice and support on Equalities issues. Developing versions of the draft had been available for public consultation on the Council's website for several months, and that version of the document had been available since April 2010.

The Equality Action Plan was also considered which was a live working document and as such would be subject to ongoing review and amendment, while the Equality Scheme itself was a statement of policy and would be reviewed

RECOMMENDED:- To recommend the Council:-

- (i) To note the contents of the Equality Scheme and the associated Action Plan;
and
- (ii) To adopt the Equality Scheme.

The meeting ended at 2.25 p.m.

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

22nd September, 2010

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

RECOMMENDATIONS

OF THE

HOUSING MANAGEMENT FORUM

26th August, 2010

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

The recommendations of the meeting of the Housing Management Forum held on 26th August, 2010 are attached.

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

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

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

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(i)
Reporting Officer: Housing Manager	
<p>Title: 2010-2015 Asset Management Strategy</p> <p>Summary and Conclusions:</p> <p>The Housing Manager reported that a key task in the Housing Service Delivery Plan for 2010/11 was to review the draft Asset Management Strategy following completion of the Stock Condition Survey.</p> <p>The purpose of the Asset Management Strategy was to set the direction and principles by which future investment and maintenance issues will be made. The strategy drew on both stock condition data and past maintenance records. It had regard to the wider housing market within the Borough and the make-up of the Council's Housing Stock.</p> <p>By use of "sustainability model" it sought to give confidence that investment was being directed to properties which were sustainable over a longer period. It also identified properties which were less sustainable.</p> <p>The Document then goes on to reaffirm or propose new policy statements that make it clear how the Strategy would be implemented in its delivery to tenants.</p> <p>Recommendations:</p> <p>That Members agree to:-</p> <ul style="list-style-type: none"> (i) the content of the 5 year Asset Management Strategy; (ii) the principles outlined in the Sustainability Model; (iii) the investment priorities shown in the report; and (iv) the Tenant Compact Working Party progressing the Estate Based Asset Management Plans. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(ii)
Reporting Officer: Housing Manager	
<p>Title: 2011 Housing Maintenance Contract</p> <p>Summary and Conclusions:</p> <p>At the last meeting of the Housing Management Forum on 17th June, 2010, members agreed an outline methodology and timetable to procure a new Maintenance Contract from 5th November, 2011.</p> <p>The purpose of the Housing Manager's report was to:-</p> <ul style="list-style-type: none"> * advise Member's on progress made; * agree in more detail the contract term and work streams to be included; and * agree the process to engage with Tenants and ensure the contract delivery arrangements reflected these works. <p>Recommendation:</p> <p>Members agree:-</p> <ul style="list-style-type: none"> (i) to note the appointment of PSS Consulting to provide Procurement Support and Contract Support on an "as and when required" basis; (ii) that the contract be procured on the basis of:- <ul style="list-style-type: none"> * Planned Investment works will be removed from the contract and delivered via Cumbria Housing Partners. * Works included in the new contract will be:- Responsive Repairs, Voids, Gas Servicing and Breakdown Repairs and Out-of-Hours Emergency Repairs. * The form of contract will be as now:- NEC 3, Option C, Target Cost (subject to any adverse feedback from ASPE Consultants). * The term of contract to be as now:- Four years with the option for a further two years. * Contract to be awarded on the basis of a 20% quality/ 80% price matrix; and (iii) to note the next stages of the process and agree that they be progressed in consultation with the Tenant Compact Working Party. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(iii)
Reporting Officer: Housing Manager	
<p>Title: Tenant Services Authority – The Regulatory Framework for Social Housing in England from April, 2010</p> <p>Summary and Conclusions:</p> <p>The purpose of the Housing Manager’s report was to inform Members of the Housing Department’s progress to date and the proposed approach going forward in response to the new regulatory framework and to seek Member’s endorsement of the financial resources required to enable the process to proceed in the proposed manner.</p> <p>Recommendation:</p> <p>That Members:-</p> <ul style="list-style-type: none"> (i) note the progress to date and endorse the plans and proposals going forward; (ii) endorse the financial resources requested; and (iii) endorse the request for delegated power to enable the annual report to be signed off within the appropriate timescales. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(iv)
Reporting Officer: Housing Manager	
<p>Title: 34 Fenton Street, Barrow-in-Furness – Two Bedroomed House</p> <p>Summary and Conclusions:</p> <p>The Housing Manager reported that this matter had been considered at the last meeting on 17th June, 2010, when it was decided that Members wished to carry out a site visit before reaching a decision; this was held on 29th July, 2010 and the Housing Manager was, therefore, re-presenting his report for consideration. Members' instructions were requested.</p> <p>Recommendation:</p> <p>That Members agree to instruct the Housing Manager to dispose of the property.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(v)
Reporting Officer: Housing Manager	
<p>Title: Request for Adaptations to a Council Property: Newton Road, Dalton-in-Furness</p> <p>Summary and Conclusions:</p> <p>The purpose of the Housing Manager's report was to consider a request for adaptations to be carried out at a property on Newton Road, Dalton-in-Furness costing approximately £4,000.</p> <p>Recommendation:</p> <p>That the adaptations to a property on Newton Road, Dalton-in-Furness be approved.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 26th August, 2010	(vi)
Reporting Officer: Housing Manager	
Title: Request for Adaptations to a Council Property: Tyne Road, Barrow-in-Furness	
Summary and Conclusions:	
The purpose of the Housing Manager's report was to consider a request for adaptations to be carried out at a property on Tyne Road, Barrow-in-Furness costing approximately £22,500.	
Recommendation:	
That the adaptations to a property on Tyne Road, Barrow-in-Furness be approved.	
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BOROUGH OF BARROW-IN-FURNESS

GRANTS SUB-COMMITTEE

Meeting, 14th July, 2010
at 2.00 p.m.

PRESENT:- Councillors Barlow, McEwan, Murphy, Richardson, M. A. Thomson and Waiting.

Also Present:- Mrs Angela Knowles, Cumbria County Council.

1 – Appointment of Chairman for 2010/11

It was moved by Councillor Waiting and seconded by Councillor Thomson that Councillor Barlow be appointed Chairman for 2010/11. No further nominations had been received.

RESOLVED:- To agree to appoint Councillor Barlow as Chairman for 2010/11.

COUNCILLOR BARLOW IN THE CHAIR

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

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following item of business not specified on the agenda should be considered at the meeting as a matter of urgency in accordance with Section 100B(4)(b) of the Local Government Act, 1972.

<u>Item</u>	<u>Reason</u>
Grant application from South Lakes Search and Rescue Community First Responders, Dalton-in-Furness (Minute No. 6)	To enable the application be considered as no further meeting had been arranged.
Grant application from Four Groves Community Association (Minute No. 6)	To enable the application be considered as no further meeting had been arranged.

3 – Disclosures of Interest

Councillor Murphy declared a personal interest in the urgent item – South Lakes Search and Rescue Community First Responders, Dalton-in-Furness (Minute No. 6). He was a First Responder for Walney.

Councillor Waiting declared a personal and prejudicial interest in the grant application for Cheeky Money's Childcare (Minute No. 6) as Cheeky Monkey's was run from Abbotsvale Community Centre. She also declared a personal and prejudicial interest in the urgent item for Four Groves Community Association (Minute No. 6) as she worked closely with the Four Groves Community Association. She left the meeting during consideration of both of these items.

4 – Minutes

The Minutes of the meeting held on 18th March, 2010 were taken as read and confirmed.

5 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were submitted from Councillors Dawes, Hamezeian, Marcus, Stephenson, Sweeney and Williams.

Councillors McClure, Richardson and Thomson had replaced Councillors Hamezeian, Williams and Sweeney respectively for this meeting only.

6 – Award of General Grants for the Year 2010-2011

The Borough Treasurer reported that the General Grants Budget for 2010-2011 was £15,360.

Applications totaling £50,434 had been received. He also informed Members that a report had been approved at the last Executive Committee limiting the amount of grant awarded to each individual/association to £1,000.

Councillor Thomson requested that all forms now sent to applicants should inform them that the maximum grant was £1,000.

The grant applications received were as follows:-

Cheeky Monkeys Childcare - £1,500 had been requested.

Cheeky Monkeys Childcare was opened on 18th January 2010, and was situated in Abbots Vale Community Centre, providing childcare for children from 12 weeks to 5 years old. They also provided a holiday club for children between the ages of 5 to 11 years and the Nursery was also looking towards opening an after school club.

It offered year round care and education opening from 7.00am to 6.00pm daily, including breakfast, lunch, light tea and snacks. There were presently 38 children attending the nursery, all of whom resided within the Borough.

The fees were presently £12 for a half day session and £24 for a full day session. Prices were inclusive of a home cooked meal.

The Nursery had applied for a grant during the last financial year but due to lack of funds only received £500 of the £3,000 they had requested. They were advised to make an application in this financial year.

They required funding to purchase sensory equipment to benefit all children attending but in particular those with special needs. They also required an area with a lino floor covering to do art and craft activities. The nursery had saved the £500 they were initially awarded and were now applying for a further £1,500 to purchase the equipment for improvements itemised below:-

Outdoor Sensory Area	£800
Lino Area for Arts and Crafts	£1,200
Subtotal	£2,000

There were presently no financial statements available for inspection as the business was so new.

John Pearce - £1,900 had been requested

John Pearce had been invited to participate in the bobsleigh training programme at Bath University with a view to the selection for the Great Britain Bobsleigh Team. He was required to attend regular training sessions during the Summer of 2010.

The training and the selection trails for the Great Britain Bobsleigh Team required attendance for two weekends each month from May to September, 2010. John required £1,900 funding towards his travel and accommodation costs and some equipment costs itemised below:-

Return Train fare from Barrow to Bath twice per month for 5 months	£1,000
Accommodation for 10 nights At £60.00 per night	£600
Equipment costs eg spikes and helmet	£300
Subtotal	£1,900

Mr Pearce had applied for and received a grant for £350 from Barrow Sports Council towards his accommodation and travel costs. He had also written to several local businesses but non had offered sponsorship.

Dean Kelly - £300 had been requested.

Dean Kelly was presently training in Birmingham once a month to represent the England Athletics team in this years National Games. Dean was requesting funding towards his travel and accommodation costs and for new trainers. He received a grant of £300 last year from the Council and was requesting another £300 this year.

Ireleth Temperence Hall - £1,000 had been requested.

The Temperence Hall was established in 1872 and was held in Trust for the residents of the village. It was managed by a Committee of 10 volunteers and was for the use of the whole of the Community for events such as birthday parties, meetings, craft fairs, quiz nights and toddler groups. The Hall was self financing and non profit making. In 2005 the Hall received £4,000 of funding from Barrow Borough Council.

Tenders were sought by the Askam, Ireleth and Dalton Project Worker from four local companies for the current scheme of works totaling £10,175 which included new external and internal doors, damp proofing and general refurbishment works. Funding for this had been received as follows:-

Neighbourhood Grants Panel	£3,500
E-on Energy	£1,200
County Councillor Capital Grant	£2,000
Askam and Ireleth Parish Council	£2,000
Subtotal	£8,700

The request for £1,000 funding from the Borough Council would form part of the funding required for the planned refurbishment.

Four Groves Community Association - £1,000 had been requested.

This organisation was established in 2000, was located within the Risedale Ward an area of high unemployment and deprivation. They opened five days per week and through interaction with a number of agencies they aimed to improve the quality of life for the people of the Borough.

2010 was the 10th Anniversary of the organisation and they would like to hold a “fun day” celebration to thank everyone who had supported them over the years. The event would be held on Greengate Infants School playing field and car park. The estimated cost was £2,400 as itemised below:-

Bouncy Castle/Obstacle Course/ Sumo Wrestling/Giro Balls	£1,000
Taylor's Funfair Roundabouts	£1,200
Food and Drink	£70
Tombola Raffle/Coconut Shy/ Football game	£130
Subtotal	£2,400

The request was for £1,000. The balance of funds had been secured from the County Council Neighbourhood Community Grant (£1,200) and the Cooperative Society (£400).

South Lakes Search and Rescue Community First Responders, Dalton-in-Furness
- £14,734 had been requested

The North West Ambulance Service through its frequency of calls had identified a need for "Community First Responders" within the area of Dalton-in-Furness. Due to their difficulty in meeting commitments through both limited resources and logistical problems they had stated there was an urgent need for 24/7 cover within the town. This could mean the difference between life and death and would allow the Ambulance Service to prioritise emergencies.

The "South Lakes Search and Rescue" formed on 1st January, 2010 was dedicated to providing the best possible care for the people of Dalton and surrounding areas. All Members were volunteers who required by the North West Ambulance Service to undertake a range of training modules that covered the core of specialist skills approved by nationally agreed standards covering the life threatening incidents of cardiac arrest, respiratory arrest, stroke, choking, haemorrhage and allergic reactions. All volunteers certified annually would be on call 24/7, 365 days of the year.

The responders aimed to have a qualified "First responder" at the scene of an incident within 4 minutes to provide life saving support until the ambulance arrived. Statistics had proven that assistance within this time period dramatically increased a person's chance of survival.

The application was for funding to assist in the purchase of the following items:-

Scissor Pack	£19.86
Responder Jacket	£58.69
Pulse Oximeter Test	£120.00
Overalls x 2	£160.00
Bum Bag	£18.15
Radio	£140.00
Total	£516.70

A total of 20 members which equals	£10,334
GPS Sat Nav x 3	£200 each = £600.00
Vehicle x 1	£3,800
Total	£14,734

The County Councillor for the Dalton Ward had approved funding for the purchase of a training defibrillator (£800.00).

A further application to the County Council Neighbourhood Community Grants Panel for a defibrillator (£800.00) was in progress.

The applicants attended the meeting and made representations to the Sub-Committee.

RESOLVED:- (i) To agree that grants totaling £5,300 be awarded from the budget for 2010/11 as follows:-

Cheeky Monkeys Childcare - £1,000

John Pearce - £1,000

Dean Kelly - £300

Ireleth Temperence Hall - £1,000

Four Groves Community Association - £1,000

South Lakes Search and Rescue Community First Responders, Dalton-in-Furness - £1,000

(ii) That all forms sent to potential applicants be changed informing them that the maximum grant was £1,000.

(iii) To note that £10,060 remained in the budget for 2010/11.

The meeting closed at 2.48 p.m.

		Part One
EXECUTIVE COMMITTEE		(D) Agenda Item 9
Date of Meeting:	22nd September, 2010	
Reporting Officer:	Borough Treasurer	
<p>Title: Budget Timetable and Strategy 2011-2012</p> <p>Summary and Conclusions:</p> <p>This report sets out the planned strategy and timetable to be used in preparing the budget for 2011-2012.</p> <p>Recommendations:</p> <p>To agree the timetable and approve the strategy to be used for setting the budget for 2011-2012.</p>		

Report

Preparation of the budget for the financial year 2011-2012 will be starting shortly. Members are aware that the Council Tax for the new financial year must be set before the end of February 2011.

The Spending Review will be published on Wednesday 20th October 2010 and will set out spending plans for the years 2011-12 to 2014-15. It is expected that government grant will be reduced significantly but it is uncertain at this point in time to ascertain the levels of cuts until the announcement in October.

To be able to consider how the required savings can be achieved at Barrow it is necessary to prepare the 2011-12 budget early enough for Management Team consideration prior to the publication of the Spending Review. This means shortening the budget preparation timetable and setting costs against services from the centre.

As the Spending Review covers 2011-12 to 2014-15, the Medium Term Financial Plan will be produced for the same term. This Plan will form the budget for each consecutive year with any variations being subject to Management Team approval. In essence the budget will be set for four years, the Plan will be risk assessed for affordability, deliverability and sustainability.

There will be no growth or service development bids. There will be no provision for inflation apart from those specified as contracted services (refuse, recycling and street cleaning; grounds maintenance; building cleaning; revenues and benefits). All other inflationary increases must be absorbed into the existing budget.

Housing and council tax benefits expenditure and grant levels will be subject to review.

Concessionary travel will not be budgeted for and the associated funding is still under consultation and will not be known until later in the year. It is hoped that the net effect will be neutral but this may not be the case.

Additional provision will be made for contributions to the Pension Scheme, once the actuarial review has been completed at the end of September 2010.

The process will require members input on the following dates:

Housing Forum consultation on the HRA	20 th January 2011
Executive Committee to approve the budget proposals	2 nd February 2011
Special Joint meeting of the scrutiny committees	9 th February 2010
Special Council to set the budget and Council Tax	21 st February 2011

There will also be a public consultation exercise planned for February 2011.

(i) Legal Implications

Statutory requirements to set the budget and Council Tax.

(ii) Financial Implications

Uncertain until the spending review announcement in October.

(iii) Health and Safety Implications

Not Applicable.

(iv) Priorities or Corporate Aims

The key priorities are a major consideration in the budget setting process.

(v) Risk Assessment

The assumptions have been assessed using previous trends and current relevant information.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 10
Date of Meeting: 22nd September, 2010	
Reporting Officer: Borough Treasurer	
Title: Annual Treasury Report 2009-10	
Summary and Conclusions:	
<p>The Council's Treasury Strategy and Policy requires the annual reporting of treasury activities for the previous financial year to this committee. I am pleased to inform members that the Council has complied with all the agreed limits and indicators for the year ended 31st March 2010.</p> <p>The report has full details of all treasury activities for the year.</p>	
Recommendations:	
<p>Members are recommended to:</p> <ol style="list-style-type: none">1. To approve the actual 2009-10 prudential indicators within the report; and2. To note the Treasury Management Stewardship report for 2009-10.	

Annual Report on the Treasury Management Service and Actual Prudential Indicators 2009/10

Purpose

The annual treasury report is a requirement of the Council's reporting procedures. It covers the treasury activity during 2009/10 and the actual Prudential Indicators for 2009/10.

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. During 2009/10 the minimum reporting requirements were that the Council receive an annual treasury strategy in advance of the year and an annual report following the year describing the activity compared to the strategy (this report). In the future the Council will also receive a mid year treasury report following regulatory changes.

The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

Executive Summary

During 2009/10 the Council complied with its legislative and regulatory requirements. The actual prudential indicators for the year, with comparators, are as follows:

Actual Prudential Indicators	2008/09	2009/10
Actual Capital Expenditure	15,656,880	11,640,005
Capital Financing Requirement:		
Non-HRA	9,010,011	9,010,011
HRA	24,864,480	21,839,330
Total	33,874,491	30,849,341
Financing Costs as a proportion of Net Revenue Stream:		
Council Tax	9%	9%
Housing Rents	8%	5%

The Borough Treasurer also confirms that borrowing was only undertaken for a capital purpose and the Statutory borrowing limit, the Authorised Limit, was not breached.

At 31st March 2010, the Council's external debt was £22,389,734 (£29,000,000 at 31 March 2009)

The financial year 2009/10 continued the challenging environment of the previous year, although the second half of the year did see the UK economy recovering, albeit weakly. The main implications of the exceptional circumstances have been deteriorating investment returns and continuing counterparty risk.

Annual Report on the Treasury Management Service 2009/10 (Incorporating Outturn Prudential Indicators)

1. Introduction

1.1. This report summarises:

- the capital activity during the year
- what resources the Council applied to pay for this activity;
- the impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- the reporting of the required prudential indicators;
- overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- a summary of interest rate movements in the year;
- the detailed debt activity; and
- the detailed investment activity.

2. The Council's Capital Expenditure and Financing 2009/10

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

- 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
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

2.2. The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£	2008/09 Actual	2009/10 Estimate	2009/10 Actual
Non-HRA capital expenditure	13,652,895	10,695,560	9,848,790
HRA capital expenditure	2,003,985	1,902,701	1,791,215
Total capital expenditure	15,656,880	12,598,261	11,640,005
Resourced by:			
Capital receipts	642,407	452,500	300,066
Capital grants	10,817,391	8,243,060	8,299,450
Reserves and balances	2,081,905	1,902,701	1,866,439
Un-financed capital expenditure	2,115,177	2,000,000	1,174,050

3. The Council's Overall Borrowing Need

3.1. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position. It represents 2009/10 and prior years' net capital expenditure which has not yet been paid for by revenue or other resources.

- 3.2. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council.
- 3.3. **Reducing the CFR** – Whilst under treasury management arrangements actual debt can be borrowed or repaid at any time within the confines of the annual treasury strategy, the Council is required to make an annual revenue charge to reduce the CFR – effectively a repayment of the Non-Housing Revenue Account (HRA) borrowing need. There is no statutory requirement to reduce the HRA CFR.
- 3.4. This statutory revenue charge is called the Minimum Revenue Provision - MRP. The total CFR can also be reduced by:
- the application of additional capital resources (such as unapplied capital receipts); or
 - charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).
- 3.5. the Council's 2009/10 MRP Policy (as required by CLG Guidance) was approved on 23/02/2009.
- 3.6. The Council's CFR for the year is shown below, and represents a key prudential indicator.

CFR (£)	31 March 2009 Actual	31 March 2010 Original Indicator	31 March 2010 Actual
Opening balance	32,573,297	34,880,894	30,780,551
Add un-financed capital expenditure (as above)	2,115,177	2,000,000	1,174,050
Less MRP	813,984	994,620	1,105,260
Closing balance	33,874,490	35,886,274	30,849,341

4. Treasury Position at 31 March 2010

- 4.1. Whilst the Council's gauge of its underlying need to borrow is the CFR, the Borough Treasurer can manage the Council's actual borrowing position by either:
- borrowing to the CFR; or
 - choosing to utilise some temporary internal cash flow funds in lieu of borrowing (under-borrowing); or
 - borrowing for future increases in the CFR (borrowing in advance of need).
- 4.2. The figures in this report are based on the principal amounts borrowed and invested and so may differ from those in the final accounts by items such as accrued interest.
- 4.3. During 2009/10 the Borough Treasurer managed the debt position to minimise counterparty risk whilst meeting the needs of the revenue budget

and the treasury position at the 31 March 2010 compared with the previous year was:

Actual borrowing position	31 March 2009		31 March 2010	
	Principal	Average Rate	Principal	Average Rate
Fixed Interest Rate Debt	£29,000,000	4.37%	£22,389,734	4.37%
Capital Financing Requirement	33,874,490		30,849,341	
Over/(Under) borrowing	(4,874,490)		(8,459,607)	
Investment position	31 March 2009		31 March 2010	
	Principal	Average Rate	Principal	Average Rate
Fixed Interest Investments	£4,300,000	4.81%	£0	
Net borrowing position	£24,700,000		£22,389,734	

5. Prudential Indicators and Compliance Issues

5.1. Some of the prudential indicators provide either an overview or specific limits on treasury activity. These are shown below:

5.2. **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 a capital purpose. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2008/09 plus the expected changes to the CFR over 2009/10 and 2010/11. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

	31 March 2009 Actual	31 March 2010 Original Indicator	31 March 2010 Actual
Net borrowing position	£24,700,000	£29,000,000	£22,389,734
CFR	£33,874,490	£34,880,089	£30,849,341

5.3. **The Authorised Limit** - The Authorised Limit is the "Affordable Borrowing Limit" required by s3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. The table below demonstrates that during 2009/10 the Council has maintained gross borrowing within its Authorised Limit.

5.4. **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.

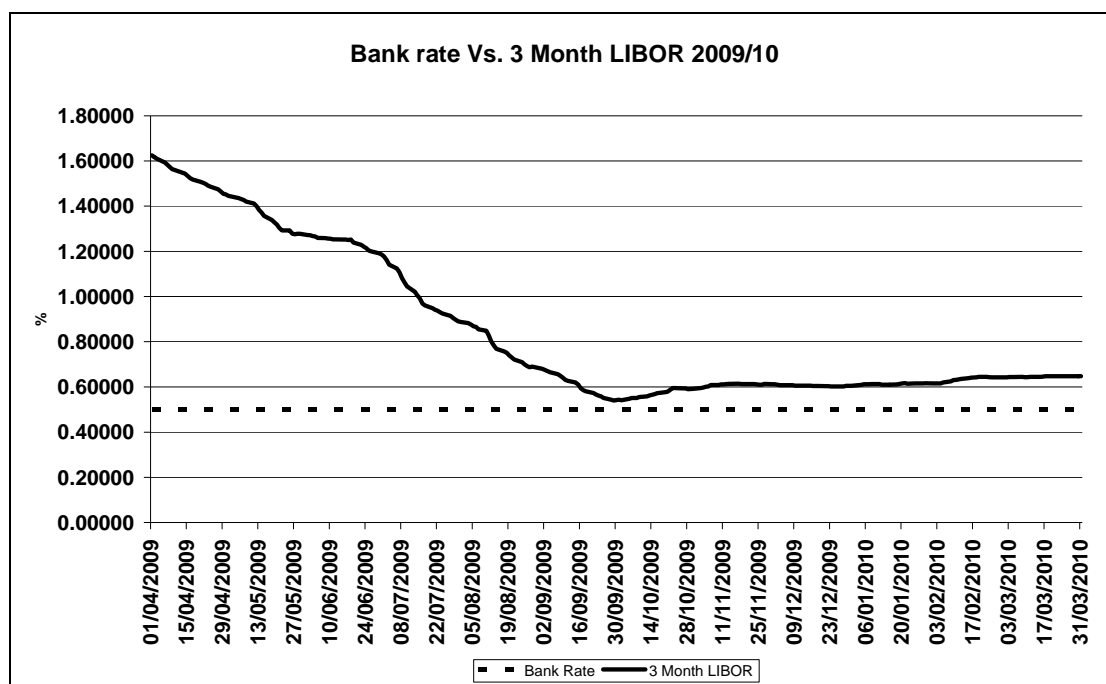
- 5.5. **Actual financing costs as a proportion of net revenue stream** - This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

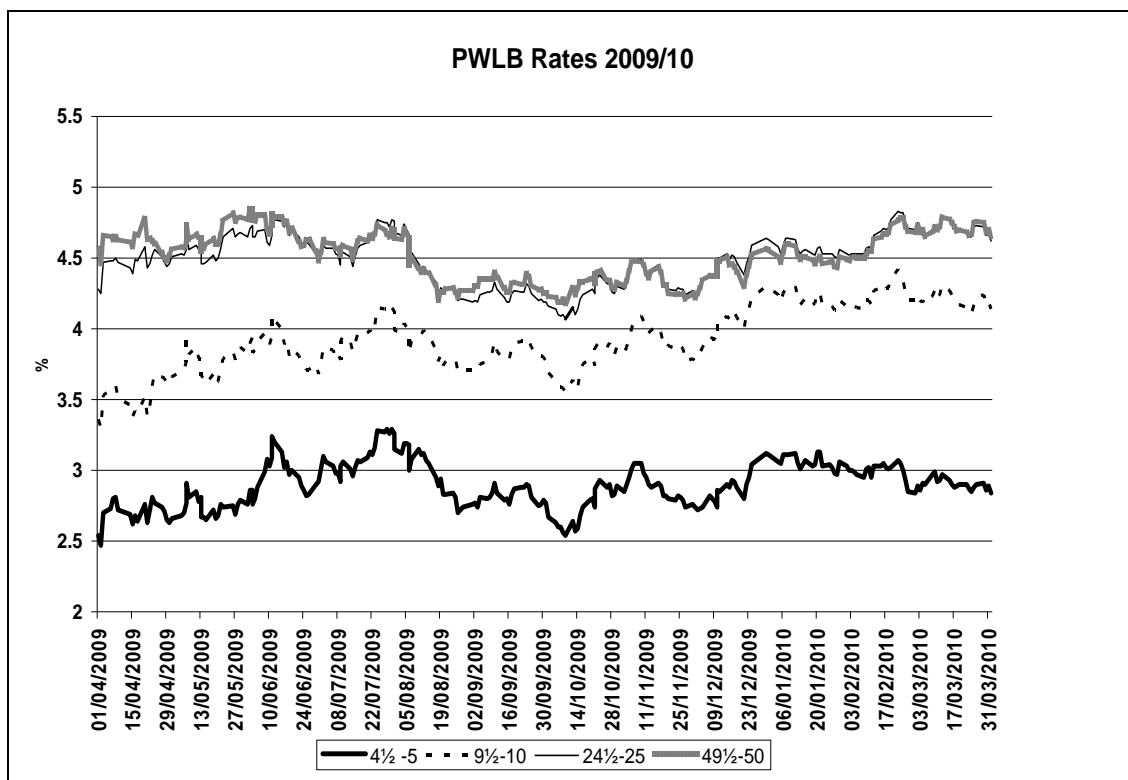
	2009/10
Authorised Limit	£36,000,000
Maximum gross borrowing position	£29,000,000
Operational Boundary	£33,000,000
Average gross borrowing position	£22,770,050
Financing costs as a proportion of net revenue stream	8%

6. Economic Background for 2009/10

- 6.1. Financial markets entered calmer waters in the early stages of the 2009/10 financial year as the worst fears of global depression and bank meltdown subsided. Nevertheless, while economies showed tentative signs of stabilising, a return to a positive growth path was still considered to be a long way off. Indeed, UK GDP data for the first half of 2009 registered its sharpest fall for over 20 years.
- 6.2. It was not until the summer months that economic performances began to stage a welcome improvement. Fear of a collapse of another leading financial institution lessened markedly and this was reflected in the more 'normal' behaviour of money market rates. That said, banking sectors in most countries were far from trouble free; asset write downs persisted, minor US banks continued to fail and the troubles of a number of building societies continued to make the headlines.
- 6.3. The UK economy continued to post a mixed performance and it was far from clear how far down the road to recovery it had travelled. The low point of the business cycle was passed during the third quarter of the year but the return to positive growth proved stubborn; for the UK this would not materialise until the fourth quarter of 2009.
- 6.4. Industrial production was one of the buoyant areas of the economy, although it was far from consistent. The main area of uncertainty remained consumer spending. This key driver of economic activity was hampered by the household sector's striving to reduce its heavily indebted position. This, along with the continued deterioration in the employment situation and the weakness of earnings growth served as further deterrents to spending.
- 6.5. The bias of MPC decisions remained directed towards policy ease throughout the year. As official interest rates had been reduced to near-zero (0.5% Bank Rate) in March 2009, monetary relaxation took the form of the extension of the Quantitative Easing programme. The £125bn tranche sanctioned in March was followed by two further boosts, £50bn in August and £25bn in November.

- 6.6. The accommodative policy approach, coupled with dwindling fears of financial collapse, created an environment in which money market rates eased to yet lower levels. In addition to this, the margin between LIBOR and LIBID rates returned to a more normal position. This was a sign that banks were more comfortable about transacting business between each other but the availability of credit to a wider cross-section of the economy remained problematic through to year-end.
- 6.7. Long-term interest rates did not suffer from the massive gilt funding requirement created by the surge in the public sector deficit. The Quantitative Easing programme was the principal source of market support. The large-scale purchasing of stock that this element of monetary policy required meant the Bank of England was to absorb virtually all of the year's supply.
- 6.8. Nevertheless, the programme was not sufficient to drive yields below the low point seen immediately after the inauguration of the QE programme in March 2009. Long-term rates remained generally erratic, (frequently registering large intra-day movements), but fluctuated within a comparatively narrow range. Investors were happy to take advantage of the support they were receiving from official activity but behaved in a manner that suggested most believed it is only a matter of time before the good fortunes of the market would come to an end. Indeed, yields returned to a rising trend once QE drew to a close in January 2010.





7. The Strategy Agreed for 2009/10

7.1. For debt the strategy provided for 2009/10 was to reduce borrowing to minimise counterparty risk.

7.2. For investments, surplus cash was managed through the Council's main bankers the HSBC.

8. Actual debt management activity during 2009/10

8.1. **Borrowing** – There were no new loans drawn in 2009-10 and there was no naturally maturing debt.

8.2. **Rescheduling** – There was no rescheduling undertaken in 2009-10.

8.3. **Repayment** - On 22/04/2009 the Council repaid £6,610,266 at an average rate of 4.4% with no breakage costs.

8.4. **Summary of Debt Transactions** – The overall position of the debt activity resulted in a net General Fund savings of £183,576 p.a.

9. Investment Position

9.1. **Investment Policy** – The Council's investment policy is governed by CLG Guidance, which has been implemented in the annual investment strategy approved by Council on 23rd February 2009. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

9.2. **Resources** – The Council's longer term cash balances comprise primarily revenue and capital resources, although these will be influenced by cash flow considerations. The Council's core cash resources comprised as follows, and meet the expectations of the budget:

Balance Sheet Resources (£)	31 March 2009	31 March 2010
Balances	2,765,053	3,040,643
Earmarked reserves	3,005,972	4,882,098
Provisions	509,095	680,191
Usable capital receipts	1,572,673	1,908,986
Total	7,852,793	10,511,918

9.3. Investments Held by The Council - The Council maintained an average balance of £6,253,699 of internally managed funds. The internally managed funds received an average return of 0.25%. The comparable performance indicator is the average 7-day LIBID rate, which was 0.368%.

10. Performance Indicators set for 2009/10

Performance indicators for 2009-10 were:

For borrowing, the average rate paid by the Council was 0.18% lower than the PWLB average rate for loans over 50 year's term.

For surplus cash, the average interest earned was 0.12% lower than the average 7-day LIBID.

11. Regulatory Framework, Risk and Performance

11.1. The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2009/10);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the CLG has issued Investment Guidance to structure and regulate the Council's investment activities.
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November 2007.

11.2. The Council has complied with all of the above relevant statutory and regulatory requirements which require the Council to identify and, where possible, quantify the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.

Average Rates for the Comparison Borrowing Table

Average Fixed Maturity Interest Rates for the PWLB over 2009/10 (%)

%	4- 4½	9½- 10	14½- 15	19½- 20	24½- 25	29½- 30	34½- 35	39½- 40	44½- 45	49½- 50	In excess of 50
High	3.13	4.42	4.78	4.84	4.83	4.80	4.82	4.84	4.85	4.85	4.88
Low	2.35	3.30	3.86	4.01	4.07	4.10	4.14	4.17	4.18	4.18	4.21
Average	2.72	3.93	4.32	4.45	4.49	4.50	4.51	4.52	4.52	4.52	4.55

Average LIBOR Rates for 2009/10

1-M Rate	3-M Rate	6-M Rate
0.54	0.84	1.06

(i) Legal Implications

As stated in Section 11.

(ii) Financial Implications

Not Applicable.

(iii) Health and Safety Implications

Not Applicable.

(iv) Key Priorities or Corporate Aims

Not Applicable.

(v) Risk Assessment

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

		Part One
EXECUTIVE COMMITTEE		(D) Agenda Item 11
Date of Meeting: 22nd September, 2010		
Reporting Officer: Borough Treasurer		
<p>Title: Write offs – Business Rates</p> <p>Summary and Conclusions:</p> <p>A number of bankruptcies have necessitated the write-off of five cases of business rates totalling £86,357.76. The individual cases are over the £10,000 delegated authority which requires committee approval. The full cost will be met by the national pool.</p> <p>Recommendations:</p> <p>To approve to write off £86,357.76 as listed in the report.</p>		

Report

The following cases of bankruptcy have occurred:

1. Synergy Retail Hitchens, Rawlinson Street £17,864.38
2. MFI Furniture, Walney Road £14,978.93
3. One Leisure, Cornwallis Street £10,204.40
4. Hampsons Estates, 233-235 Dalton Road £10,555.69
5. Mountcastle Ltd, 3 Dalton Road/10 and 12 Duke Street £32,754.36

As all are over the £10,000 delegated authority, I request members approval for the write offs.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

The full amount written off will be met by the national pool.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

EXECUTIVE COMMITTEE	(R) Agenda Item 12
Date of Meeting: 22nd September, 2010	
Reporting Officer: Chief Executive	
Title: Audit Committee/Scrutiny Committee Remit	
Summary and Conclusions:	
<p>On 1st September a training seminar was organised for members of the Audit Committee. The training was delivered by an external consultant with wide experience and knowledge of good practice in other authorities. It was suggested that other authorities report issues relating to risk management and performance management to their Audit Committees. In Barrow the practice has been to report these items to the Corporate Services Overview and Scrutiny Committee.</p>	
<p>If members agree to adopt the good practice of reporting risk and performance management to the Audit Committee, then the need for two scrutiny committees is not practical and therefore it is more effective and offers efficiencies to have one Scrutiny Committee and an Audit Committee.</p>	
Recommendations:	
To recommend the Council:-	
<ol style="list-style-type: none">1. To adopt the good practice in reporting risk and performance management matters to the Audit Committee;2. To agree that the number of Scrutiny Committees be reduced from two to one with effect from the new Municipal Year in May 2011;3. To agree that Corporate Services and Regeneration and Community Services Overview and Scrutiny Committees meet jointly and have a shared Chairman and agenda; and4. To agree that the joint meetings be held on 18th November 2010, 11th January, 9th February and 2nd March 2011.	

Report

On 1st September a training seminar was organised for members of the Audit Committee. The training was delivered by an external consultant with wide experience and knowledge of good practice in other authorities. It was suggested that other authorities report issues relating to risk management and performance

management to their Audit Committees. In Barrow the practice has been to report these items to the Corporate Scrutiny Committee.

If risk and performance management matters were to be reported to the Audit Committee, the workload of the Corporate Services Overview and Scrutiny Committee will be reduced and the need for two scrutiny committees is no longer justifiable. It would therefore be more effective to have one Scrutiny Committee and an Audit Committee. This will also generate efficiency savings which will be essential following the Public spending Review.

It is recommended that from the new Municipal year one Overview and Scrutiny Committee be appointed. In the meantime it is recommended that Corporate Services and Regeneration and Community Services Overview and Scrutiny Committees meet jointly and have a shared Chairman and agenda.

(i) Legal Implications

. Not Applicable.

(ii) Risk Assessment

. Not Applicable.

(iii) Financial Implications

. Some savings from reducing the number of committees.

(iv) Health and Safety Implications

Not Applicable

(v) Key Priorities or Corporate Aims

Not Applicable

(vi) Equality and Diversity

Not Applicable

(vii) Health and Wellbeing Implications

Not Applicable

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 13
Date of Meeting: 22nd September, 2010	
Reporting Officer: Chief Executive	
Title: Car Parking	
Summary and Conclusions:	
The report deals with a number of issues relating to car parking.	
Recommendations:	
<ol style="list-style-type: none">1. To authorise the Chief Executive to begin formal TUPE discussions with the relevant Trade Unions and the County Council with regards to the imminent termination of our parking agreement with Cumbria County Council;2. To ask the Overview and Scrutiny Committee to urgently review car parks pricing policy in light of the forthcoming PSR and the continuing difficulties in the retail economy;3. To reaffirm the Council's car parks gritting policy.	
As set out in Appendix 1 .	

Report

Background

The purpose of this report is to clarify a number of policy issues with regard to car parks.

1. On Street Enforcement

The Council has served 2 years notice on the County Council to terminate our On Street Enforcement Agreement unless the County agree to meet any deficit incurred in the operation as they do in other Districts. Notice expires in February 2011.

The County has responded by developing an agreement with Carlisle City Council to manage all on street parking enforcement in the County. Carlisle have indicated their intention to include an offer to manage our off street car parking also.

However, to date, I have received no concrete proposals for your consideration nor have we been given sight of any business plan.

I have provided the County with a price to continue enforcement on their behalf on a month by month basis, but again have received no response. I must conclude that there is a real possibility that our agreement will terminate in February and I seek your agreement to begin formal discussions on the TUPE implications.

2. **Car Park Pricing**

Car park prices have been held steady during the current retail downturn, but we have now fallen behind Ulverston in our pricing and the Comprehensive Spending Review is likely to put severe pressure on our budgets.

Overview and Scrutiny should be invited to review this as an urgent budget consideration and report their findings and recommendations to you.

3. **Gritting**

I agreed that I would review the issue of gritting of car parks. The Council does not grit ground level car parks and provides limited gritting to the rooftop car park because of its exposed condition. I can see no reason to alter this policy. Any minor accidents, whilst regrettable, are dealt with through our insurers and no legal actions have ever been brought against the Council, but to offer added protection it is important for Members to reaffirm this policy on a regular basis.

I, therefore, recommend that Committee adopts the policy statement included as **Appendix 1**.

(i) Legal Implications

The Council has given proper notice to terminate the Car Parking Agreement with Cumbria County Council. Employee rights with regards to transfer of undertakings are set out in legislation.

(ii) Risk Assessment

Council policy will be reflected in any car park risk assessment.

(iii) Financial Implications

Car park pricing forms an important element of the Council's income and has significant budgetary implications.

(iv) Health and Safety Implications

No change to current assessments

(v) Key Priorities or Corporate Aims

KP 5 - Continue to improve the effectiveness and efficiency of services

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil.

Appendix 1

BARROW BOROUGH COUNCIL
GROUND LEVEL OFF STREET CAR PARK
GRITTING POLICY

It is the policy of Barrow Borough Council not to grit its ground level off street car parks. The Council has adopted this policy because;

- The public will be aware that car park surfaces may be subject to snow and ice due to the overall weather conditions and have a duty of care to themselves whilst driving or walking in such conditions. By gritting the car parks surface it puts members of the public in a false sense of security by assuming the car park is safer than the public highway or footways.
- Any persons who wish to use a car park has the option of driving onto the car park or not. It is therefore their own choice that they have used the facility and they should make a judgement accordingly.
- Car parks do not form part of the Highway and therefore the Highway Act is not applicable with regards to the responsibility of gritting.
- As cars would be randomly parked it would not be possible to grit the entire car park without keeping them closed until the gritting had been undertaken. This would mean that members of the public would have no access to car parks until after they required to park first thing in the morning. By keeping the car parks closed this would increase demand for on street parking which could result in obstructions and congestion.
- In order to be efficient and consistent gritting vehicles need to maintain a constant speed which is not possible within the confines of a car park.

EXECUTIVE COMMITTEE	(D) Agenda Item 14
Date of Meeting: 22nd September, 2010	
Reporting Officer: Chief Executive	
Title: North West Federation of Small Businesses (FSBNW) Small Business Accord	
Summary and Conclusions:	
As report.	
Recommendations:	
To authorise the Chief Executive to sign the Accord on behalf of the Council and the Chairman and Vice Chair should be appointed as the required "business engagement champions".	

Report

Background

The Council has been invited by FSB NW to sign the Small Business Engagement Accord (SBEA) (**Appendix 2**).

The SBEA is a voluntary code of practice for local authorities in the North West which seeks to encourage a more productive dialogue with local businesses. The Accord brings together various aspects of consultation best practice already produced, as well as specific proposals from the FSB designed to improve the level of participation by businesses in local democracy.

The Accord represents a commitment by local authorities to taking a proactive approach to engaging with businesses so that they are given the fullest opportunity to participate in the decision making process, and to fully understand the reasons behind the final decisions taken.

In general, the principles of the Accord reflect current practice and even in times of future austerity, the Council should be able to work within the principles on relevant issues.

(i) **Legal Implications**

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP 5 - Effectiveness and efficiency

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

FSB website



federation of small businesses
north west

small business engagement accord

Introduction

Local authorities are increasingly being asked to identify new methods to develop more constructive relationships with their local business community. Too often businesses feel that decisions made by local authorities are being agreed behind "closed doors" and the consultation process is too complex and confusing.

The value of good local authority consultation with the business community must not be underestimated, poor consultation fosters mistrust amongst businesses and this in turn makes any future business engagement with local authorities very difficult.

Small businesses are not just a part of our local communities, they are the local community. They generate the wealth, employment and opportunity. The purpose of this Accord is to address the common problems that all too often serve to alienate the business community from the decision making process.

Purpose of Accord

The Small Business Engagement Accord is a voluntary code of practice for local authorities in the North West which seeks to encourage a more productive dialogue with local businesses. The Accord brings together various aspects of consultation best practice already produced, as well as specific proposals from the FSB designed to improve the level of participation by businesses in local democracy.

The Accord represents a commitment by local authorities to taking a proactive approach to engaging with businesses so that they are given the fullest opportunity to participate in the decision making process, and to fully understand the reasons behind the final decisions taken.

Local authorities need to adopt a leadership style that engages local partners, builds alliances and secures support for joint priorities. It should facilitate, advocate, arbitrate and influence rather than dominate.

NORTH WEST ECONOMY

The North West Economy is worth £98 billion or 9.9% of the total Gross Value Added (GVA).

There are 230,000 businesses in the North West. 99.4% of these businesses have less than 50 employees, and are therefore classified as small businesses.



Says...

KEEP TRADE LOCAL

PRACTICAL STEPS

SOUTH NORFOLK COUNCIL:

PARKING

In spring 2008 South Norfolk Council recommended that Harleston's town centre car parks should introduce charges. The dramatic effect that the introduction of charges would have on the town centre and on local shops was all too evident to residents. The FSB threw its weight behind a local resident's campaign to urge the district authority to rethink the proposal.

The campaign focused attention on how damaging these charges would be to local shops and the economic vibrancy of the town centre itself. When the case was made for the crucial relationship between parking policy and a successful town centre South Norfolk Council decided to rethink its introduction of car park charges.

ROCHFORD COUNCIL:

BUSINESS RATES

The FSB congratulated Rochford Council after helping businesses in the district claim an estimated £3,804,500 through business rate relief in the last year. Last year Rochford District Council had an impressive 59 per cent of eligible businesses in the Borough claiming Small Business Rate Relief but the latest figures show that the take up this year has rocketed to 81%. This means there are now an extra 130 businesses claiming up to half their business rates back from the Government which means up to £455,000 is now back in the local economy. That is good news not just for this year but until 2010 as the claims made this year will continue until the next revaluation takes place in three years time. The FSB will now be working with Rochford District Council to target those 189 businesses and encourage them to lodge their claims and get the money in their bank rather than leaving it with the Chancellor.

ESSEX COUNTY COUNCIL:

PUBLIC PROCUREMENT

Councils in Essex are finding that awarding contracts to small businesses in their area or within the county is cost effective, offers quicker turnaround time and greater flexibility while at the same time keeping the carbon footprint low as delivery distances are less. FSB research shows that more than £574 million is spent with local businesses by the councils in Essex during the last financial year – a massive boost to the local economy and as 83p in every £1 spent with a local business goes back in to the local economy it makes good economic sense, good business sense, good environmental sense and it keeps trade local.

Good consultation reaches out, actively recruiting participants rather than waiting for citizens to come forward

Source: Council Tax consultation - Guidelines for local authorities

TAKING THE ACCORD FORWARD

The Accord is owned and operated by its signatories. Those in local government will already be aware of many of the principles and benefits of encouraging small firms to participate in local democracy and decision making.

This Accord is designed to ensure that effective consultation with the business community becomes a mainstream feature of all future consultations, rather than an optional extra.

Accord Principles

1. Councils should nominate representatives to be "business engagement champions" whose role will be to ensure that the views of the local business community are considered at every stage of any consultation exercise.
2. Council "business engagement champions" should be tasked with creating effective links with all sections of the business community.
3. Councils should identify business owners that can be "engagement champions" within their local business community.
4. Councils should look to "front load" consultations in order to ensure that engagement with the business community happens at the earliest stages of any consultation exercise.
5. Local authorities must use recognised business organisations when consulting with small businesses.
6. Councils must not regard consultation with just one business or business organisation as an adequate consultation.
7. Local, regional and central government should make consultation documents easier to understand and easier to respond to.
8. Consultation documents should use the correct language for the relevant audience.
9. Councils should employ a range of communication tools to promote better business engagement in consultations including for example utilising consultation documents, newsletters, information on web sites, text messages, local media, or staff directly working with businesses.
10. To increase attendance at consultation events councils should give greater notice periods in advance of any meetings.
11. Consultation with the business community should not be limited to formal consultation exercises but should be an ongoing dialogue. Councils should therefore look to hold at least one open meeting per quarter with local businesses and business organisations to encourage an open two-way exchange of information.
12. Councils should not underestimate the ability of the business community to deal with strategic issues and therefore there should be genuine consultation on an annual basis with small businesses to examine council spending plans for the following financial year.
13. Effective consultation should demonstrate to business owners the outcomes and the rationale behind the final decisions.
14. Councils should work with their Local Strategic Partnerships (LSPs) to ensure that they communicate and consult with their local small businesses and business representative organisations and take on board good practice examples from well run, existing LSPs.

declaration of support for the small business engagement accord

The FSB wants to see all local authorities signing up to the Small Business Engagement Accord. The accord is voluntary; your signature represents your pledge to support the principles of the accord to guide your future engagement with the business community. For our part the FSB will continue to give our support to any council that signs up to the accord to work together to successfully engage with their local small business community to encourage greater business involvement in local democracy.

Local Authority Section

Name of your Authority:

Signed by:

Date:

Council position:

FSB Section

Region:

Signed by:

Date:

FSB position:

thank you for your support

Contact us

Roger Culcheth
FSB Local Government Chairman
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EXECUTIVE COMMITTEE	(R) Agenda Item 15
Date of Meeting: 22nd September, 2010	
Reporting Officer: Chief Executive	
Title: Housing Market Renewal Programme – North Central Renewal Area Demolition	
Summary and Conclusions:	
<p>The North Central Barrow Compulsory Purchase Order has now been confirmed. This report makes recommendations that will allow the demolition work that follows to be carried out as quickly as possible.</p>	
Recommendations:	
<ol style="list-style-type: none">1. To authorise the Chief Executive to make all necessary arrangements for the demolition of all properties in the area covered by the North Central Barrow Compulsory Purchase Order;2. To appoint Arcus Consulting as project managers for this work;3. To approve the proposed tender list for the demolition work; and4. To authorise the Chief Executive to award the contract to the lowest tender in consultation with the Chair of Executive Committee, in accordance with Contract Standing Orders.	

1. Background

- 1.1. Council has declared North Central to be a 'Renewal Area' within the meaning of the Local Government and Housing Act 1989 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (Minutes 73 Executive Committee 17/09/08 and 44 Council 07/10/08 refer).
- 1.2. The Renewal Area programme includes the acquisition and demolition of 126 properties on Arthur Street and Sutherland Street (odd numbers). Acquisition is currently being completed through a combination of negotiated acquisition by private treaty and use of the Compulsory Purchase Order approved by Council and subsequently confirmed by the Secretary of State.
- 1.3. At the time of writing, 111 properties were owned by the Council, with a further four anticipated to be acquired by the date of the committee meeting. It is expected that the remainder of the properties to be

demolished will be taken into the Council's ownership by the end of October 2010.

- 1.4. This Committee has previously approved the partial demolition of Sutherland Street (odd numbers 1-81) insofar as this is practicable (Minute 78 11/11/09 refers) and work has now started on site.
- 1.5. It is desirable for the effective management of the area that arrangements are made to allow the remainder of the properties subject to the CPO to be demolished as quickly as possible.

2. Appointment of professional services

- 2.1. This Committee has previously received a report on the planned Group Repair scheme on the opposite side of Sutherland Street (Minute 29 08/07/09 refers). This report noted the appointment of Arcus Consulting to carry out project surveying, design, tendering and management services for the Group Repair scheme. Arcus were appointed through an openly advertised competitive tendering exercise, at a rate based on a percentage of works value. This arrangement was subsequently extended to the Group Repair Scheme on Marsh Street and the partial demolition of Sutherland Street (odd numbers) (Minute 78 11/11/09 refers).
- 2.2. Arcus have agreed to offer the same rate to manage the proposed demolition work. I believe that this offers good value to the Council, and that any potential savings that may arise from retendering are minimal at best, and would be outweighed by the time taken in retendering. I am very satisfied with the performance of Arcus and I recommend that Standing Orders be suspended and appoint Arcus Consulting on their existing contract.

3. Tender process

- 3.1. Expressions of interest to tender for the demolition of properties on Sutherland Street were invited by open advertisement, and all companies who expressed an interest were invited to tender.
- 3.2. Expressions of interest were received from the following companies:
 - Forshaw Demolition
 - L & W Wilson
 - Hindle Demolition
 - Neil Price Ltd
 - Hill Demolition
 - Marsh Plant Hire
- 3.3. This tender list includes all of the local contractors likely to be interested in this type of work. I would recommend that the same contractors are invited to tender for the demolition work that is the subject of this report.

(i) Legal Implications

The demolition work is being carried out in the context of the North Central Barrow Compulsory Purchase Order. The Order has now been confirmed, giving the Council the legal power to ensure that the demolition work can be carried out.

(ii) Risk Assessment

Strategic risk is low, as the CPO has now been confirmed.

(iii) Financial Implications

Adequate funding for the proposed capital expenditure is included in the Capital Programme.

(iv) Health and Safety Implications

The management of empty properties has been carried out in such a way as to minimise as far as reasonably practicable the risk to public health and safety. Carrying out the proposed demolition work will further reduce this risk. The contractors will be vetted for health and safety competence, and will also be required to submit a construction phase health and safety plan before starting work. This will be reviewed by the Council's appointed Construction Design and Management Co-ordinator.

(v) Key Priorities or Corporate Aims

This supports:

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

Annual Objective 3: Deliver year 3 Housing Market Renewal programme

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Wellbeing Implications

The Renewal Area programme will improve the quality of housing in the area.

Background Papers

Nil.

EXECUTIVE COMMITTEE	(R) Agenda Item 16
Date of Meeting: 22nd September, 2010	
Reporting Officer: Chief Environmental Health Officer	

Title: The Barrow Port Health Authority Order 1977

Summary and Conclusions:

This report deals with a request from the Department of Health to replace the existing Barrow Port Health Authority Order 1977 with a new Order to reflect changes in legislation in 1984 and in 2008 which significantly change the functions assigned to Port Health Authorities.

Recommendations:

To recommend the Council:-

1. To rescind the Barrow Port Health Authority Order 1977 and replace it with a new Order as prescribed by the Department of Health; and
2. To authorise the Director of Corporate Services to prepare a draft Barrow Port Health Authority Order in the form prescribed and submit it to the Secretary of State for Health along with a signed statement certifying his satisfaction that the draft Order is both legally correct and operationally sound.

Report

Port Health Authorities are constituted by Orders made by the Secretary of State for Health setting out the geographic limit of port health districts, how the port health districts are to operate and what functions are assigned to them.

Barrow Port Health Authority is constituted by such an Order which came into operation on 1st October, 1977.

The Department of Health have recently undertaken a review of Port Health Authority Orders throughout the Country and have identified the Barrow Port Health Authority Order 1977 as being amongst a number which are out of date and need updating in line with powers vested in the Public Health (Control of Disease) Act 1984 and Health and Social Care Act 2008 and new regulations made under the Act of 2008 which came into effect on April, 2010.

This legislation gives public authorities modernised powers and duties to prevent and control risks to human health from infection or contamination, including by

chemicals and radiation. Some powers, relating to specific circumstances, can be exercised directly by local authorities. In other circumstances, local authorities can apply to a justice of the peace for orders to improve restrictions or requirements to protect human health.

The Department of Health have recommended that we replace the existing Order of 1977 with a new Order in draft form submitted to the Department of Health to be accompanied by a signed statement from the Borough Solicitor (or equivalent) certifying their satisfaction that the draft Order is both legally correct and operationally sound.

(i) Legal Implications

The Barrow Port Health Authority Order 1977 is out of date.

(ii) Risk Assessment

Exercising powers without lawful authority exposes the Council to a risk of challenge.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP5 - Improve the effectiveness and efficiency of your Council.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Letter and guidance from Dept of Health

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 17
Date of Meeting: 22nd September, 2010		
Reporting Officer: Chief Environmental Health Officer		
<p>Title: The Building (Local Authority Charges) Regulations 2010</p> <p>Summary and Conclusions:</p> <p>The report sets out how the Building (Local Authority Charges) Regulations 2010 will require a new fees and charges scheme to be in place by 1st October 2010 and the reasons for its introduction and annual review</p> <p>Recommendations:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1) To agree to adopt the Local Authority Building Control fees and charges to come into effect from 13th October 2010; and 2) To agree that the Principal Building Control Surveyor in consultation with the Borough Treasurer be delegated to review and revise the scheme of fees and charges periodically to ensure that the overriding principle of cost recovery is maintained. 		

Report

In April 2009 the Communities and Local Government Department consulted on a package of proposals to change the Local Authority Building Control Charging Regime with the aim of introducing more flexibility, accuracy, fairness and transparency, and improving the environment within which Local Authorities compete. The proposals also aimed to support the introduction of a risk assessment approach to inspections of building work.

The Building (Local Authority Charges) Regulations 2010 revoked and replace The Building (Local Authority Charges) Regulations 1998 and came into force on 1st April 2010. They provide Local Authorities with the option to implement the new charges scheme by 1st October 2010. In addition, they make a new provision authorising Local Authorities in England and Wales to fix their own charge in a scheme (bases on full recovery of their costs) for carrying out their main building control functions relating to building regulations.

The key principles relating to Local Authority Building Control charges remain the same as the old scheme and provide for full cost recovery and the fact that the

user should pay for the actual service that they receive. However greater emphasis is given to the need to relate charges to the cost of carrying out the building regulation chargeable functions for individual building projects. The proposed fees and charges for the Building Control Service are attached at **Appendix 3**.

The main changes in the 2010 Regulations relate to new flexibilities, in particular: the ability for Local Authorities to charge for giving substantive advice related to their building control functions; an increased range of factors to be taken into account in setting either standard charges or making individual determinations of charges; being able to give refunds and make supplementary charges. These are intended to make the regime more transparent and accountable.

Local Authorities will therefore need to estimate the demand for the building regulation chargeable service and it is envisaged that the process of calculating accurate costs, productive hourly rate(s) and individual charges of the building regulations chargeable service, will be built up over time, when a relationship can be established between chargeable productive hours and costs.

As this information becomes available it is therefore expected that the charges scheme will need to be monitored, reviewed and altered to ensure the overriding principle of cost recovery is maintained.

Local Authorities need to continue to make every effort to keep their costs at a minimum to ensure that charges remain affordable and competitive and do not encourage people to circumvent the building regulations.

(i) Legal Implications

Building Control Authorities have a duty to balance income and expenditure in operating the service.

(ii) Risk Assessment

The Building (Local Authority Charges) Regulations will be revoked from the 30th September 2010. From this time, unless these proposals are approved the Council would not be able to charge for their Building Control function.

(iii) Financial Implications

The key principle of requiring local authorities to estimate and fix their charges with the aim of fully recovering the costs of carrying out their chargeable building control services remains unchanged in The Building (Local Authority Charges) Regulations 2010.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP5 - Improve the effectiveness and efficiency of your Council

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Building Control Scheme of Fees and Charges.

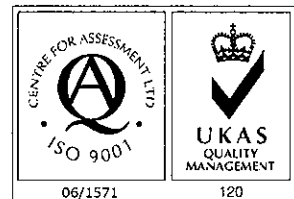


Building Control Services

The Building (Local Authority Charges) Regulations 2010

Scheme of Charges for 2010 / 2011

(For implementation from 1st October 2010)



Scheme for the recovery of Building Regulations Charges

Building Act 1984
Pursuant to and incorporating the terms of the
Building (Local Authority Charges) Regulations 2010

Issued: September 2010
For Implementation: 1st October 2010

This scheme and schedules of charges of Barrow-in-Furness Borough Council Building Control have been prepared in accordance with the Building (Local Authority Charges) Regulations 2010, and may be amended, revoked or replaced by Barrow-in-Furness Borough Council at any time.

Definitions

The following definitions apply to this Charging Scheme and should be read in conjunction with the other clauses and schedules which constitute the Charging Scheme:

'building' means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building.

'building notice' means a notice given in accordance with regulations 12(2)(A)(a) and 13 of the Building Regulations 2000 (as amended).

'building work' means:

- a. the erection or extension of a building;
- b. the provision or extension of a controlled service or fitting in or in connection with a building;
- c. the material alteration of a building, or a controlled service or fitting;
- d. work required by building regulation 6 (requirements relating to material change of use);
- e. the insertion of insulating material into the cavity wall of a building;
- f. work involving the underpinning of a building;
- g. work required by Building Regulation 4A (requirements relating to thermal elements);
- h. work required by Building Regulation 4B (requirements relating to a change of energy status);
- i. work required by Building Regulation 17D (consequential improvements to energy performance);

'chargeable function' means a function relating to the following:

- a. the passing or rejection of plans of proposed building work which has been deposited with the council in accordance with section 16 of the Building Act 1984 (as amended);
- b. the inspection of building work for which plans have been deposited with the council in accordance with the Building Regulation 2000 (as amended) and with section 16 of the Building Act 1984 (as amended);
- c. the consideration of a building notice which has been given to the council in accordance with the Building Regulations 2000 (as amended);
- d. the consideration of building work reverting to the council under the Building (Approved Inspectors etc.) Regulations 2000 (as amended);

- e. the consideration of a regularisation application submitted to the council under regulation 21 of the Building Regulations 2000 (as amended).

'cost' does not include any professional fees paid to an architect, quantity surveyor or any other person.

'dwelling' includes a dwelling-house and a flat.

'dwelling-house' does not include a flat or a building containing a flat.

'flat' means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally.

'floor area of a building or extension' is the total floor area of all the storeys which comprise that building. It is calculated by reference to the finished internal faces of the walls enclosing the area, or, if at any point there is no enclosing wall, by reference to the outermost edge of the floor.

'relevant person' means:

- a. in relation to a plan charge, inspection charge, reversion charge or building notice charge, the person who carries out the building work or on whose behalf the building work is carried out;
- b. in relation to a regularisation charge, the owner of the building; and
- c. in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of 'chargeable advice'.

Principles of this Scheme

The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Building (Local Authority Charges) Regulations 2010 (referred to as the chargeable functions), namely:

- **A plan charge**, payable when plans of the building work are deposited with the Local Authority.
- **An inspection charge**, payable on demand after the authority carry out the first inspection in respect of which the charge is payable.
- **A building notice charge**, payable when the building notice is given to the authority.
- **A reversion charge**, payable for building work in relation to a building:
 1. Which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations, or
 2. In respect of which plans for further building work have been deposited with the Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited.
- **A regularisation charge**, payable at the time of the application to the authority in accordance with Regulation 21 of the Building Regulations.

- **Chargeable advice**, Local Authorities can make a charge for giving advice in anticipation of the future exercise of their chargeable functions (i.e. before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after the authority has given notice required by Regulation 7(7) of the Building (Local Authority) Charges Regulations 2010 (i.e. the charge has been confirmed in writing following an individual determination). This charge can be discounted from a subsequent application or notice received for the work in question.
- The above charges are payable by the 'relevant person'.
- Any charge which is payable to the authority may, in a particular case, and with the agreement of the authority, be paid by installments of such amounts payable on such dates as may be specified by the authority. If the applicant and an authority are agreeable, an inspection charge can be fully or partly paid up front with the plans charge.
- The charge for providing a chargeable function or chargeable advice is based on the principle of achieving full cost recovery. The charges will be calculated by using the Council officers' average hourly rate stated in the charging scheme, multiplied by the time taken to carry out the functions/advice, taking the following factors into account, as applicable, in estimating the time required by officers to carry out the function/advice:
 1. The existing use of a building, or the proposed use of the building after completion of the building work;
 2. The different kinds of building work described in regulation 3(1)(a) to (i) of the Building Regulations;
 3. The floor area of the building or extension;
 4. The nature of the design of the building work and whether innovative or high risk construction techniques are to be used;
 5. The estimated duration of the building work and the anticipated number of inspections to be carried out;
 6. The estimated cost of the building work;
 7. Whether a person who intends to carry out part of the building work is a person mentioned in regulation 12(5) or 20B(4) of the Building Regulations (i.e. related to competent person/self certification schemes);
 8. Whether in respect of the building work a notification will be made in accordance with regulation 20A(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
 9. Whether an application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other;
 10. Whether an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority;
 11. Whether chargeable advice has been given which is likely to result in less time being taken by a local authority to perform that function;
 12. Whether it is necessary to engage and incur the costs of a consultant to provide specialist advice in relation to a particular aspect of the building work.

Principles of the scheme in respect of the erection of domestic buildings, garages, carports and extensions

- Where the charge relates to the erection of a dwelling the charge includes for the provision of a detached or attached domestic garage or carport providing it is constructed at the same time as the dwelling.
- Where any building work comprises or includes the erection of more than one extension to a building, the total floor areas of all such extensions shall be aggregated to determine the relevant charge payable, providing that the building work for all aggregated extensions is carried out at the same time.

Exemption from charges

The Authority has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing dwelling that is, or is to be, occupied by a disabled person as a permanent residence; and where the whole of the building work in question is solely:

- a. for the purpose of providing means of access for the disabled person by way of entrance or exit to or from the dwelling or any part of it, or
- b. for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the disabled person.

The council has not fixed by means of its scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a disabled person in relation to an existing dwelling, which is, or is to be, occupied by that disabled person as a permanent residence where such work consists of:

- a. the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the disabled person or could be used by the disabled person only with assistance; or
- b. the provision of extension of a room which is or will be used solely:
 - i. for the carrying out for the benefit of the disabled person of medical treatment which cannot reasonably be carried out in any other room in the dwelling, or
 - ii. for the storage of medical equipment for the use of the disabled person, or
 - iii. to provide sleeping accommodation for a carer where the disabled person requires 24-hour care.

The council has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing building to which members of the public are admitted (whether on payment or otherwise); and where the whole of the building work in question is solely:

- a. for the purpose of providing means of access for disabled persons by way of entrance or exit to or from the building or any part of it; or
- b. for the provision of facilities designed to secure the greater health, safety, welfare or disabled persons.

Note: 'disabled person' means a person who is within any of the descriptions of persons to whom Section 29(1) of the National Assistance Act 1948, as extended by virtue of Section 8(2) of the Mental Health Act 1959, applied but disregarding the amendments made by paragraph 11 of Schedule 13 to the Children Act 1989. The words in section 8(2) of the Mental Health Act 1959 which extend the meaning of disabled person in section 29(1) of the National Assistance Act 1948, are prospectively repealed by the National Health Service and Community Care Act 1990, section 66(2), Schedule 10, as from a day to be appointed.

Information required to determine charges

If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of regulation 9 of The Building (Local Authority Charges) Regulation 2010.

The standard information required for all applications is detailed on the authority's Building Regulation application forms. This includes the existing and proposed use of the building and a description of the building work.

Additional information may be required in relation to:

- The floor area of the building or extension;
- The estimated duration of the building work and the anticipated number of inspections to be carried out;
- The use of competent persons or Robust Details Ltd;
- Any accreditations held by the builder or other member of the design team;
- The nature of the design of the building work and whether innovative or high-risk construction is to be used;
- The estimated cost of the building work. If this is used as one of the factors in establishing a charge the 'estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such building work (excluding the amount of any value added tax chargeable).

Establishing the Charge

The authority has established standard charges using the principles contained within The Building (Local Authority Charges) Regulation 2010. Standard charges are detailed in the following schedules. In the schedules below, any reference to number of storey's includes each basement level as one-storey and floor areas are cumulative.

If the building work that you are undertaking is not listed as a standard charge, it will be individually determined in accordance with the principles and relevant factors contained within The Building (Local Authority Charges) Regulation 2010. If the authority considers it necessary to engage and incur the costs of a consultant to provide specialist advice or services in relation to a particular aspect of building work, those costs shall also be included in setting the charge.

When the charge is individually determined the authority shall calculate the charge in the same way a standard charge was set by using the average hourly rate of officers' time, multiplied by the estimated time taken to carry out their building regulation functions in relation to that particular piece of building work and taking into account the applicable factors listed in regulation 7(5) of the charges regulations.

Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.

The building regulation charges for the following types of building work will be individually determined and the authority will state which factors in regulation 7(5) of the charges regulations it has taken into account in establishing a standard or individually determined charge.

Charges for the following work types will be determined on an individual basis:

- A reversion charge;
- The building work is in relation to more than one building;
- Domestic building work consisting of alterations where the estimated cost exceeds £75,000;
- Non domestic building work where the estimated cost exceeds £250,000;
- The work consists of a domestic garage with a floor area over 60m²;
- The work consists of the erection or conversion of 20 or more dwellings or
- The work consists of the conversion of a building to a dwelling, dwelling house or flat(s), where the works are all carried out at the same time and the estimated cost of the works exceeds £75,000 (see notes under Schedule 3 Charges for all other work).
- Any other work when the estimated cost of work exceeds £75,000;
- Where work does not fall within any of the standard charge categories of Schedules 1 to 3 (inclusive) the charge will be individually determined.

Other matters relating to calculation of charges

- In calculating these charges, refunds or supplementary charges, an officer hourly rate of £48.00 has been used.
- Any charge payable to the authority shall be paid with an amount equal to any value added tax payable in respect of that charge.
- Charges are not payable for the first hour when calculating an advice charge
- The authority accepts payment by installments in respect of all building work where the total charge exceeds £1,500. The authority, on request, will specify the amounts payable and dates on which installments are to be paid.

Reductions

The authority shall make a reduction in a standard or individually determined charge when chargeable advice has been given before receipt of an application or notice for proposed building work, which is likely to result in less time being taken by the local authority to perform the chargeable function for that work.

When it is intended to carry out building work on a dwelling to which Schedule 2 applies and at the same time undertake work to which Schedule 3 applies, the Schedule 3 charge may be subject to a reduced charge.

Refunds and supplementary charges

If the basis on which the charge has been set or determined changes, the authority will refund or request a supplementary charge and provide a written statement setting out the

basis of the refund/supplementary charge and also state how this has been calculated. In the calculation of refunds/supplementary charges, no account shall be taken of the first hour of an officer's time.

Non-Payment of a Charge

Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or building notices given unless the Council has received the correct charge. In other words, relevant timescales do not start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of a charge.

Complaints about Charges

If you have a complaint about the level of charges you should initially raise your concern with the relevant officer. The Council has a comprehensive complaint handling process. If your complaint is not satisfactorily responded to by the officer concerned, details of how to resolve your complaint is available on request and can be viewed on the Council's web site.

Transitional Provisions

The Council's scheme for the recovery of charges dated 1 April 2010 continues to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application is made, between 1 April 2010 and 1 October 2010.

STANDARD CHARGES

Standard charges includes works of drainage in connection with the erection or extension of a building or buildings, even where those works are commenced in advance of the plans for the building(s) being deposited.

These standard charges have been set by the authority on the basis that the building work does not consist of, or include, innovative or high risk construction techniques (details available from the authority) and/or the duration of the building work from commencement to completion does not exceed 12 months.

The charges have also been set on the basis that the design and building work is undertaken by a person or company that is competent to carry out the design and building work referred to in the standard charges schedules, which they are undertaking. If not, the work may incur supplementary charges.

If chargeable advice has been given in respect of any of the work detailed in these tables and this is likely to result in less time being taken by the authority then a reduction to the standard charge will be made.

Plan and Inspection Charges

The plan charge and inspection charge are listed in the following tables.

Building Notice Charge

Where building work is of a relatively minor nature the Building Notice charge is the same as the total plan and inspection charge. In relation to more complex work the time to carry out the building regulation function is higher and the resultant additional costs of using the Building Notice procedure results in the higher charge as detailed in the following schedules.

Reversion Charge

These charges will be individually determined.

Regularisation Charge

The charge is listed in the following schedules.

Schedule 1 Charges for new dwellings

Figures in red are VAT at 17.5% (VAT is not payable on a Regularisation Charge)
Figures in bold are the charges including VAT

	Plan Charge £	Inspection Charge £	Building Notice Charge £	Regularisation Charge £
(1)	(2)	(3)	(4)	(5)
1	195.56 (34.22) 229.78	414.52 (72.54) 487.06	610.08 (106.76) 716.84	915.12
2	266.75 (46.68) 313.43	528.12 (92.42) 620.54	794.87 (139.10) 933.97	1,192.31
3	350.99 (61.42) 412.41	738.18 (129.18) 867.36	1,089.17 (190.60) 1,279.77	1,633.76
4	435.23 (76.17) 511.40	854.60 (149.56) 1,004.16	1,289.83 (225.73) 1,515.56	1,934.75
5	526.49 (92.14) 618.63	1,050.29 (183.80) 1,234.09	1,576.78 (275.94) 1,852.72	2,365.17
6	617.75 (108.11) 725.86	1,180.34 (206.56) 1,386.90	1,798.09 (314.67) 2,112.76	2,697.14
7	633.42 (110.85) 744.27	1,260.84 (220.65) 1,481.49	1,894.26 (331.50) 2,225.76	2,841.39
8	668.90 (117.06) 785.96	1,470.15 (257.28) 1,727.43	2,139.05 (374.34) 2,513.39	3,208.58
9	694.96 (121.62) 816.58	1,679.48 (293.91) 1,973.39	2,374.44 (415.53) 2,789.97	3,561.66
10	701.99 (122.85) 824.84	1,908.60 (334.01) 2,242.61	2,610.59 (466.86) 3,067.45	3,915.89
11	708.00 (123.90) 831.90	2,090.67 (365.87) 2,456.54	2,798.67 (489.77) 3,288.44	4,198.01
12	715.01 (125.13) 840.14	2,271.50 (397.51) 2,669.01	2,986.51 (522.64) 3,509.15	4,479.77
13	721.03 (126.18) 847.21	2,454.81 (429.59) 2,884.40	3,175.84 (555.77) 3,731.61	4,763.76
14	728.06 (127.41) 855.47	2,604.66 (455.82) 3,060.48	3,332.72 (583.23) 3,915.95	4,999.08
15	734.07 (128.46) 862.53	2,785.49 (487.46) 3,272.95	3,519.56 (615.92) 4,135.48	5,279.34
16	741.09 (129.69) 870.78	2,966.32 (519.11) 3,485.43	3,707.41 (648.80) 4,356.21	5,561.12
17	747.13 (130.75) 877.88	3,147.14 (550.75) 3,697.89	3,894.27 (681.50) 4,575.77	5,841.41
18	754.12 (131.97) 886.09	3,327.97 (582.39) 3,910.36	4,082.09 (714.36) 4,796.45	6,123.14
19	760.14 (133.02) 893.16	3,467.93 (606.89) 4,074.82	4,228.07 (739.91) 4,967.98	6,342.11

Note:

For 20 or more dwellings or if the floor area of the dwellings exceeds 300m², the charge is individually determined.

For electrical work not covered under a Competent Persons Scheme, the basic inspection charge per dwelling will be £191.00 plus VAT (account will be given to repetitive work and a discount may be applied).

Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.

Schedule 2

Charges small buildings, extensions and alterations

Figures in red are VAT at 17.5% (VAT is not payable on a Regularisation Charge)

Figures in bold are the charges including VAT

Type of Work	Plan Charge £	Inspection Charge £	Building Notice Charge £	Regularisation Charge £
(1)	(2)	(5)	(8)	(9)
1 Erection or extension of a detached or attached garage or carport or both, having a floor area not exceeding 40m ² in total and intended to be used in common with an existing building, and which is not an exempt building.	137.05 (23.98) 161.03	-	137.05 (23.98) 161.03	205.58
2 Erection or extension of a detached or attached garage or carport or both, having a floor area exceeding 40m ² but does not exceed 60m ² in total and intended to be used in common with an existing building, and which is not an exempt building.	137.05 (23.98) 161.03	140.19 (24.53) 164.72	277.22 (48.52) 325.76	415.86
3 Any extension of a dwelling the total floor area of which does not exceed 4m ² .	137.05 (23.98) 161.03	-	137.05 (23.98) 161.03	205.58
4 Any extension of a dwelling the total floor area of which exceeds 4m ² , but does not exceed 10m ² .	137.05 (23.98) 161.03	140.19 (24.53) 164.72	277.22 (48.52) 325.76	415.86
5 Any extension of a dwelling the total floor area of which exceeds 10m ² , but does not exceed 40m ² .	137.05 (23.98) 161.03	268.79 (47.04) 315.83	405.84 (71.02) 476.86	608.76
6 Any extension of a dwelling the total floor area of which exceeds 40m ² , but does not exceed 60m ² .	137.05 (23.98) 161.03	405.83 (71.02) 476.85	542.86 (95.00) 637.88	814.32
7 A loft conversion - alteration of a dwelling to provide one or more rooms in a roof space.	137.05 (23.98) 161.03	268.79 (47.04) 315.83	405.84 (71.02) 476.86	608.76

Note:

For electrical work not covered under a Competent Persons Scheme, please refer to 'Electrical Work' within the Minimum Charges section within Schedule 3.

Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.

Extensions / alterations not falling within the above categories will be individually determined where the estimated cost of the work exceeds £75,000.

Schedule 3 Charges for all other work

Figures in red are VAT at 17.5% (VAT is not payable on a Regularisation Charge)

Figures in bold are the charges including VAT

Fixed price based on estimated cost bands	Plan Charge	Inspection Charge	Building Notice Charge	Regularisation Charge
	£	£	£	£
£0 – £1,000	63.67 (11.14) 74.81	-	63.67 (11.14) 74.81	95.51
£1001 – £5,000	191.00 (33.43) 224.43	-	191.00 (33.43) 224.43	286.50
£5,001 – £10,000	55.57 (9.72) 65.29	166.70 (29.17) 195.87	222.27 (38.90) 261.16	333.41
£10,001 – £20,000	73.80 (12.92) 86.72	221.40 (38.75) 260.15	295.20 (51.66) 346.86	442.80
£20,001 – £30,000	98.40 (17.22) 115.62	295.20 (51.66) 346.86	393.6 (68.28) 462.48	590.40
£30,001 – £40,000	121.55 (21.27) 142.82	364.65 (63.81) 428.46	486.20 (85.09) 571.29	729.30
£40,001 – £50,000	144.70 (25.32) 170.02	434.10 (75.97) 510.07	578.80 (101.29) 680.09	868.20
£50,001 – £60,000	167.85 (29.37) 197.22	503.55 (88.12) 591.67	671.40 (117.50) 788.90	1,007.10
£60,001 – £70,000	191.00 (33.43) 224.43	573.00 (100.28) 673.28	764.00 (133.70) 897.70	1,146.00
£70,001 – £80,000	214.15 (37.48) 251.63	642.45 (112.43) 754.88	856.60 (149.91) 1,006.51	1,284.90
£80,001 – £90,000	237.30 (41.53) 278.83	711.90 (124.58) 836.48	949.20 (166.11) 1115.31	1,423.80
£90,001 – £100,000	260.45 (45.58) 306.03	781.35 (136.74) 918.09	1,041.80 (182.32) 1224.12	1,562.70
£100,001 – £125,000	284.71 (49.82) 334.53	854.14 (149.47) 1,003.61	1,138.85 (199.29) 1,338.14	1,708.28
£125,001 – £150,000	310.09 (54.27) 364.36	930.26 (162.80) 1,093.06	1,240.35 (217.07) 1,457.42	1,860.53
£150,001 – £175,000	335.46 (58.71) 394.18	1,006.39 (176.12) 1182.51	1,341.85 (234.83) 1,576.68	2,012.78
£175,001 – £200,000	360.84 (63.15) 423.99	1,082.51 (189.44) 1,271.95	1,443.35 (252.59) 1,695.94	2,165.03
£200,001 – £225,000	386.21 (67.59) 453.80	1,158.64 (202.76) 1,361.40	1,544.85 (270.35) 1,815.20	2,317.28
£225,001 – £250,000	411.59 (72.03) 483.62	1,234.76 (216.08) 1,450.84	1,646.35 (288.11) 1,934.46	2,469.53

Note:

Unless otherwise agreed, schemes exceeding one year in duration may be subject to an additional charge.

The charge is individually determined for domestic schemes exceeding £75,000 and commercial schemes exceeding £250,000.

Minimum Charges:-

- **Replacement Windows:** The minimum charge for a scheme of windows and/or door replacements in dwellings, not being part of the 'FENSA' self certification scheme, shall be £63.67 plus £11.14 VAT, Total **£74.81**. In the use of non-domestic work, the charge shall be 20% of the normal charge based on the estimated cost of the work, subject to a minimum charge of £63.67 plus £11.14 VAT, Total **£74.81**.
- **Oil/Non-mains gas fuel storage systems:** The charge for the installation of an oil or non-mains gas fuel storage system shall be £127.33 plus £22.28.10 VAT, Total **£149.61**.
- **Chimney lining:** The charge for chimney lining installations will be £34.73 plus £6.08 VAT, Total **£40.81**.
- **Electrical Work:** Where electrical works are to be carried out to a dwelling and the work is under the control of the Council the following charges will apply: **Rewiring** £191.00 plus £33.43 VAT, Total **£224.43**; **Addition of new circuit(s)** £127.33 plus £22.28 VAT, Total **£149.61**; **Additional sockets/lights** £63.67 plus £9.55 VAT, Total **£73.22**.
- **Unvented hot water system:** The charge for installation of an unvented hot water system will be subject to a charge of £63.67 plus £11.14 VAT, Total **£74.81**.
- **Replacement Roof Covering:** The charge for replacement roof coverings will be subject to a charge per dwelling of £63.67 plus £11.14 VAT, Total **£74.81**.
- **Wind Turbines:** The charge for the installation of a wind turbine attached to a building will be subject to a charge of £63.67, plus £11.14 VAT, Total **£74.81**.
- **Solar Panels:** The charge for the installation of solar panels will be subject to a charge of £63.67 plus £11.14 VAT, Total **£74.81**.
- **Boilers/Heating Installations:** The charge for boilers/heating installations with an output of over 50KW will be subject to a charge of £191.00 plus £33.43 VAT, Total **£224.43**.
- **Replacement Waste Treatment Plant:** The charge for a replacement waste treatment plant will be subject to a charge of £211.84 plus £37.07 VAT, Total **£248.91**.

Part One	
EXECUTIVE COMMITTEE	(D) Agenda Item 18
Date of Meeting: 22nd September, 2010	
Reporting Officer: Commercial Property Manager	
<p>Title: Land at Marsh Street, Barrow</p> <p>Summary and Conclusions:</p> <p>The report outlines a request from the Marsh Street Arches and Garden Community Interest Group to revise lease terms for land to the rear of Marsh Street, Barrow-in-Furness.</p> <p>Recommendation:</p> <p>To approve the revised lease terms for land to the rear of Marsh Street, Barrow-in-Furness as reported.</p>	

Report

This Council own 0.4 acres of 'unused' land to the rear of Marsh Street, Barrow-in-Furness.

It was agreed at this Committee on 4th January 2006 that the land be let to the Marsh Street Arches Project Team to enable the creation of a 'community garden'

The Marsh Street Arches and Garden Community Interest Group has requested that the term of the lease originally approved by this Committee on 4th January 2006 be revised. The revision is required as a result of an application to the Heritage Lottery Fund, who have requested a longer lease term and have suggested 85 years as opposed to 25 years.

The Marsh Street Arches and Garden Community Interest Group have also requested that an additional plot of land, as shown on the attached plan at **Appendix 4** be included in the revised lease document.

It is recommended that approval be granted for the letting of land at the rear of Marsh Street to the Marsh Street Arches and Garden Community Interest Group, subject to the above revision.

i) **Legal Implications**

The granting of a legal lease contract.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

There are no financial implications

(iv) Health and Safety Implications

There are no Health and Safety implications.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

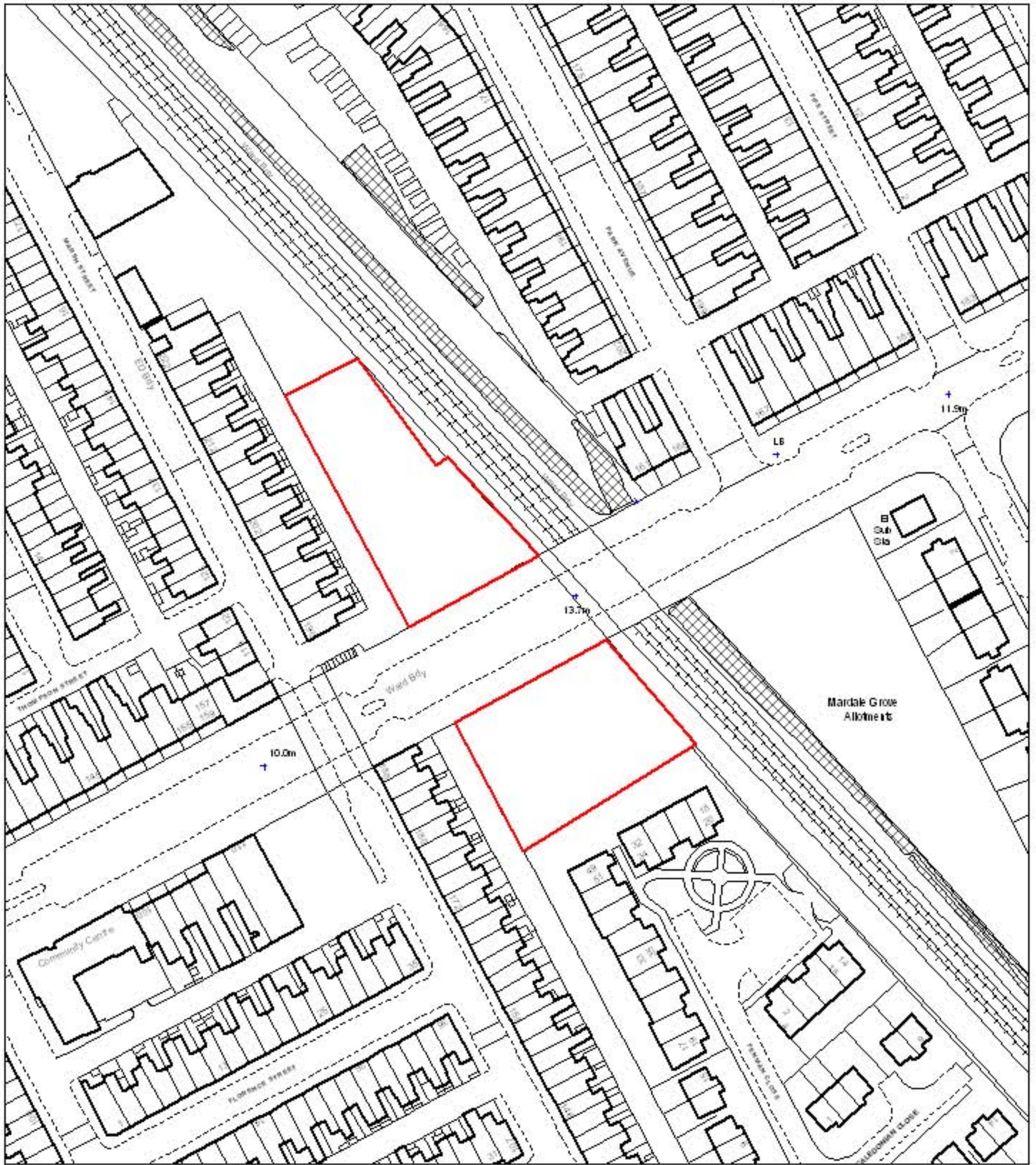
(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil.

Land at Marsh Street, Barrow in Furness



ESTATES DEPARTMENT

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Scale : 1:1250

Grid : None



Produced on : 14/09/2010



EXECUTIVE COMMITTEE	(D) Agenda Item 19
Date of Meeting: 22nd September, 2010	
Reporting Officer: Director of Regeneration and Community Services	
Title: European Regional Development Fund (ERDF) Grant Application for Extension to Waterside House	
Summary and Conclusions:	
The Council's application for European Regional Development Fund to support provision of additional workspace adjacent to Waterside House has been rejected. The proposed access road into the development site which also provided and improved access for Waterside House should be progressed.	
Recommendations:	
1. To note the position on the European Regional Development Fund application; and	
2. To agree to progress provision of a new access from Bridge Road.	

Report

Members will recall we submitted an application for £1.5m of ERDF to provide additional of workspace adjacent to Waterside House. Match funding for the development was to be drawn from an allocation of Working Neighbourhoods Funds.

On 27th August, 2010 I was informed that our application had been rejected by the North West Development Agency's Projects Review Group. The reasons given for their decision were "... that the proposal does not deliver sufficient activity when compared with other projects submitted into this area of the Programme. Specifically it has been concluded that your proposal cannot be developed to be of sufficient scale to deliver impact; value for money cannot be sufficiently achieved against the outputs provided; market failure has not been sufficiently evidenced and the impact to the sub-region is low."

It has taken 19 months, since the submission of our Expression of Interest on 2nd February, 2009, for the process to reach a conclusion and I have written to the Agency expressing my dissatisfaction at the way the application has been handled.

The loss of ERDF from project funding will prevent the extension from going ahead. However, part of the proposal was to construct a new site access from the currently formed bell mouth on Bridge Road to serve Waterside House, which currently has a poor access directly off Bridge Approach, and to service the rest of the undeveloped site. The estimated cost of this work is £300,000 and should be progressed irrespective of the rejection of the ERDF application, as it will overcome a highway safety issue and a constraint to development of the whole site in the future.

These works will have to be re-tendered with the costs met entirely from the Working Neighbourhood Fund (WNF) allocation of £1.5m. I will prepare a report to a future meeting with recommendations on how the residual WNF allocation for Waterside House should be spent.

(i) Legal Implications

Not applicable at this stage.

(ii) Risk Assessment

RA of access road will be completed as part of new proposal and recommendations on use of remaining WNF.

(iii) Financial Implications

Tender approval for the access road and recommendations on use of remaining WNF will be reported back to Executive Committee.

(iv) Health and Safety Implications

Not applicable at this stage.

(v) Key Priorities or Corporate Aims

KP4 Support Economic Regeneration.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Application file held by Assistant Director of Regeneration.
Letter from NWDA dated 25/08/10.

EXECUTIVE COMMITTEE	(D) Agenda Item 20
Date of Meeting: 22nd September, 2010	
Reporting Officer: Director of Regeneration and Community Services	
Title: Rural Projects Fund: Dalton Drill Hall	
Summary and Conclusions:	
Dalton Community Association have requested £25,000 of capital from the Rural Projects Fund towards the cost of improving access to the Hall. They are part of ongoing improvement works funded by a range of grants.	
Recommendations:	
a) To agree to allocate from the Rural Capital Fund £25,000 towards the cost of improving the main access to the hall; and	
b) To agree that if the funding is not dispersed by the end of the 2010/11 financial year, the grant offer is withdrawn.	

Report

I have received a funding request from Dalton Community Association for £25,000 towards the cost of improving access to the entrance area to the building.

The Drill Hall is leased by Dalton Community Association from Cumbria County Council on a long term repairing lease. The Drill Hall is the only large public venue with associated meeting rooms in Dalton and is used extensively by youth groups, army cadets, religious and other groups. Although the main roof has been replaced in the recent past the interior of the building was in a very poor condition and the current Trustees have developed a long-term plan to bring the building into a more useable condition.

The Trustees have been successful in making grant applications to WREN for £15,000 and the Sir John Fisher Foundation for £7,282 for urgent repairs to a large flat roof on the northern side of the building and these works are currently underway. In addition, funding provided by the County Council, the Hadfield Trust, Dalton with Newton Town Council and Cumbria Community Foundation has been obtained to improve the fabric of the building and particularly the provision of new toilet facilities.

The Community Association are applying to you for funding to improve the main access from Nelson Street which is currently a rather depressing flush boarded arch with a door into the hall. The proposal is to have wrought iron gates from the street then inset glass doors the full height of the arch to allow natural light into a new reception area. The estimated costs of these works is £25,000 and the Community Association are applying to the Rural Capital Fund for the full cost. The works would be completed by the end of the 2010/11 financial year. I can confirm the costs of this project can be met from the Capital rural Projects Fund for 2010/11.

The Drill Hall is a key community venue in Dalton.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Risk Assessment will be completed by Dalton Community Association as part of proposal.

(iii) Financial Implications

Funded by Rural Capital Fund. There are sufficient resources in 2010/11 to support this request.

(iv) Health and Safety Implications

Health and Safety responsibility of the Drill Hall rests with Dalton Community Association.

(v) Key Priorities or Corporate Aims

Contribution to KP6 Expanding Facilities and Activities for Young People.

(vi) Equality and Diversity

The Drill Hall supports a wide range of community groups. The new entrance will be DDA compliant.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 21
Date of Meeting: 22nd September, 2010	
Reporting Officer: Director of Regeneration and Community Services	
Title: Askam Youth Café Project	
Summary and Conclusions:	
The Youth Café Project have asked that the offer of £25,000 of Rural Capital Fund is extended to the end of the financial year.	
Recommendations:	
<ol style="list-style-type: none">1. To support the Askam Youth Café Project by £25,000 from the Rural Capital Fund; and2. To inform the project that if the money is not dispersed by the end of the 2010/11 financial year that the offer is withdrawn.	

Report

This report is being brought to your because at your meeting of 3rd March, 2010 you resolved to support this project by £25,000 from your Rural Capital Fund to be reviewed in September, 2010 if the project had not commenced.

It is estimated that £170,000 will be required to renovate and fit out the station buildings including architects fees, solicitors' fees and equipment. To date £44,300 of funding has been confirmed, including the £25,000 agreed by you in March. In addition to the above, the Railway Heritage Trust have agreed to fund 40% (£68,000) of the refurbishment costs. In effect, therefore, the project requires £57,700 to go ahead. Grant applications for the required funding have been lodged, but the outcome is currently unknown.

Negotiations to secure a tripartite lease for the building are currently underway.

When you last considered the matter you did not wish to tie up your capital allocation of £25,000 if the project was unlikely to go ahead. Having had discussions with the officer leading the project, I consider they are making substantial progress particularly on the leasing arrangements for the building. The project have requested that your offer of £25,000 be extended to the end of the financial year and in view of the progress made, I have no objection to this provided the money is dispersed by the end of the financial year.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Risk Assessment will be completed by the project sponsors as part of the proposal.

(iii) Financial Implications

Funded by Rural Capital Fund currently a commitment in the capital programme.

(iv) Health and Safety Implications

Health and Safety responsibility will rest with the project sponsors.

(v) Key Priorities or Corporate Aims

Contribution to KP6 expanding facilities and activities for young people.

(vi) Equality and Diversity

The facility will be DDA compliant.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Nil.

EXECUTIVE COMMITTEE	(D) Agenda Item 22
Date of Meeting: 22nd September, 2010	
Reporting Officer: Director of Regeneration and Community Services	
Title: Responses to Government Consultations on Local Enterprise Partnerships and Regional Growth Fund	
Summary and Conclusions:	
Responses to two government consultations on Local Enterprise Partnerships and Regional Growth Fund are attached. The Council has collaborated in the County wide submission on LEPs but has submitted its own response on Regional Growth Fund (RGF). The responses have been agreed by the Leader of the Council as the deadline for submissions has precluded formal consideration by this Committee.	
Recommendations:	
To endorse the submissions made in response to the consultation papers on Local Enterprise Partnerships and Regional Growth Fund.	

Report

Background

Government has sought responses to two consultation papers on economic development. The first is on creation of Local Enterprise Partnerships (LEPs), which are intended to replace the Regional Development Agencies which will cease in April 2012. The second on the way Regional Growth Fund (RGF) will operate. The total of RGF available is £2bn over a two year period commencing in April 2011. The deadline for response to the consultation papers was 6th September, in order to meet this both submissions were agreed with the Leader of the Council.

It was clear from the outset of the LEP consultation that government preference was to create LEPs on the basis of at least sub-regional geography. The Council has therefore collaborated in a joint bid to form a LEP covering Cumbria. This has been agreed by the Cumbria Leaders Board on behalf of the districts and County Council. A copy of this submission is available on the Council's website at **Appendix 5** and a copy will also be available in the Members Room.

Government have suggested that a proportion of the RGF allocations should be determined by formula and a proportion through competition. There has been a suggestion that allocations could be made direct to LEPs. However, unlike the LEP submission, the Council, having considered several draft responses has not agreed to sign the Countywide submission and instead submitted our own response which is attached. It was inappropriate for the Council to collaborate in the Cumbria submission for the following main reasons:

- In view of the substantially diminished resources - around 25% of that previously available - my view is that the formulaic distribution of RGF should target those communities in greatest need, the Cumbria submission did not reflect this rather seeking to include rural deprivation as an equal priority.
- The Cumbria submission did not meet the objectives of RGF which seeks to ameliorate the impact of loss of public sector employment in those communities most reliant on it. A recent report by Experian assessing the impact of public spending cuts supports my view that the main effects in Cumbria will be felt in Barrow and other urban areas of the County. 324 districts were assessed in the report and the overall vulnerability to cuts is as follows (1 is the least vulnerable): Eden 48; South Lakeland 78; Allerdale 213; Copeland 257; Carlisle 233; Barrow 318.

A copy of the Borough Council response on RGF is attached at **Appendix 6**.

(i) Legal Implications

Not Applicable

(ii) Risk Assessment

Not Applicable

(iii) Financial Implications

RGF will be the principal source of regeneration funding for the next two financial years.

(iv) Health and Safety Implications

Not Applicable

(v) Key Priorities or Corporate Aims

KP 4 - Support Economic Regeneration

(vi) Equality and Diversity

Not Applicable

(vii) Health and Well-being Implications

Not Applicable

Background Papers

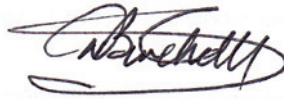
Government consultation papers on LEPs and RGF

Cumbria Local Enterprise Partnership

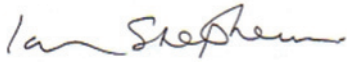




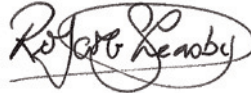
Rob Johnston
Chief Executive, Cumbria Chamber of Commerce



David Birchall
Federation of Small Businesses



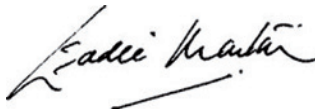
Ian Stephens
Chief Executive, Cumbria Tourism



Robert Sheasby
National Farmers Union



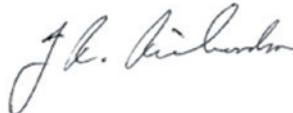
Viv Lewis
Vice Chair, Cumbria Social Enterprise Partnership



Eddie Martin
Leader, Cumbria County Council



Tim Heslop
Leader, Allerdale Borough Council



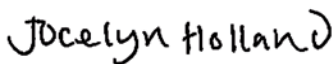
Jack Richardson
Leader, Barrow Borough Council



Mike Mitchelson
Leader, Carlisle City Council



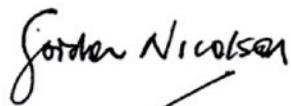
Elaine Woodburn
Leader, Copeland Borough Council




Jocelyn Holland
Cumbria Association of Local Councils



Raymond Cole
Chair, Cumbria Police Authority



Gordon Nicholson
Leader, Eden District Council



Bill Jefferson
Chairman, Lake District National Park Authority



Mike Taylor
Chair, NHS Cumbria



Brendan Jameson
Leader, South Lakeland District Council

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Our vision

This document sets out our proposal for a Cumbria LEP that will enable us to realise our combined vision – *for Cumbria to have one of the fastest growing economies in the UK, in an energised and healthy environment.*

Cumbria welcomes this unique opportunity to steer its own destiny.

Cumbrian business, public and voluntary sector partners see a Cumbrian Local Enterprise Partnership (LEP) as an opportunity to be grasped with both hands to energise and enhance our local economy, to focus on our own opportunities and challenges and to make our voice heard more effectively.

Cumbria has already risen to the challenge, forging a new partnership bringing together all of the seven local authorities and the county's business representative organisations.

This partnership will be about much more than allocation of funding. We are aiming to create new working practices, making the most of opportunities to support private sector led investment and initiatives.

By working together and creating a mechanism to make the most of the capabilities that already exist in our economy, a Cumbria LEP presents the best opportunity to unleash the potential of our entrepreneurial skills and opportunities, in both our rural and more urban areas.

As a county we have experienced both the highs and lows of private/public sector partnership, and so are well placed to build positively on these experiences to ensure our LEP is truly effective, delivering the results we seek – and, crucially, truly accountable to the businesses and people of Cumbria.



Fundamental to this effectiveness is the significant activity already taking place to ensure private sector businesses of all sizes and sectors, and throughout the county, are fully and actively engaged in our LEP. As part of this, several thousand businesses have been given the opportunity to comment. This consultation has included all the key business representative organisations in the county, including Cumbria Chamber of Commerce, Cumbria Tourism, the Federation of Small Business, the National Farmers' Union, the Confederation of British Industry, Cumbria Social Enterprise Partnership and others.

Alongside this private sector activity, a strong partnership already exists in the form of the Cumbria Leaders' Board comprising the County and six District Councils, Cumbria Association of Local Councils and other major public bodies such as the Police, Health and Lake District National Park Authority. This partnership has also engaged with neighbouring upper tier local authorities in both the North West and the North East.

Cumbria is a place of magnificent land and seascapes and tremendous resources – not least its people. A place where many more people would choose to live, work and visit given the opportunity – the very sort of opportunities in fact that we are looking to create.

Its topography, location, economic structure and population size and distribution combine to make Cumbria a unique functional economic area – and one which would clearly benefit from a Local Enterprise Partnership focussed on Cumbrian needs.

Big enough to be effective, small enough to be local, we are determined to build on the county's strengths to increase Cumbria's Gross Value Added (GVA) by working together to exploit our talents, building on our entrepreneurial culture, implementing new approaches and ensuring that investment and agreed interventions are targeted at the key issues and opportunities.

"I am pleased to support a Cumbria Local Enterprise Partnership. We have to create an effective structure that provides both the vision and then gets on with the work of renewing our local economies across Cumbria. This is an important step for our county and I look forward to working with and for the LEP."

Tony Goddard

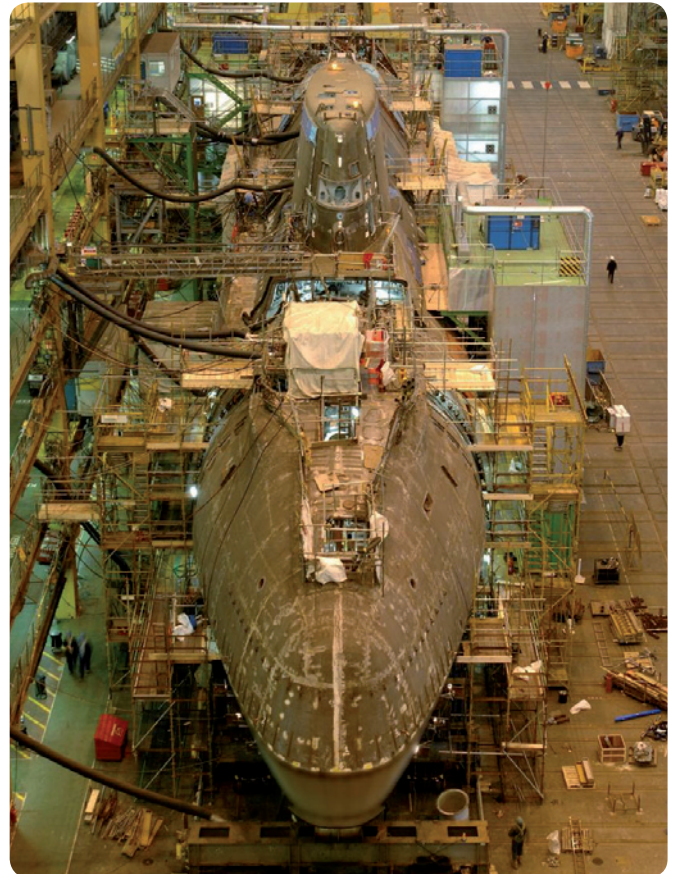
Chief Executive, Kingmoor Park Properties Ltd, Carlisle

The case for a Cumbria LEP

The Cumbria LEP has an excellent fit with its functional economic market area (FEMA) mirroring the administrative boundaries of the county.

We have determined this FEMA by considering a number of proxy measures including labour market evidence, supply chain data, housing market areas, administrative boundaries and other related information. Separately each indicator makes a strong case for Cumbria being defined as a single functional area. When combined the case becomes absolutely compelling.

Due to our unique business economy and entrepreneurial resourcefulness, Cumbria held its own during the recent economic downturn. However, significant public sector funding through the nuclear industry, BAE and NWDA, along with public services, played a major role in this. Our LEP will harness our strengths and resources. The immediate future promises to be extremely testing, with our make-up of businesses size and type, coupled with our geography, giving Cumbria a particular set of challenges. A Cumbria LEP presents our best opportunity to not only overcome these challenges but to truly make the most of the opportunities available to us.



“The Cumbrian Leaders’ Board is united in its unqualified ambition to secure the long term sustainability and prosperity of Cumbria, and welcomes this opportunity to establish a Cumbria LEP, dedicated to championing the unique and distinctive interests of all sectors of the county.”

Cumbria Leaders’ Board

Labour Market and Commuting Patterns

Commuting patterns are a good proxy for identifying self contained labour markets. In Cumbria, internal commuting represents 85.5% of total flows compared to 65.5% in the North West as a whole. This indicates that a substantial proportion of the population lives and works locally. The topography of Cumbria, and the Lake District in particular, has shaped both local authority and Travel to Work Areas (TTWAs) so that they align with each other to a great extent. The Cumbria LEP contains six TTWAs, with only the Carlisle TTWA crossing the county boundary into Scotland.

Supply Chain

The market for goods and services produced by the county's businesses is strongly biased towards Cumbria with a very significant level of intra-trading. The Cumbria Business Survey 2009 highlighted 49% of private sector businesses reporting that all their sales were to customers based in the county.

Housing Market Areas

Evidence from Housing Market Areas (HMAs) reinforces the argument put forward by labour market and supply chain data. Cumbria has 20 HMAs. When aggregated they are co-terminous with the county boundary.

Administrative Boundaries

Administrative boundaries are important in determining the geography and content of organisational strategies, the delivery of their services and the use of data. The county boundary is co-terminous with the operational areas of key organisations such as NHS Cumbria, the Police, the Probation Service, Cumbria Chamber of Commerce, Cumbria Tourism and the County Council. Cumbria also has a single Highway & Transport Authority. The six district local authorities together also make up this area.

Partnership Working

Cumbria has a long history of partnership working including the Cumbria Strategic Partnership (CSP), with a membership of over 50 organisations. The work of the CSP is informed by the Cumbria Intelligence Observatory which has built upon invaluable Cumbrian time series data gathered over many years. A Cumbria-wide Local Economic Assessment is currently being prepared, drawing on these data sources. This is an invaluable tool in supporting regeneration and development activity in Cumbria and has provided evidence to prioritise the key interventions in this LEP proposal.

The planning and housing authorities have a longstanding history of joint working in the county, demonstrated through the creation of the Cumbria Planning Group and the Cumbria Housing Group.

Cumbria's Brand

As a brand, "Cumbria" has a strong marketing reach and resonance, particularly in the visitor economy. Its strong association with lakes and mountains makes "Cumbria, The Lake District" an internationally renowned visitor destination and marketing attack brand. Over 15 million visitors are attracted to the county annually, many of whom sample "Made in Cumbria" branded products. We see the world renowned Cumbria brand as a real strength to our Cumbrian LEP in assisting our economy to grow and in attracting new businesses into the county.



Mapping Sub-regional Economies

The Local Government Association commissioned Public & Corporate Economic Consultants (PACEC) in December 2006 to produce a map of the sub-regional economies of England and an analysis of potential criteria for mapping sub-regional economies. With Cumbria achieving a self-containment score of 98% this independent research provides a strong evidence base to further support the case for a Cumbria LEP.

"With over 5,000 businesses and 36,000 jobs dependant on visitors, it is wholly appropriate that the Cumbria LEP recognises the importance of supporting the improvement of the county's tourism industry. Tourism also underpins real and potential benefits for the environment, culture and helps isolated communities and therefore should be a key objective of Cumbria's economic future."

Simon Berry,
Chairman & Managing Director,
English Lakes Hotels

Local Authorities

Whilst the Cumbria LEP contains only one upper tier authority, it comprises six districts, the Lake District National Park and part of the Yorkshire Dales National Park and covers 48% of the North West land mass. Given Cumbria's isolated location, surrounded on two sides by the Irish Sea and Scotland, to incorporate another upper tier authority in the LEP would result in an unacceptably large geographic area which would fail any test of localism. Cumbrian partners have discussed various LEP options and both the North East and Lancashire support a free standing Cumbria LEP. That said, to maximise the opportunities and use of resources we will work cooperatively with adjoining LEPs and those with similar challenges.

Although one functional economic area, the Cumbria LEP is made up of a number of sub-areas, each with its own differing environmental conditions and economic and social needs. The LEP will seek to maintain a careful balance between pursuing a countywide approach to strategic issues and reflecting the local needs of the sub-areas. This will be achieved through close dialogue between the LEP and the mechanisms established to represent and deliver the distinctive needs and opportunities of the sub-areas.

Cumbria's Economic Performance

Between 1995 and 2007 Cumbria's economic growth rate was the slowest of all the 37 county type areas in the UK, with an overall growth rate of only 51.4% compared to 71.2% in the North West and 90.5% for the UK. However, since 2002, Cumbria's economic performance has improved significantly. In 2007 Gross Value Added (GVA) grew by 5.1%, faster than the North West (4.6%) but only slightly slower than the UK at 5.5%.

Despite these recent improvements, the Cumbrian economy faces considerable immediate challenges, not least its vulnerability to actions to reduce the public sector deficit. Around 25% of our workforce is employed in the public sector, with another 27% of small businesses working for public sector clients, while manufacturing jobs at Sellafield and BAE are heavily reliant on Government spending.

To ensure Cumbria's economy continues and strengthens its recent growth, that it rises to its current challenges and capitalises in particular on emerging opportunities for investment in specialist manufacturing, renewables and the transition to a low carbon economy, we believe it is vital that Cumbria has its own LEP dedicated to transforming our economic base.

For the above reasons, Cumbria stands alone as a Functional Economic Market Area.

What will our LEP do?

The Cumbria LEP will provide a strategic lead in all activities contributing to the growth and vibrancy of the county's economy and where appropriate take positive action, using the skills, capability and networks of the LEP partners.

Our aim is to develop Cumbria's economy while maintaining its uniqueness in terms of landscape, culture and quality of life.

These areas of activity will include:

- Championing the economic interests of Cumbria internationally, nationally, regionally and locally
- Driving enterprise, innovation and growth in the Cumbrian economy, delivering real long-term growth in the most efficient and effective ways possible through both our rural and urban based businesses
- Determining the areas of activity and opportunity which will deliver a real return on investment, as well as understanding the key long standing barriers to development
- Stimulating job growth within the private, community and Third Sectors to compensate for job losses currently being experienced in the public sector (both directly and through the impact of spending cuts on public sector contracting) and rebalancing the economy
- Through the partnership, providing the economic and business intelligence, including trend analysis and projections, needed to help inform constructive decision making, sharing this with prospective investors
- Developing a prospectus of opportunity, as a "living document" setting out current and future opportunities and the support on offer to potential investors, both private and public sector, and promoting those opportunities
- Within the overall prospectus, setting out our priorities for the Regional Growth Fund and other funding opportunities, and actively seeking and addressing those opportunities. We will provide a lead on priorities, and will enable and engage people and organisations in coming forward with innovative solutions to business needs and issues. Where there are gaps we will commission innovative programmes/projects to address those issues
- Providing a single voice for Cumbria in influencing the development of EU policies which directly impact on Cumbria, and in championing opportunities for Cumbria to maximise the benefits of Europe including access to international markets and to funding
- Working to establish effective networks with other LEPs with similar issues, sharing best practice, addressing joint issues and pooling resources
- Strengthening Cumbria's social fabric through pursuing the Big Society agenda to unlock the energies and resources of our communities in delivering innovative solutions to local issues

To support the above the LEP will work to influence the key activities of housing and planning, transport and infrastructure, employment and skills, business and enterprise development, transition to the low carbon economy and support for tourism and other key sectors. We will also look to use the existing assets of NWDA positively.

Within this remit we envisage the following activities, taking into account work by private and public sector partners, including the recent extensive business consultation, to identify priorities for action. While we have highlighted some possible activities within these key areas for action, the detail of these is to be worked up by the LEP as it evolves, in consultation with the wider business community.



"I'm wholly supportive of a Cumbrian private sector led body supporting the business economy. Focussing on the particular needs of Cumbria, this must pay particular heed to the difficulties of running a business in such a sparsely populated area."

Michael Bell, Managing Director, Bells of Lazonby

Direct Support for Business and Enterprise

Home to world class players, of all sizes, across a range of industries, and to an active SME community, which accounts for the vast majority of our business population, Cumbria is well placed to take up the challenge of rebalancing the economy to support private sector enterprise.

As a LEP we will work to promote and facilitate take up and development of entrepreneurial opportunities, whether to start new businesses or expand existing ones, both in our rural and our more urban areas. Support for enterprise will take into account the particular challenges facing our more sparsely populated areas and those, both urban and rural, which are particularly remote from other markets.

In delivering business support we will take maximum advantage of the opportunities offered by existing and potential private sector support, facilitating access to that support and filling the gap between this and what is needed to deliver our priorities.

Our priorities will be to facilitate and encourage the efficient delivery of support for expansion and development of private sector enterprise activities, facilitating an enterprise led economy, by:

- Providing the economic and business intelligence, including trend analysis and projections, which will inform constructive decision making, making this available to prospective investors
- Ensuring understanding of the activities which will give maximum economic development, the barriers to development and opportunities from potential investment, promoting and facilitating take up of those opportunities, including promoting inward investment
- Ensuring focussed and appropriate support for business start up, innovation and expansion through a combination of private and public sector activity, encouraging and facilitating new and existing businesses to make more use of the available private sector support and networks and facilitating access to funding
- Encouraging people and organisations to come forward with solutions for business and enterprise challenges and opportunities, and commissioning innovative solutions to challenges where there are gaps
- Supporting individuals and groups who want to make the transition into enterprise, and encouraging entrepreneurial aspirations and behaviour in our young people in schools, colleges and universities, and amongst the adult population
- Supporting and facilitating sector/supply chain development opportunities, in growth sectors in particular, but not neglecting opportunities elsewhere
- Supporting and facilitating diversification to address the challenges facing the rural economy and areas over dependent on particular sectors
- Assisting and encouraging businesses of all sizes to identify and take advantage of international opportunities
- Taking a coherent and dynamic approach to encouraging and supporting inward investment, including aftercare to investors and expanding businesses
- Facilitating and encouraging further growth of a buoyant social enterprise sector including facilitating mutuals, co-operatives and social enterprises to have a greater involvement in running public services and stimulating and enabling development of new enterprise opportunities that support transition from public sector delivery

Support to Key Business Sectors

Within the above enterprise support activities we will work with key sectors to determine their needs and priorities to encourage the success and further development of these sectors, facilitating and targeting support to leverage maximum value.

We will develop proposals to increase enterprise growth and development and profitability of businesses in areas of activity presenting particular opportunities and especially important to the county, such as specialist manufacturing; tourism & hospitality; expansion and diversification of the nuclear industry; the low carbon economy; diversification from the public sector leading to new enterprise growth; agriculture and other land and seabased industries; construction; social enterprises; food & drink and digital & creative.

Examples of this specific support are outlined below for specialist manufacturing, tourism and agriculture.



Specialist manufacturing, encompassing a wide range of products and ranging from large multi-nationals through to smaller specialist manufacturers, offers one of the best opportunities for business growth within the county. Cumbria is home to nationally and internationally significant specialist manufacturing businesses of all sizes, with a great track record of invention and innovation, and products from automotive engineering and specialist tyres, through to subsea technologies, hydro power turbines, technical fibres, food and speciality films.

There is significant overlap between support for specialist manufacturing and activities to support development of Britain’s Energy Coast and the renewables sector set out later in this document.

With regard to specialist manufacturing, our priorities will be to encourage and facilitate further growth and development by:

- Ensuring focussed and appropriate help for businesses to start, expand and increase profitability, including support for innovation and international trade
- Enabling sharing of best practice
- Facilitating supply chain development opportunities
- Promoting and supporting inward investment, including appropriate aftercare for investors
- Facilitating availability of an appropriately trained and skilled workforce

“BAE Systems fully supports this proposal for a Cumbrian Local Enterprise Partnership. Working together we can make the most of the talents of our people and ensure our economy fulfills its potential.”

Terry Waiting
BAE Systems - Submarine Solutions

Tourism is an integral part of Cumbria’s economy, contributing significantly to our cultural, retail, food & drink and other sectors. The most popular visitor destination in England after London, Cumbria has an outstanding natural environment (including Areas of Outstanding Natural Beauty), Hadrian’s Wall has World Heritage Status and the Lake District National Park is recognised as one of Britain’s few truly world class tourism destinations, with the Lake District a key marketing attack brand.

Specific to tourism, our priorities will be to:

- Seek to ensure the long-term attractiveness of Cumbria as a visitor destination
- Facilitate effective networks to promote Cumbria and areas within it effectively
- Encourage and facilitate businesses to improve their tourism offer, both accommodation and attractions, while maintaining Cumbria’s landscape, natural habitats and special character
- Work to ensure high quality and appropriate public realm, tourist information provision, parking provision and transport links
- Work across LEP boundaries to promote initiatives such as Hadrian’s Wall, Morecambe Bay, the Solway Firth and farm tourism

Agriculture is significant in itself, with 3,000 working farms across the county, and impacts heavily on other key Cumbrian industries, such as tourism & hospitality and the food & drink sector. Added to this there is a strong supply chain linking our rural areas and a wide range of businesses in our more urban areas.

In a period of change which presents both opportunities and challenges for the agricultural, food and landbased sectors, our priorities for agriculture include:

- Ensuring sympathetic interpretation of planning policies which positively encourage progressive agricultural practice, diversification opportunities and the provision of affordable housing
- Increasing the efficiency of agricultural production while supporting the move to a low carbon economy and reducing negative impacts on the environment
- Supporting business planning and succession planning to provide for a stable, developing and resilient agricultural sector
- Ensuring current and future skills needs are supported
- Supporting delivery of the Strategic Food Plan
- Enhancing agri food supply chains, working across LEP boundaries
- Ensuring appropriate broadband connectivity
- Ensuring our upland farmers are able to contribute to delivery of public benefits such as carbon storage, flood alleviation, biodiversity and access
- Ensuring farmers secure the added value from the sale of produce



Supporting the Energy Coast and the Move to a Low Carbon Economy

The low carbon economy presents significant potential for Cumbria to unlock job creation, catalyse skills transfer and kick start regeneration.

West Cumbria has major nuclear assets with internationally competitive expertise and skills in a range of activities, including environmental, remediation, engineering and decommissioning, both in West Cumbria and elsewhere in the county. West Cumbria has 60% of the UK's nuclear facilities with the opportunity to develop a sustainable nuclear future establishing world class centres of excellence in nuclear waste management, non-proliferating nuclear technology and the full nuclear cycle. The sector is highly skilled and highly paid, providing 40% of the area's GVA.

The creation of Britain's Energy Coast in 2008 demonstrates our active commitment to nuclear new build and offshore power generation, in addition establishing Cumbria as a centre for expertise in and manufacture of a much wider range of low carbon goods and environmental services (LCGES).

Cumbria will build on some of the longest established LCGES in the UK since it is already at the vanguard of technological development, including LED lighting (photonics), sustainable insulation materials, hydrogen fuel cell components, emerging anaerobic digestion expertise, offshore wind energy, hydro and other renewable power generation.

The LEP's priorities will be to:

- Facilitate and encourage exploitation of transformational opportunities presented by the development of estuarine tidal energy, offshore wind, hydro and biomass/anaerobic digestion and energy from waste across the county
- Support implementation of the Britain's Energy Coast Masterplan and build on work already done around the Energy Coast to maximise value and opportunity
- Promote and support opportunities for innovation and expansion, including sales opportunities elsewhere in the UK and internationally
- Facilitate and encourage development of community managed/owned energy projects
- Encourage and support businesses, and the public sector, to implement carbon reduction approaches
- Promote and support supply chain development
- Work with the consortium to support the build of at least two nuclear reactors adjacent to the Sellafield site
- Ensure the grid connectivity to enable implementation of the Energy Coast Masterplan



"We're fully behind this proposal for a Local Enterprise Partnership for Cumbria. Through the private and public sectors working together we're confident we can make a real difference to the Cumbrian economy and the wider community."

Bill Anderton
Nuclear Management Partners

Employment and Skills

Cumbria is home to a host of private sector training providers, including world class management and leadership training organisations, the Energen facility (delivering skills around decommissioning, energy and low carbon technologies to industry), the National Nuclear Laboratory (providing research expertise within this critical sector), the National School of Forestry and specialist provision linked to providing key skills for civil nuclear projects and shipbuilding. Cumbria also benefits from its own university, the University of Cumbria, one of the key providers of teacher training and healthcare courses, and outreach campuses of the Dalton Nuclear Institute (University of Manchester) and UCLan, providing key specialisms and wider opportunities. Added to this we have a range of other training and skills provision linked to key sectors including tourism & hospitality, agriculture and logistics.

It's vital that we continue to raise aspirations and skills levels, ensuring the right education and training is in place to meet Cumbria's needs and aspirations.

"The University of Cumbria is fully in support of the proposal for a Cumbria wide Local Enterprise Partnership. As a local university we will play our part in ensuring through the LEP that the workforce has the skills and training needed to contribute to a prosperous local economy."

Graham Upton
Vice-Chancellor, University of Cumbria

Our priorities will be to:

- Establish appropriate structures for considering skills issues, articulating employer demand and forecasting future economic needs
- Engage with and influence private sector training providers, colleges and higher education institutions to make sure relevant provision is available, including both funded/subsidised and paid for training opportunities
- Promote Apprenticeships as a means for generating progression opportunities for our young people and developing our skills base
- Work with the education sector to ensure that those leaving education have the right base on which businesses can build, and that where possible, skills and education provision is linked to future economic opportunities and employer needs
- As part of our prospectus, offer to work with providers to enable local provision of any specific skills requirements of investors
- Encourage and facilitate activity to attract and retain graduates, professional/managerial staff and other talented individuals
- Influence information, advice and guidance to young people and adults, especially the unemployed and those from deprived communities, to ensure that they are encouraged and supported to consider and take up relevant and rewarding learning and employment opportunities
- Assist people to become local entrepreneurs, whether in individual or community enterprises, especially the unemployed and those from deprived communities
- Support and build capability in the Third Sector in order to maximise the opportunities arising from The Big Society
- Tackling worklessness through assisting individuals to move off benefits and into rewarding employment and self-employment opportunities, contributing positively to the county's workforce productivity and economic performance

Transport and Infrastructure

Fundamental to the growth of our enterprise economy is the right connectivity, ensuring that the appropriate, high quality infrastructure is in place in terms of road, sea, rail and air, as well as public transport and ICT/appropriate broadband. This will facilitate business growth directly through improving the movement of goods, customers and information, and through its impact on the workforce, including access to education and training.

“Stobart Group is fully supportive of plans for a Local Enterprise Partnership in Cumbria and sees the private sector as a key stakeholder in such an alliance. Cumbrian businesses have been instrumental in driving the economy forward and a Local Enterprise Partnership in Cumbria will help develop transport links, such as road, rail, air and sea to ensure trade growth in the region.”

Andrew Tinkler
CEO Stobart Group



Priorities will include:

- Getting the base level of broadband provision high enough for businesses (including homeworkers) and communities to function effectively, and facilitating Super Fast Broadband opportunities in key locations, underpinning further development in the future
- Ensuring a range of suitable employment sites are available, with appropriate connectivity to move our businesses forward in the future, taking account of environmental sustainability issues and requirements from business
- Building understanding and consensus on a Cumbria level of the priority infrastructure schemes and transport initiatives to be supported and put forward (roads, transport, infrastructure, employment sites), providing strategic co-ordination and setting out investment plans and opportunities
- Supporting investment in critical place shaping infrastructure in order to achieve transformational change in the county’s priority regeneration areas
- Delivery of the infrastructure requirements identified in Britain’s Energy Coast Masterplan to support the nuclear industry and diversify the economy, including the Port of Workington and the coastal railway

“This submission has, I believe, brought together all partners in Cumbria and is an excellent foundation from which to build an even stronger Cumbria to help boost the national economic recovery. We are proud to support this submission with our fellow partners.”

Mike Blackburn
BT North West Regional Director

Housing and Planning

It's crucial that planning policies and processes enable businesses and communities to address their needs and meet our enterprise aspirations. Fundamental to this is encouraging sustainable economic growth while protecting our valuable landscape and ecological and heritage features. This includes both the creation of vibrant settlements, business premises, effective infrastructure and housing.

Delivering sufficient housing of the right type in the right locations to meet the current and future needs of the community is essential for our economic competitiveness and aspirations and the creation of mixed and sustainable communities. Crucially, this includes tackling the significant issues of affordable housing and areas of housing market renewal. Identifying opportunities for regeneration and enhancement of the physical environment will also be key.

The priorities of the LEP will be to:

- Provide evidence for and champion the economy's current and future needs to be delivered through the planning process, in terms of housing, business and community infrastructure
- Promote coordination of the work of the Local Planning Authorities in delivering a coherent, focussed and enabling environment for business
- Support action to address the issue of affordable housing for local people and key workers
- Use its network of influence to facilitate constructive and positive relationships between Local Planning Authorities and potential developers/businesses, enabling appropriate developments which are in line with our agreed priorities
- Identify within our prospectus coordinated development opportunities around housing, industrial and commercial sites, retail, cultural industry and the low carbon economy
- Seek improvement to the county's supporting infrastructure for sustainable economic growth and community wellbeing

- Promote and facilitate the opportunities around public/private partnerships as a delivery mechanism for key development projects
- Advocate the benefits of low carbon technologies and high quality design solutions in championing of new investment strategies and development schemes



Using Existing Assets and Property Development

Our LEP proposes to exploit the opportunities offered by existing NWDA assets and property development to facilitate and generate income to finance the delivery of economic activity.

Our priorities will be:

- Establishing a not for profit vehicle, jointly owned by partners
- Formulating a strategy for exploitation of these assets, and potentially for new assets in the future, establishing appropriate approaches for each in order to maximise impact
- Leveraging private sector investment and support

Why this adds value

Our LEP will add value to the development of enterprise in Cumbria by:

- Shortening, streamlining and localising the decision making route and in doing so reducing private sector frustration with bureaucracy and enabling more timely outcomes, focussed on local need and opportunity
- Supporting the delivery of efficiencies in the public sector by streamlining delivery structures and resources, aligning local authority and private sector resources to deliver agreed priorities and better coordinating the use of local, national and European funding sources
- Placing enterprise at the heart of leadership, bringing new perspectives to bear and ensuring a more direct relationship between Cumbrian business and Government
- Firing new enthusiasm and engagement between the private and public sectors by ensuring that private sector partners are truly able to shape the local enterprise agenda, with demonstrable results and more effective interventions to support growth



“As a businessman who has lived and worked all my life in the county, I am pleased to see that there is so much apparent unanimity in supporting the creation of a Local Enterprise Partnership in Cumbria. In securing our economy going forward it is vital that the private and public sector are united in a common purpose that will lead to increased prosperity.”

Malcom Wilson OBE
Managing Director, M-Sport Ltd

The North West context

The North West is a key driver of the country's competitiveness and Cumbria has a good working relationship with key stakeholders in the region, sharing a number of common challenges and opportunities.

Cumbria, alongside other LEPs in the North West faces a fragile recovery due to its reliance on the public sector, levels of worklessness, continuing job losses in manufacturing and areas of deprivation in need of regeneration.

However, with Government support, Cumbria and the North West have the opportunity to tackle these issues through focussing on joint priorities, which transcend the boundaries of the North West LEP's. In particular, specific priorities include capitalising on our world class research; securing next generation broadband access; improving rail connectivity; developing our low carbon energy offer; employment creation to tackle deprivation; enhancing our natural environment; driving knowledge based enterprise capitalising on our universities and support for the digital, nuclear, environmental, creative and advanced manufacturing sectors.



“Carlisle College supports Cumbria in its proposal to become a Local Enterprise Partnership. Further and Higher Education needs a strong sub-regional voice and this is where we will have one. A Cumbria LEP will help us make real progress in supporting the skills agenda for the county – it is so important that we get this right.”

Moira Tattersall
Principal, Carlisle College

Governance and accountability

Strong governance arrangements are critical to the effective operation of the Cumbria LEP in terms of propriety of decision making, proper accountability to the businesses and people of Cumbria and its ability to account for any funding secured to deliver our aims and objectives. The make up of the LEP Board and selection methods used will be crucial in ensuring this is achieved.

Significant work has already taken place with Cumbrian businesses regarding governance and accountability, addressing areas where previous private/public partnerships have often been lacking.

In accordance with Government guidance a 50/50 private/public sector LEP Board of a workable size will be established, chaired by a private sector representative.

Job descriptions and person specifications will be developed for all representatives on the Board as part of the process for selecting suitable members.

Clear guidance will be put together and circulated widely, setting out the role and responsibilities of the LEP and making clear its areas of action and influence and how it will operate, including mechanisms for accountability, consultation and feedback. At the same time businesses will be encouraged to be actively involved through putting forward prospective representatives, engaging in their selection and being engaged in consultation.

Cumbria Chamber of Commerce will facilitate the selection process for private sector representatives, working with partners such as the Federation of Small Business, National Farmers Union and Cumbria Tourism. Taking account of the views already put forward by businesses, a process will be established including:

- Allocation of places taking into account the need for private/public balance, to represent key sectors and areas of influence and the need to fully represent the business community of Cumbria in terms of size, sector and geography, including the Third Sector
- Publicising widely the opportunity to apply to represent business, by all business organisations signed up to the partnership, the Councils and in the media
- Selection by a panel, or combination of panel and voting
- Appointment of private sector representatives for a defined term of office, with the possibility of re-selection
- Elected private sector representatives, along with private sector advisers, will work together to appoint an appropriate private sector chair

For the public sector, the Cumbria Leaders' Board, made up of the seven local authority Leaders and those of other key public sector bodies, has developed into a strong partnership that considers all strategic issues affecting the wellbeing of the people of Cumbria. It is unanimously behind the formation of a Cumbria-wide LEP and will be the lead body in determining public sector representation on the Board, with membership reflecting that the organisation is a true partnership.

Local authorities, democratically elected, have a legitimacy to represent the community, and are accountable to the electorate.

A Code of Practice will be implemented which all LEP members will sign up to, ensuring that there is no conflict of interest in taking key decisions that influence development and investment. This will also set out clear processes for consultation and feedback.

Private sector representatives will be accountable to the wider business community, consulting with them and feeding back, with the preferred methods put forward by businesses being email, the internet, meetings and the media, and including making use of existing business organisations.

A web presence will be established for the LEP, facilitating and supporting consultation and feedback.

Through the above means we will ensure total accountability and meaningful responsibility for continuous engagement with business.

We understand that no funding will be available to support the administration of LEPs. This being the case, initially the Cumbria LEP will be supported by a combination of the budget and resources of the County Council and by District Councils' economic development teams, and capacity made available by Cumbria Chamber of Commerce. This combination will provide a powerful level of capacity and

experience to give the Cumbria LEP real influence and the ability to carry out research and formulate intelligence, set strategy, identify key priorities, secure effective delivery and commission new projects and programmes.

The County Council will be the accountable body for any funding secured by the LEP. Its financial wherewithal and experience of acting as an accountable body will be used to ensure efficient and effective management of that funding.

"I am pleased to give my support to a Cumbria Local Enterprise Partnership. Social Enterprises and the wider Third Sector have a valuable role to play within the LEP to help build a resilient and sustainable Cumbrian economy."

Viv Lewis

Director, Social Enterprise and Co-operative Development Ltd and Vice Chair, Cumbria Social Enterprise Partnership



Flexibility and transition

Cumbria's local authority Leaders and business partners recognise the changing nature of regional structures, particularly those relating to the abolition of the Regional Development Agencies and the Regional Government Offices.

These changes, together with the outcome of the forthcoming Comprehensive Spending Review, which will almost certainly result in one of the most difficult spending frameworks ever brought forward, create both major challenges and opportunities for the Cumbria LEP. We are strongly aware that an orderly and structured approach from the present to the new arrangements is crucial.

To facilitate this transition we will ensure that a Cumbria LEP Transition Board is in place as soon as possible. We will also establish a Transitional Plan which secures the stability of all current and developing economic schemes, with a focus on minimising any potential for disruption and agreement on the first submissions to the Regional Growth Fund. We will explore the possibilities for some of the current regional residual functions to be discharged by the Cumbria LEP. These include the management of RDA assets and liabilities and business support activities.

We recognise the need for a regional perspective across the North West, including the active promotion of our region's interests both in Whitehall and Brussels. In addition we will wish to be involved in a regional strategic approach to cross-boundary issues and/or issues which are mutually interdependent. We are also keen to work with other North West LEPs on European funding opportunities and responsibilities.

The Cumbria LEP is committed to remaining flexible in its outlook and in its responsibilities, open to the opportunities and challenges of taking on additional or changed roles if the Government wishes us to. Our focus is to develop innovative, effective and efficient ways of addressing our economic agenda and to make speedy progress on our priorities for Cumbria.

"The NFU advocates the inclusion of agriculture and the wider rural economy in Local Enterprise Partnerships. As an industry, we are keen to work in partnership with government at all levels to develop and enhance the performance of the farming industry. I am pleased to see that agriculture and the food chain feature prominently in the Cumbria LEP. I look forward to working within the partnership to the advantage of agriculture in the county."

Robert Sheasby
Regional Director, NFU

Mobilisation

Cumbria has the arrangements in place to begin immediate mobilisation towards the establishment of our LEP by April 2011.

The Cumbria Leaders' Board and private and voluntary sector partners have agreed to the early formation of a Transitional Cumbria LEP Board to oversee the process.

Supported by staff resources from the local authorities and Cumbria Chamber of Commerce, in consultation with the wider partnership, the Transitional Board will:

- Speedily implement procedures to formally select representatives to sit on the Board
- Establish governance arrangements for the Cumbria LEP as set out above
- Ensure that disruption to the economic development projects currently operative within Cumbria is minimised
- Oversee and facilitate the development and prioritisation of Cumbrian bids to the Regional Growth Fund

- Work with the Leaders in the North West authorities, Government Office North West and NWDA to secure the residual functions and Cumbrian assets to be overseen by the Cumbria LEP
- Ensure that Third Sector delivery organisations, the University of Cumbria and our Further Education colleges and organisations such as Jobcentre Plus and the Skills Funding Agency are closely involved in the process of transition and in establishment of the Cumbria LEP

The timetable for this programme of work is dependent on the publication and content of the White Paper but the following provisional timelines have been agreed:

Task	2010			2011			
	O	N	D	J	F	M	A
Publication of White Paper							
Establish Transition Board							
Select Private Sector Board Members							
Select Public Sector Board Members							
Oversee Cumbria bids to Regional Growth Fund							
Work with NW leaders and NWDA on assets and functions							
Establish detailed Governance arrangements							
Cumbria Local Enterprise Partnership established							

Conclusion

Cumbria faces a huge challenge if it is to successfully navigate its way through the significant changes as we move from public sector reliance to an economy with enterprise at its heart.

For Cumbria to achieve its economic potential in the new institutional landscape we will need to adopt new approaches, building on the best of what we already have here in the county, and on the new private/public partnership we have established to produce our LEP proposal.

We believe that given the opportunity we can grow a truly enterprising and successful economy. This opportunity will be maximised by giving Cumbria control of its own destiny as a free standing LEP.

Cumbrian partners look forward to the challenge.



“Cumbria can and must shape its own destiny. We are united on this.”

Bill Jefferson, Chair, Lake District National Park Authority





BARROW BOROUGH COUNCIL RESPONSE TO CONSULTATION ON THE REGIONAL GROWTH FUND

Consultation Question 1 : Allocation of Funding

Response

Support the need to maintain flexibility with the RGF particularly to achieve the objective of supporting areas and communities currently dependant on the public sector. To support this a substantial proportion of RGF should be allocated by formula. The proportion of RGF distributed by formula should be targeted on the parts of the country with the greatest economic need, rather than being spread thinly across all areas of England. The details of the formula will no doubt be subject to separate consultation, but our view is that it should be needs based, reflecting those areas with high levels of worklessness and deprivation where the local economy is vulnerable directly or indirectly to public sector cuts.

We support the idea of allocating a proportion of RGF to LEP's provided there is no dislocation between formulaic distribution of RGF to LEP's based on need and those neighbourhoods in which RGF is spent.

Consultation Question 2 : Types of Activity

Response

We agree with the point, set out in the consultation paper, that the needs and priorities of each area will be different and these should be the minimum of prescription around the activities RGF can support. Locally determined interventions are key to the successful operation of this fund. RGF should support comprehensive approaches to growth comprising physical improvements to economic infrastructure, business support and supply side measures.

Consultation Question 3 : Bidding Criteria

Response

We are broadly in support of the suggested criteria relating to the 'bidding' element of the RGF. We particularly welcome the proposal to ensure bids must fit with the economic priorities of the areas on a whole, and the focus on market failure. Given the latter, it will be more difficult to demonstrate financial backing from the private sector. We would also suggest a key criteria is the completion of existing public sector investment projects through the RDA's. This would ensure the public benefits of previous public sector funding decisions are maximised.

Consultation Question 4 : Bidding Process

Response

We suggest the proposal for a two stage bidding process with an initial outline bid followed by a fully worked up submission. This would ensure that the significant resources required to work up bids are not wasted on schemes which are unlikely to meet the objectives of RGF.

Question 5 : RGF as a model for the future

Response

The Borough Council has many years experience of leading and engaging in comprehensive regeneration programmes delivered through partnerships. Our experience suggests a sustained approach to regeneration is required if public sector funding is not to be wasted upon short term solutions to long term, deep seated problems. Many of the most effective policy tools to generate private sector employment, particularly Assisted Area Status, are long standing and sustained.

EXECUTIVE COMMITTEE	(D) Agenda Item 23
Date of Meeting: 22nd September, 2010	
Reporting Officer: Director of Regeneration and Community Services	
Title: Shoreline Management Plan (SMP 2)	
Summary and Conclusions:	
<p>The report sets out the policies on coastal protection in the Borough which have emerged from the preparation of the second round of Shoreline Management Plans. This Committee considered the draft SMP2 on 27th January 2010 and the final policies in the plan reflect your comments on the draft.</p>	
Recommendations:	
<p>To agree to adopt the Shoreline Management Plan (SMP2) policies, recommendations and the SMP2 Action Plan as tools to guide future sustainable development and flood and coastal erosion risk management over the long term.</p>	

Report

Background

Shoreline Management Plans (SMPs) are part of the Flood and Coastal Erosion Risk Management planning framework. The SMP sets the long term policy for the management of the coast and is taken forward through shoreline strategies and schemes.

The original SMPs were completed 10 years ago and the first review has now been completed. Barrow is part of Cell 11, which runs from Great Orme's Head in Llandudno to the Scottish Border in the Solway Firth. In this review the entire length of coastline has been considered including the estuaries.

As part of the North West England and North Wales Coastal Group, Barrow has taken part in the review process working with the other maritime authorities in Cell 11 and the Environment Agency. Blackpool acted as the lead authority to secure grant funding from Defra, administered through the Environment Agency and the review was carried out by Halcrow Group consultants.

The SMP2 has been undertaken in stages in accordance with Defra 2006 guidance, which gives four possible policy options that can be applied to a specific length of coast:

- Hold the Line – maintain existing coastal position
- Advance the Line – move the coast seaward
- No Active Intervention – no significant public money put into management of the coastline
- Managed Realignment – manage the movement of the coastline either landward or seaward

One of these policy options is assigned to discrete lengths of coastline within Cell 11 for three time epochs:

- Short Term – 0-20 years
- Medium Term – 20-50 years
- Long Term 50-100 years

The draft SMP2 was published for public consultation from October 2009 to February 2010 with comments in some areas being allowed until March 2010. The draft SMP2 was available at Council buildings and online at www.mycoastline.org, stakeholders and elected members were contacted directly and press releases were issued to the local press. There were also local public meetings held to discuss the draft plan with elected members, stakeholders and the public. This Committee considered the draft SMP at your meeting on 27th January 2010.

All comments received were reviewed by the project team to assess whether changes needed to be made to the draft plan. A consultation report has been compiled by the consultant detailing the comments received and any changes made.

The SMP2 has also undergone a Habitats Regulations assessment to assess possible impacts on the European designated habitats along the coastline, including the Morecambe Bay and Duddon Estuary sites on the Borough's coastline.

The policies for Barrows coastline are as shown in the table below:

Location	Epoch		
	0-20 years	20-50 years	50-100 years
Mainland			
Newbiggin to Rampside	Hold the Line (HTL)	Managed Realignment (MR)**	HTL
Rampside	No Active Intervention (NAI)	HTL	HTL
Roa Island	HTL	HTL	HTL
Piel Island	NAI	NAI	NAI

Rampside to Westfield Points	NAI	NAI	NAI
Westfield Point to Hindpool	HTL	HTL	HTL
Hindpool to Lowsy Point	NAI	NAI	NAI
Lowsy Point to Askam Pier	NAI	NAI	NAI
Askam	HTL	HTL	HTL
Askam to Dunnerholme	NAI	NAI	NAI
Dunnerholme to Sandside	HTL	HTL	HTL
Walney Island			
South End Haws to Biggar (east side)	NAI	NAI	NAI
Biggar to Lenny Hill (east side)	HTL	HTL	HTL
South End Haws to Hare Hill (open coast)	NAI	NAI	NAI
Hare Hill to Hillock Whins	HTL	HTL	HTL
Hillock Whins to Nanny Point Scar	NAI	MR	MR
Nanny Point Scar to Mill Scar	NAI	NAI	NAI
Mill Scar to north of West Shore Park	MR	MR	MR
North Walney – north of West Shore Park to Lenny Hill (both coasts)	NAI	NAI	NAI

** this is the only sector policy which has changed from the Draft SMP2 shown as HTL in the draft

More detailed information on the policies, their justification and predicted implications are included in SMP2 these are lengthy and rather than reproduce them in full I have placed a copy in the Members Room. Copies will be provided for Members on request. Included with the policy statements are action plans, which set out a series of actions recommended for each length of coast that need to be undertaken to achieve the policies; such as preparation of coastal management strategies and further studies. Delivery of the SMP2 Action Plan forms part of the National Indicator NI189 score for Barrow Borough Council

(i) Legal Implications

SMP2 makes clear that the terms of the Acts under which coastal defence operating authorities work are permissive only and there is no general

obligation on local authorities or central government to assure protection against flooding or erosion or to provide any compensation for losses.

(ii) Risk Assessment

SMP2 sets out a short, medium and long term strategy for coastal protection. Parts of the Borough continue to be at risk from coastal flooding and erosion.

(iii) Financial Implications

Adoption of SMP2 will allow Barrow to continue to apply for grant funding from the Environment Agency for flood and coastal erosion schemes

(iv) Health and Safety Implications

SMP2 sets out a short, medium and long term strategy for coastal protection. Parts of the Borough continue to be at risk from coastal flooding and erosion.

(v) Key Priorities or Corporate Aims

SMP2 will contribute towards developing a safer, confident and socially inclusive community.

(vi) Equality and Diversity

Not Applicable

(vii) Health and Well-being Implications

Not Applicable

Background Papers

Nil