

**BOROUGH OF BARROW-IN-FURNESS**  
**OVERVIEW AND SCRUTINY COMMITTEE**

Meeting:- Thursday 9th February, 2017  
at 2.00 p.m. (Committee Room No. 4)

**A G E N D A**

**PART ONE**

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

3. Admission of Public and Press

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

4. Declarations of Interest

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

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

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

5. Apologies for Absence/Attendance of Substitute Members.
6. Confirmation of Minutes of the meeting held on 1st December, 2016 (copy attached).
7. Confirmation of Minutes of the Barrow Market Liaison Committee meeting held on 14th July, 2016 (copy attached).
- (D) 8. Friends of Barrow Cemetery.
- (D) 9. Friends of the Town Hall.
- (D) 10. Egerton Court.

- (R) 11. Waste Policies.
- (D) 12. Performance Management.
- (D) 13. Core Spending Power.

**NOTE (D) – Delegated  
(R) – Referred**

**Membership of Committee**

Councillors Heath (Chairman)  
Cassidy (Vice-Chairman)  
Gill  
Husband  
McLeavy  
Preston  
Proffitt  
L. Roberts  
C. Thomson  
M. A. Thomson  
Wall  
Williams

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

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Published: 1st February, 2017.

# BOROUGH OF BARROW IN FURNESS

## OVERVIEW AND SCRUTINY COMMITTEE

Meeting, Thursday, 1st December, 2016  
at 2.00 p.m.

PRESENT:- Councillors Cassidy (Vice-Chairman), McLeavy, Preston, L. Roberts, C. Thomson, M. A. Thomson (Minute Nos. 24, 25, 28 and 30) and Wall.

Officers Present:- John Penfold (Corporate Support Manager), Brooke Parsons (Corporate Support Assistant), Sue Roberts (Director of Resources), Alan Barker (Streetcare Manager), Paula Westwood (Democratic Services Officer - Member Support) and Katie Pepper (Democratic and Electoral Services Apprentice).

### 24 – Apologies for Absence

Apologies for absence were received from Councillors Heath (Chairman), Husband, Proffitt and Williams.

### 25 – Minutes

The Minutes of the meeting held on 20th October, 2016 were taken as read and confirmed.

### 26 – Budget Timetable and Assumptions

The Director of Resources presented a report setting out the 2017-2018 budget timetable and assumptions. This had also been reported to the Council's Executive Committee. The assumptions used in setting the budget estimates for 2017-2018 were as follows:-

Item	Assumption
Services	No service reductions
	No demand-led increases assumed
	No alternative delivery models
Staff pay	Static establishment
	Employee natural progression and National Living Wage
	Superannuation rate increased from 13.4% to 15.7%
	1% pay award already agreed nationally
Property costs	Utilities 3% average increase
	NNDR based on 2017 revaluation
Grants to external bodies	Transition ends with 2016-2017 and 50% awarded thereafter
Contracted services	Revenues, benefits and customer services: 2% RPIx forecast
	Grounds maintenance: 1.6% indexation

Item	Assumption
	Waste and street cleansing: new contract price
Income	Discretionary income as per service delegations
	No reduction in recycling tonnage
	3% increase in reward rate
Treasury management	Temporary surplus cash reducing by £3m each year
	Investment income based on bank rate forecasts
	All PWLB fixed rate and no maturities
	No new borrowing drawn down
	Financing based on agreed Capital Programme
Pension deficit funding (not ongoing superannuation)	4.1% increase (triennial valuation due)
Revenue support grant	From the settlement
Retained business rates	Increased by SBRR multiplier each year
	No loss of rateable value
	No impact from 2017 revaluation
	No exceptional increase in RV appeals
	No reduction in the collection rate
	Tariff from the settlement
	Section 31 grants continuing
	Levy continuing (into Pool)
	Pool membership continues
New homes bonus	New award to be estimated
Council tax	No reduction in the collection rate
	Base to be estimated on most recent information
	Band D £5 increase
Council tax support	Default scheme continued
Prior year collection fund result	Return of surplus from 2015-2016
Budget strategy	2017-2018 savings built into the budget projections
All other items not specifically mentioned above	Efficiencies will maintain the cost envelope

The Director of Resources advised that the assumptions were the basis for estimating the budgets for 2017-2018; the budget proposals report would identify any significant variances or changes.

A Member had queried what the outcome was from the Leader of the Council writing to Whitehall regarding the Council being amongst one of the worst cut and why in last year's budget settlement. The Director of Resources advised that other Authorities in the same situation had been contacted but with no combined effort from them the letter was never sent. It was hoped that there would be no change in the settlement figure this year when announced in December but queries would be raised if it was cut further.

RESOLVED:- To note the 2017-2018 budget timetable and assumptions.

## **27 – Egerton Court**

The Corporate Support Manager reported that the Multi-Agency Partnership Group had met earlier this month and had considered the request from this Committee for an Egerton Court specific Streetsafe operation. All parties had been willing to deliver such an event and it was likely it would be scheduled for February 2017. A Member had commented that February was some time away and it would be important to maintain a presence in the area and not let the date slip back any further. Councillor Cassidy advised that he would look into the possibility of bringing the date forward.

It was noted that Councillors Cassidy and Proffitt continued to liaise with Residents and were currently advising on how they could constructively question Borough Council Officers on grant spending in the area of Egerton Court and to help them to understand the aims and outcomes of previous resource invested in the area.

At the last meeting of this Committee, Members had requested the Council's Building Control Department undertake an assessment of the building structures at Egerton Court. The Corporate Support Manager advised that the Building Control Manager had undertaken an assessment and he was not concerned that there was any immediate risk.

RESOLVED:- To note the information.

## **28 – Friends of the Town Hall**

Councillor M. A. Thomson advised the Committee that no progress had been made and that she would update the Committee in January.

The Corporate Support Manager advised the Committee that the Executive Director was not aware of any heritage funding which could be brought into the Town Hall and there was no Officer resource at present to deal with such matters.

RESOLVED:- To agree that the Chairman would write to the Executive Director regarding supporting heritage funding for the Town Hall.

## **29 – Performance Management Quarter 2 2016-2017**

The Corporate Support Manager submitted a report setting out the performance management data alongside its target for Quarter 2 of 2016-2017, as follows:-

**Table 1: Council Indicators for Quarter 2 2016/17**

<b>Indicator</b>	<b>Q2 2015/16</b>	<b>Q2 2016/17</b>
Average time to process new housing benefit claims		Target = 18 days
	<b>16.4 days</b>	<b>14.4 days</b>
Average time to process new council tax support claims		Target = 18 days
	<b>16.2 days</b>	<b>14.8 days</b>

Average time to process changes of circumstances for housing benefit claims		Target = 7 days
	<b>5.8 days</b>	<b>5.4 days</b>
Average time to process changes of circumstances for council tax support claims		Target = 6 days
	<b>5.4 days</b>	<b>4.0 days</b>
Park Leisure centre activity numbers	<b>123,804</b>	<b>141,035</b>
Dock museum visitor numbers	<b>29,007</b>	<b>34,139</b>
The forum ticket sales	<b>19,404</b>	<b>19,307</b>
Income from Pay and display ticket sales	<b>£304,580.29</b>	<b>£286,385.00</b>
Percentage of local land charges searches completed in 5 working days		Target = 100%
	<b>86.6%</b>	<b>88.6%</b>
Percentage of council tax collected		(Annual)Target = 96.6%
	<b>56.60%</b>	<b>56.45%</b>
Percentage of NNDR collected		(Annual) Target = 98.4%
	<b>57.37%</b>	<b>56.79%</b>
Average days of sickness per employee	<b>4.12</b>	<b>3.64</b>
Right to buy sales	<b>4</b>	<b>17</b>
Average household recycling percentage	<b>35.08%</b>	<b>34.17%</b>
Number of disabled facilities grants	<b>35</b>	<b>27</b>
Percentage of Planning applications processed; major applications in 13 weeks and others in 8 weeks		
Major		Target = 78.8%
	<b>50.0%</b>	<b>86.6%</b>
Minor		Target = 62.6%
	<b>61.3%</b>	<b>57.2%</b>
Other		Target = 82.7%
	<b>74.1%</b>	<b>80.0%</b>

Members had been invited to consider the performance figures and determine whether further action was required.

In respect of the indicators for the average time taken to process new and change of circumstance claims for Housing Benefit and Council Tax support, Members had questioned if the target set for processing claims was realistic as they had experience of errors being made. The Director of Resources informed the Committee that the Council monitored performance and that accuracy and quality were more important than speed. A Member had requested that the performance indicators be amended to reflect the accuracy target as well as the time taken to process claims.

RESOLVED:- (i) To note the performance management figures for Quarter 2 of 2016-2017; and

(ii) To note that the Director of Resources would amend the performance indicators for Housing Benefit and Council Tax claims to reflect the accuracy of processing claims as well as the time taken to process them.

### **30 – Presentation of Waste Policies**

At the last meeting of this Committee, Members had requested that policies relating to the presentation of waste be included on the agenda for this meeting.

The Corporate Support Manager advised that there was an enforcement protocol which had been implemented in April 2010 and a small bin exceptions policy which had been implemented in April 2009. These documents had appended to the report for Members' information. He advised that the policies were due to be reviewed and he considered it would be appropriate that Members of this Committee participated in the review. The Committee agreed that Councillor M. A. Thomson would take part in the review.

The Streetcare Manager advised the Committee that the issue of Section 46 Notices in problematic areas within the Borough had resulted in significant improvements in the presentation of waste. He advised that under the Cleaner Neighbourhoods and Environment Act (CNEA) there were lots of policies which could be enacted potentially and this could be discussed during the review.

RESOLVED:- To note the information and agree that Councillor M. A. Thomson would take part in the review of the policies in relation to the presentation of waste.

The meeting closed at 2.35 p.m.

**BOROUGH OF BARROW IN FURNESS**  
**BARROW MARKET LIAISON COMMITTEE**

Meeting:- Thursday 14<sup>th</sup> July, 2016  
at 2.00 pm.

Present:- Councillors Barlow (Chairman), Gawne and Pidduck

Other Representatives:- John Dyson (National Market Traders Federation), Suzanne Edgley (Federation of Small Businesses), Wendy Gunning (Market Trader), Chris Hewson (Market Trader), Owain Miln (Market Trader), Michael Nicholson (National Market Traders Federation) and Raymond Seeds (Market Trader).

Officers:- Keith Johnson (Assistant Director – Community Services) and Doug Walters (Market Supervisor)

Minute Taker:- Keely Fisher (Democratic Services Officer)

**14 – Apologies for Absence/Changes in Membership**

Apologies for absence were received from Phil Collier (Federation of Small Businesses) and Peter Gott (Market Trader).

Suzanne Edgley (Federation of Small Businesses) and Raymond Seeds (Market Trader) replaced Phil Collier and Peter Gott respectively for this meeting only.

**15 – Minutes**

The minutes of the meeting held on 2<sup>nd</sup> February, 2016 were agreed as a correct record.

**16 – Updates Arising from Previous Minutes**

Footfall

Referring to Minute No. 8, the Market Traders informed the Committee that they had not yet received a response from the Council regarding footfall following the BID Steering Group meeting held on 3<sup>rd</sup> February, 2016.

The Market Supervisor provided the Committee with an update on how he intended to increase footfall. He stated that he would measure the footfall to create a benchmark and then measure footfall at regular intervals to get a trend. Statistics would be taken at all entrances and exits of the Market. He would welcome individual Traders to do the same at their stalls. It was suggested that the external market doors could have counting technology within them. The Market Supervisor would follow this up with the door maintenance company.



Owain Miln, as Director of the BID Company, informed the Committee that the first meeting of the BID Committee was due to be held on Tuesday 19<sup>th</sup> July, 2016. The entire Market would be covered as whole under the BID process. The Company would not be created until 1<sup>st</sup> September and he informed the Committee that he would be able to provide more of an update at the next meeting.

### Access

Referring to Minute No. 9, the Market Supervisor informed the Committee that the staircase from the rooftop car park to the Market would be reopened in the next couple of weeks once it had been tidied up and the electrical wiring updated. This would hopefully increase footfall.

He also stated that, as discussed previously, the Click and Collect bays would be initially placed on the rooftop car park and if there was enough demand for it, bays would be sought on the ground floor in the future but this would require more and significant infrastructure changes.

### Parking

Referring to Minute No. 10, the Assistant Director – Community Services, informed the Committee that the Barrow Town Centre Movement Study was due to be published within the next 3 weeks. As soon as it was published it would be circulated.

### RESOLVED:-

- (i) That the information be noted; and
- (ii) That the Market Supervisor investigate whether the external Market doors have counting technology within them.

### **17 – Opening Hours**

Market Traders referred back to Minute No.11, and the requested uniformed opening hours for all stalls within the Market.

The Market Supervisor informed the Committee that there were currently 16 empty stalls in the Market plus a further 2 in the Meat/Fish Hall. If all stalls were full and there were waiting lists, it would make it easier to impose opening hours of individual stalls. Some Traders required flexibility in opening times to meet their personal circumstances. The Traders argued that uniformed hours across the whole of the Market would create certainty of opening hours to customers.

Referring to the empty stalls, the Market Supervisor informed the Committee that adverts had been placed in the press and on social media to try and attract new businesses. He was offering incentives to new stall holders of 2 weeks free plus additional incentives for anybody under the age of 30 and / or offering a range of products different to that already offered in the Market. A brand was also being established to promote what the Market had to offer in differentiation to the internet and retail parks.

Suzanne Edgley suggested that if any new start-ups were contacting the Council to open a Market Stall, they should be put in contact with the Chamber of Commerce who offered a Business Start-up Support Programme.

The Traders asked whether Barrow Market had a Charter and it was noted that it was unlikely.

RESOLVED:- (i) That the information be noted; and

(ii) That new stall holders be referred to the Chamber of Commerce.

### **18 – Barrow Business Improvement District**

The Committee were hopeful that the Barrow BID would encourage more people into the Town Centre along with new businesses wanting to open stalls.

Keith Johnson informed the Committee that there was a vacancy on the BID Board and encouraged the Market Traders to nominate somebody for the position.

The Committee noted that there would be a lot of competing demand for the BID money and it was important that the funds were spent in a targeted way but the most important thing for the Market was footfall and dwell time.

There were areas within the Market which needed to be reinvigorated and the Committee discussed ways in which this could be done, i.e. shows and demonstrations.

The Committee discussed the needs of the Market with the needs of the Town Centre generally, and that the efforts of the BID should be concentrated accordingly.

RESOLVED:-

(i) That the Market Traders consider nominating somebody for the vacant position on the BID Board; and

(ii) That Owain Miln, as a Member of the BID Board, ensures that a holistic view was taken by the BID Board.

### **19 – General Condition of Outside of Building**

The Assistant Director – Community Services reported that inlays were to be ordered for the windows in Paxton Street which would advertise the Market.

Members requested that the weeds growing out of the shop roof (previously Arc) be removed.

RESOLVED:- That the Assistant Director – Community Services arrange for the weeds to be removed from the shop roof (previously Arc).

## **20 – New Traders**

It was reported that Traders had ideas of the types of businesses which were needed/missing in the Market and asked permission of the Committee to advertise for identified niches. The Assistant Director – Community Services approved the creation of twelve similar signs which could be moved around vacant stalls.

The Market Supervisor would speak to individual traders to identify niches in the market.

RESOLVED:- That the Market Supervisor speak to individual Traders to identify niches in the Market to enable 12 signs to be created.

## **21 – Conflict of Interest**

It was reported that there had been unease amongst the Traders regarding a possible conflict of interest with the Market Supervisor and his business within the Market.

The matter was discussed in length and the Assistant Director – Community Services informed the Committee that he was 100% confident that there was no conflict of Interest and if anyone had any concerns, they should approach him to discuss the matter.

Councillor Pidduck reassured the Traders that there would be clear and defined restrictions on the role of the Market Supervisor.

For clarification, the Market Supervisor informed Traders that his working hours were Wednesday, Thursday and Friday but he was prepared to be flexible.

RESOLVED:-

(i) That the Market Traders declared that they were satisfied with the reassurances provided; and

(ii) That Market Supervisor's Role be kept under review.

## **22 – Regularity of Meetings**

Traders requested that meetings of this Committee be increased in regularity from the 3 stated in the Terms of Reference.

Keith Johnson agreed that the Committee could be held quarterly.

The next 4 dates were as follows:-

- Thursday 6<sup>th</sup> October, 2016 at 2.00 pm;
- Thursday 19<sup>th</sup> January, 2017 at 2.00 pm;
- Thursday 20<sup>th</sup> April, 2017 at 2.00 pm; and
- Thursday 20<sup>th</sup> July, 2017 at 2.00 pm

RESOLVED:- That the Terms of Reference be amended and meetings of this Committee be held on a quarterly basis.

### **23 – Universal Electric Supplier**

Traders asked whether a universal electric supplier could be sought for all Market Traders which would hopefully provide cost savings.

The Committee agreed that this was a good idea and the Market Supervisor would make initial enquiries.

RESOLVED:- That the Market Supervisor make enquiries into the use of a universal electric supplier.

### **24 – Universal Wifi**

Traders asked whether a universal Wifi supplier could be sought which would again, provide savings for Traders.

Suzanne Edgley suggested that giving free Wifi access to the public within the Market would increase footfall and increase dwell time and would also give free publicity if people “checked in” on social media.

The Committee agreed that universal Wifi was a good idea.

The Council would work with the Traders to establish ways in which this could be implemented. The Assistant Director – Community Services stated that the Council could possibly provide funding towards this.

RESOLVED:- That the Council work with Traders to establish ways in which Universal Wifi could be implemented within the Market.

### **25 – Amalgamation with Front Shops**

The Committee were informed that the Traders of the Duke Street fronted shops within the Market were feeling like they were not included in any initiatives within the Market.

The internal Market Traders felt that most of the front shops’ trade came from people passing through the Market, as well as those shops using the Market facilities including toilets and rubbish collection. They felt that because of the above reasons, money received from the rents of the front shops should be reinvested into the Market.

The Assistant Director – Community Services reported that the front shops were classed as commercial properties and managed entirely differently to the stalls in the Market and were able to trade all week. The use of toilets and refuse services was also reflected in their rent.

The Assistant Director – Community Services would speak to the Assistant Director – Regeneration and Built Environment regarding this issue.

RESOLVED:- That the Assistant Director – Community Services communicate with the Assistant Director – Regeneration and Built Environment regarding the amalgamation with the front shops and report back to this Committee.

## **26 – Independent Rent Review**

The Assistant Director – Community Services informed the Committee that since the last meeting, 31 Traders had informed the Council that they wanted to evoke a clause in their tenancy agreement, thus a jointly commissioned independent rent review was being sought.

The Local Government Association had been contacted to obtain a list of local independent RICS (Royal Institute of Chartered Surveyors) Certified Surveyors. A mutually agreeable Surveyor was chosen at the meeting and he would be contacted by the Assistant Director to discuss the request.

The Assistant Director – Community Services explained that a meeting would be arranged between the Chartered Surveyor, himself and a number of representatives from the 31 Traders. Submissions would be required from the Council and the Traders.

All parties agreed that, whatever the outcome, there would be no going back on the decision.

RESOLVED:- That the Assistant Director – Community Services contact the agreed Surveyor to discuss the progression of the Independent Rent Review.

## **27 – AOB**

### Self Sufficient Market

A Market Trader informed the Committee that they had heard rumours that the market needed to be self-sufficient by 2020. Keith Johnson stated that this was unfounded.

### Old Police Station

A Market Trader informed the Committee that they had lost a lot of business since the closure of the old Police Station on Market Street and asked if there were any plans for its use. The Assistant Director – Community Services informed the Committee that the building had been bought and planning permission was being sought to convert it into a hotel.

### Diversity

The Committee discussed the change in demographics in the area and agreed that Market signs could be put up in different languages. The Market Supervisor would action this.

### Extra Trading Day

Traders asked whether it would be possible for the Market to open for one extra trading day per week (maybe a Tuesday).

The Assistant Director – Community Services stated that there would need to be a critical mass of Traders who would want to have an extra trading day. Traders would canvass the stallholders to see who would want to move to 5 day trading rather than 4 and report back.

#### RESOLVED:-

(i) That the Market Supervisor instigate the creation of Market signs in different languages; and

(ii) That Traders canvass all stallholders asking who would be willing to move to 5 day trading rather than 4 days and report back to this Committee with the findings.

The meeting closed at 3.15 pm.

<b>OVERVIEW AND SCRUTINY COMMITTEE</b>		<b>Part One</b> <b>(D)</b> <b>Agenda</b> <b>Item</b> <b>8</b>
<b>Date of Meeting:</b>	<b>9th February, 2017</b>	
<b>Reporting Officer:</b>	<b>Corporate Support Assistant</b>	
<p><b>Title: Friends of Barrow Cemetery</b></p> <p><b>Summary and Conclusions:</b></p> <p>To provide Members with the notification form from the National Federation of Cemetery Friends on the subscription for the current year.</p> <p><b>Recommendation:</b></p> <p>Members are invited to consider the annual subscription for the National Federation of Cemetery Friends.</p>		

### Report

#### **Annual Subscription for the National Federation of Cemetery Friends**

At the October 2015 meeting of this Committee it was agreed that we should establish a Friends of Barrow Cemetery Group. We have contacted the National Federation of Cemetery Friends and they are going to enrol us as associate members. To do so we will then have to go through the process of becoming fully constituted so that we can become full members of the Federation.

The National Federation of Cemetery Friends has requested a payment of £20 for the annual subscription we have with them for 2017 (**Appendix 1**).

The National Federation of Cemetery Friends represents groups of volunteers interested in conserving cemeteries large and small. The Cemetery Friends give their time clearing and maintaining areas, often working with local ecology groups to maintain a balance between wildlife and heritage. Friends may also provide guided walks, open days and special events and work on projects with English Heritage and other organisations.

#### Background Papers

Nil

**NATIONAL FEDERATION OF CEMETERY FRIENDS**

Hon. Treasurer: CAROL STEVENSON  
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January 2017.

Dear Friend

Now that we are into a new year I am writing to all members to ask you to send me your annual subscription for the current year.

Your Associate Membership will cost £20 for 2017.

Cheques should only be made payable to **"The National Federation of Cemetery Friends"** and sent to the above address together with the slip at the base of this letter. It would be appreciated if you could pay your subscription within the next two months.

If paying by BACS I would appreciate it if you will email me when payment is made as our bank does not provide references on these receipts!

Please confirm with your payment your contact address, including email where possible. If you have separate contacts for the treasurer and for receiving your newsletter, please make it clear which information you are giving me.

The Federation membership stands at nearly 100 groups. This year our AGM will be held on Saturday June 10<sup>th</sup> and hosted by Friends of Kensal Green Cemetery, London. Further information and invitations will be sent nearer the time.

I look forward to hearing from you. If you do require a postal receipt will you please enclose an SAE (I will send e-mail acknowledgements to all members who have e-mail addresses). Please help us control costs by sending your subscription without needing further reminders.

Yours sincerely

*Carol*  
Carol Stevenson  
Hon Treasurer

.....  
NFCF Subscription of £..... enclosed from .....

Please amend our contact details to : Name:  
Address:

Tel: Email:

Number of members:



<b>OVERVIEW AND SCRUTINY COMMITTEE</b>	<b>(D) Agenda Item 9</b>
<b>Date of Meeting:</b> 9th February, 2017	
<b>Reporting Officer:</b> Corporate Support Manager	
<p><b>Title:</b> Friends of the Town Hall</p> <p><b>Summary and Conclusions:</b></p> <p>To provide Members with the update on the work that the Friends of the Town Hall Group are doing.</p> <p><b>Recommendation:</b></p> <p>Members are invited to consider the update from the Friends of the Town Hall group.</p>	

### **Report**

At the Overview and Scrutiny meeting held on 20<sup>th</sup> October, 2016, Members agreed that the elected chair to the Friends of the Town Hall group would be Councillor Mrs Thomson.

A number of Tours of the Town Hall have taken place, one of which was featured in the local press. The senior Steward continues to monitor tour requests and I will provide a verbal update at this meeting.

At the last meeting Councillor Cassidy agreed to write to the Executive Director of the Council regarding accessing Lottery Heritage Funding and he will provide an update at this meeting.

### **Background Papers**

Nil.

<b>OVERVIEW AND SCRUTINY COMMITTEE</b>		<b>Part One</b>
<b>Date of Meeting:</b>	<b>9th February, 2017</b>	<b>(D) Agenda Item 10</b>
<b>Reporting Officer:</b>	<b>Corporate Support Manager</b>	
<p><b>Title: Egerton Court</b></p> <p><b>Summary and Conclusions:</b></p> <p>To provide Members with an update on the progress of this review.</p> <p><b>Recommendation:</b></p> <p>Members are invited to consider the information provided by Councillors Cassidy and Proffitt and take note of the report.</p>		

### Report

A Multi-Agency Partnership Group has been established involving the Borough Council, County Council, Police, The Well Project and Barrow Island Community Trust to identify how improvements can be delivered in Egerton Court. Councillor Proffitt is the Scrutiny Committee's representative on the group and this Committee agreed to receive report/updates via him.

The Multi-Agency Partnership Group met earlier this month and considered the request, via this Committee, for an Egerton Court specific Streetsafe operation which has now taken place. Councillors Cassidy and Proffit will provide a verbal update at this meeting.

### Background Papers

Nil

		<b>Part One</b>
<b>OVERVIEW AND SCRUTINY COMMITTEE</b>		<b>(R)</b>
<b>Date of Meeting:</b>	<b>9th February, 2017</b>	<b>Agenda</b>
<b>Reporting Officer:</b>	<b>Corporate Support Manager</b>	<b>Item</b>
		<b>11</b>
<p><b>Title: Waste Policies</b></p> <p><b>Summary and Conclusions:</b></p> <p>To provide Members with the Council's updated policies relating to the Cleaner Neighbourhoods Environment Act, presentation of waste and the exceptions policy relating to the introduction of 120 litre wheeled bins.</p> <p><b>Recommendation:</b></p> <p>Members are invited to review the policies and recommend that they are endorsed by the Executive Committee.</p>		

### Report

At the last meeting of this Committee Members agreed that the waste policies should be reviewed in advance of the new contract commencing in April 2017.

The policies were reviewed by Councillor Mrs Thomson (Spokesperson for the Environment), the Streetcare Manager, the Corporate Support Assistant and the Corporate Support Manager.

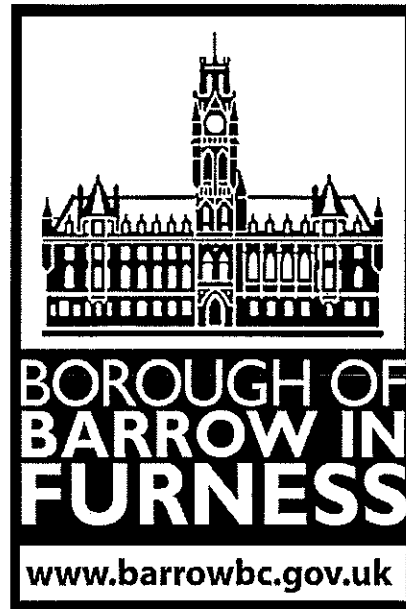
The updated policies are attached:-

**Appendix 2:** Cleaner Neighbourhood Environment Act.

**Appendix 3:** Waste Container Exceptions.

### Background Papers

Nil.



<b>Version Control:</b>	
<b>Document Name:</b>	<b>Cleaner Neighbourhoods Environment Act Enforcement Policy</b>
<b>Version:</b>	Version 3.0
<b>Author:</b>	Corporate Support Manager
<b>Approved by:</b>	Executive Committee
<b>Date Approved:</b>	
<b>Review Date</b>	31 <sup>st</sup> October 2016

## **Cleaner Neighbourhood Environment Act Enforcement Policy**

### **Introduction**

One of the Council's priorities is to improve the amenity of the Borough. To support this we have reviewed the waste collection, recycling and street cleansing enforcement to ensure they reflect the Council's approach to delivering its priorities.

We would like Barrow to be a clean, safe, healthy and welcoming place to live, work and visit and are committed to enforcing regulatory compliance help us to achieve this.

The Council provides information and support to help residents and businesses to achieve the aims of the Clean Neighbourhood and Environment Act (CNEA) but in a few instances we will have to use our enforcement powers to achieve our aims. CNEA is part of the environmental legislation that has been produced so that we can all live in a clean, safe and healthy place.

This enforcement policy relates to:

- Abandoned vehicles
- Abandoned shopping trolleys
- Depositing and contributing to litter
- Flyposting
- Graffiti
- Transport of waste
- Presentation of waste in correct containers
- Dog control offences including dog fouling

### **Enforcement principals**

Council Officers will use informal (advice of the offence either verbally or in writing) and formal (statutory notice, fixed penalty notice or legal proceedings) enforcement action to prevent or rectify non-compliance with environmental legislation. This enforcement action will be proportionate and consistently applied to ensure openness and fairness.

### **Proportionality**

Any enforcement action or remedial action will be proportional to the seriousness of the offence and the impact on the residents and the environment.

### **Consistency**

Although Council Officers may exercise discretion we will try to ensure that enforcement decisions are consistent and balanced and will consider factors such as compliance with informal advice, previous offences and the impact on residents and the environment.

## Openness and fairness

When taking enforcement action our Officer will be clear about the offence that has been committed, why we are taking the action and what expect the offender to do.

## Fixed Penalty Notices (FPN)

In certain circumstances the officer may decide to serve an FPN which will allow the offender to discharge responsibility for the offence and avoid legal proceedings through the court.

The table below shows the level of FPN which can be used relating to the offences referred to in this policy.

Offence	Legislation	Level of fine
Abandoning a vehicle	s. 2A(1) refuse disposal act 1978	£200
Abandoned shopping trolleys	s.4 Environmental Protection Act 1990	Cost recovery
Depositing or contributing to litter	s.87/88 Environmental Protection Act 1990	£80
Flyposting	s.43 Anti-social Behaviour Act 2003	£75
Graffiti	s.43 Anti-social Behaviour Act 2003	£75
Transport of waste without waste transfer note	s.34A Environmental Protection Act 1990	£300
Transport of waste without waste carrier's license.	s.5B(2) Control of Pollution Act 1989	£300
Non-compliance with waste receptacle notice	s. 46 Environmental Protection Act 1990	£80
Dog control offences	Dog control order regulations 2006	£80

## Legal proceedings through the courts

A decision to prosecute will have serious implications in terms of cost and officer resource and will only be taken after careful consideration of the implications and consequences. Before commencing a prosecution we must be satisfied that there is sufficient, admissible and reliable evidence that an offence has been committed and that there is a reasonable chance of the prosecution being successful.

Legal proceedings will be taken against those persons responsible for the offence. Where the offence has resulted from the activities of a commercial company we will take legal action against that company. However, we will also consider actions of the company's employees and may take action against them as well as the company. Legal proceedings will only be commenced following consultation with the Council's Acting Principal Legal Officer.

## **Authorised Enforcement Officers**

Officers will not carry out enforcement activities unless they are trained and authorised under the Council's delegation powers.

## **Enforcement exercises**

In addition to officers discovering environmental offence during the course of their daily activities we will also carry out targeted enforcement in areas where there are known and regular offences being committed such as littering and dog fouling.

## **Non-compliance with waste receptacle notice**

Non-compliance with waste receptacle notice is a specific offence and a protocol has been developed in accordance with the principals of the Enforcement Concordant and the Borough Council's General Enforcement Policy.

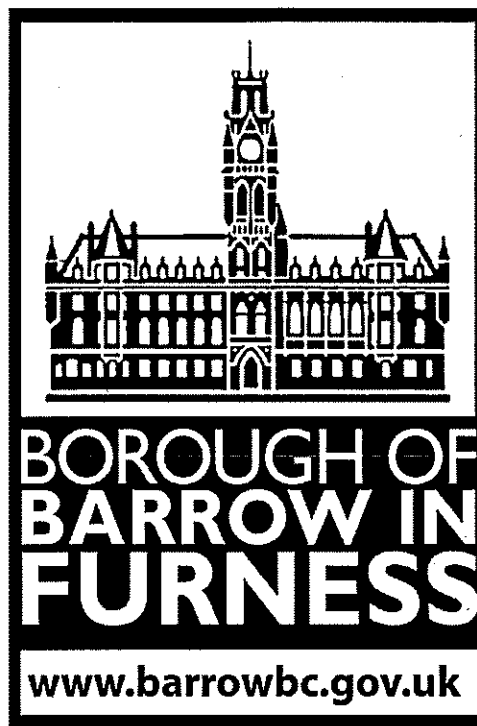
## **ENFORCEMENT PROTOCOL – SECTION 46 ENVIRONMENTAL PROTECTION ACT**

### **1990– PRESENTATION OF WASTE (DOMESTIC AND COMMERCIAL)**

- 1) From April 2010 it will be an offence for occupiers of premises to leave any waste receptacle on the highway, (pavements, roads and backstreets) other than at times stipulated and in containers provided by the Borough Council or its contractor in order to facilitate refuse and recycling collection services. Receptacles may be placed on the highway from midday on the eve of collection until midnight on the day of collection. At all other times waste receptacles must be removed from the highway and stored within the boundary of the premises. Failure to comply with the above may result in receipt of a £80 Fixed Penalty Notice or prosecution through the courts, maximum fine £1,000.
- 2) When authorised officers become aware that wheeled bins or other waste receptacles are being presented or stored in a way that conflicts with the above requirements an informal notice by way of a warning sticker will be attached to the container. A record of the action taken will be recorded in a central database.
- 3) Waste presented in containers not provided by the Borough Council or its contractor will not be collected by the contractor unless notice is given to the resident and the Borough Council by the contractor after which a visit will be made by authorised officers to evidence the circumstances and take appropriate action as in 2 above.

- 4) If further evidence of non-compliance is noted at the same premises an informal notice by way of letter will be sent to the occupier of the premises. A record of the action taken will be recorded in a central database.
- 5) Should further evidence of non-compliance from the same premises be noted an authorised officer will visit the premises and a formal notice against further non-compliance will be served and recorded in the central database. A notice will not be served if it is clear that the occupier is not connected to any previous occupier who may have committed the offence.
- 6) Should further evidence of non-compliance be confirmed a Fixed Penalty Notice under Section 46 Environmental Protection Act 1990 will be issued with all relevant details noted in the central database.
- 7) Should the Fixed Penalty Notice not be paid within 14 days of the date of issue, legal proceedings for prosecution will be initiated.
- 8) Payment by way of instalments will be allowed and no legal proceedings initiated provided the Fixed Penalty Notice is paid in full within 10 weeks from the date of the issue of the Fixed Penalty Notice.





<b>Version Control:</b>	
<b>Document Name:</b>	<b>Waste Container Exceptions Policy</b>
<b>Version:</b>	Version 1.0
<b>Author:</b>	Corporate Support Manager
<b>Approved by:</b>	Executive Committee
<b>Date Approved:</b>	
<b>Review Date</b>	31 <sup>st</sup> January 2019

## Exceptions Policy

In line with the Council's Waste Minimisation Strategy we are working in partnership with FCC to expand kerbside collection of recyclable materials to include Tetra paks and tin foil. The method of presenting waste will be a 55 litre box for glass only and a 240 litre burgundy wheelie bin for the other recycling: card, paper, plastic, cans, foil and tetra paks.

Barrow Borough Council recognises that in some cases residents may have problems managing their waste using a standard size bin (120 litre) and a support package will be available for those residents.

This will include: A personal waste audit; to help them decide what parts of their waste can be recycled.

In exceptional cases some households will be provided with a 240 litre bin subjected to the following criteria being met:

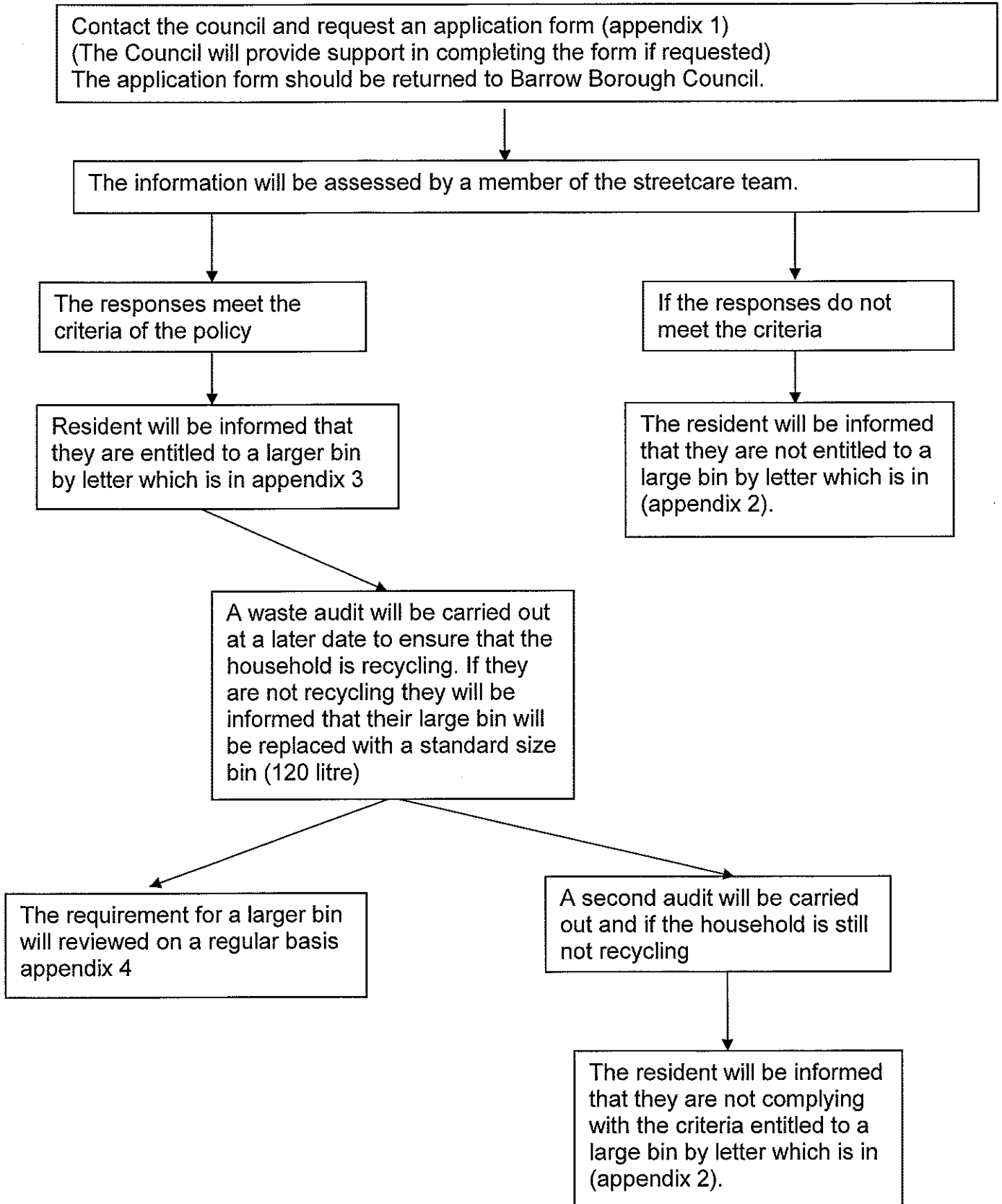
- Households with six or more permanent residents
- Households with two or more children in nappies
- Residents with medical conditions that produce significant excess non-hazardous waste
- The resident must be using the Council's recycling service to reduce amount of waste going into the bin

In these cases the resident must apply for a large bin using the application form in **Appendix 1** (attached)

Barrow Borough Council recognises that there may be a delay in providing larger bins and will collect reasonable side waste for a limited period. Side waste will be inspected by the collection crews and if it contains recyclable materials it will be reported to the Streetcare team who will help you to recycle your waste. Residents who do not recycle may have their large bin removed and replaced with a smaller bin.

Residents that qualify for larger bins will have their situation reviewed on an annual basis by the Streetcare team.

**Process for requesting larger bin**



Appendix 1



PLEASE RETURN TO: **STREETCARE DEPARTMENT**  
**TOWN HALL, DUKE STREET**  
**BARROW in FURNESS**

240 Litre Bin Request Form

Please complete all sections of the form in order that an assessment can be made regarding your requirements.

Name..... Telephone Number.....

Address.....

.....

Postcode.....

Names and ages of all adults and children registered as permanently living at the property

Name.....D.O.B.....Age.....

Name.....D.O.B.....Age.....

Name.....D.O.B.....Age.....

Name.....D.O.B.....Age.....

Name.....D.O.B.....Age.....

Name.....D.O.B.....Age.....

Please list any additional members on the back of this form

1) How many of these people live away from home at school/college/university/other for part of the year?  
.....

2) How many children are in nappies? .....

3) Where do you take your glass, cans, plastic and cardboard for recycling?  
.....  
.....

If no where please explain why.....

4) How else are you trying to reduce the amount of rubbish in your black bin?  
.....  
.....

**Please continue overleaf**



Please state any other additional information that you feel should be considered in your request for a 240 litre container for general waste (i.e medical conditions or disability)

.....  
.....

Signature.....

I declare that the information supplied in this form is true and accurate. Information supplied will only be used for the purpose of assessing waste arrangements, however it may be cross-referenced with council records. Applications are subject to continuous monitoring. Where it is found that recyclable material is being placed in the general household waste bin, the bin may be removed. If you would like advice on waste reduction or general recycling information please ring the cleansing department 876300

***Any information supplied by you on this form may be subject to verification prior to approval.***

<b><i>For Office Use Only</i></b>	
<input type="checkbox"/> Request rejected date.....	Review
<input type="checkbox"/> Request accepted .....	Bin Number

**From January 2012**  
**Only rubbish inside your wheeled bin will be taken on the**  
**Weekly collection**  
**None of the extra bags and boxes (side waste)**  
**Will be collected**

**Putting out side waste from January 2012 could earn you a**  
**£80.00 Fixed Penalty Notice**



**Appendix 2**



**Name and address**

**Telephone helpline: 01229 876543**

Dear,

**1.1 LARGE BIN REQUEST**

Thank you for completing the Large Bin Request Form. There are certain criteria which must be met in order that you remain on the 240 litre container for your household waste. Unfortunately, based on the information you have provided on the form, you do not currently meet these criteria. However, please feel free to contact us in the future if your circumstances change.

Barrow Borough Council, like all other Local Authorities has adopted a responsible approach to waste reduction and recycling. We have implemented an enhanced recycling scheme for residents in the Borough in an attempt to reduce the amount of waste we are collecting for landfill site disposal and to increase the participation in recycling. Householders have a recycling box for paper, a recycling bag for plastic and cardboard, glass and cans and if required a brown bin for garden waste, which are collected from the kerbside on a fortnightly basis. A black wheeled bin is provided for household waste going to landfill and this will be collected on a weekly basis.

Your nearest recycling sites can be found on our web site; [www.Barrowbc.gov.uk](http://www.Barrowbc.gov.uk) or by phoning 01229 876543

Please place your bins, boxes etc out for collection by **7.00 a.m.** on the day of collection.

Yours sincerely

Streetcare Department

**Appendix 3**



**Name and address**

**Telephone helpline: 01229 876543**

Dear Sir/Madam

**1.2 LARGE BIN REQUEST**

Thank you for completing the Large Bin Request Form. I am pleased to inform you that you meet the criteria to be reverted to a larger bin for your household waste.

This decision is based on the information you have provided on the form and will be reviewed in the future. Any changes to your circumstances may have an effect on this decision and therefore we must be informed of any change. The information we receive is checked against our records in order that only genuine claims are made.

**YOUR BIN IDENTIFICATION NUMBER IS ????**

**Please attach the sticker to the back of your bin.**

Barrow Borough Council, like all other Local Authorities has adopted a responsible approach to waste reduction and recycling. We have implemented an enhanced recycling scheme for residents in the Borough in an attempt to reduce the amount of waste we are collecting for landfill site disposal and to increase the participation in recycling. Householders have a green recycling bag for paper, a red recycling bag for plastic and cardboard, a green recycling box for glass and cans and if required a brown bin for garden waste, which are collected from the kerbside on a fortnightly basis. A black wheeled bin is provided for household waste going to landfill and this will be collected on a weekly basis

Your nearest recycling sites can be found on our web site [www.Barrowbc.gov.uk](http://www.Barrowbc.gov.uk) or by phoning 01229 876543.

**Please see attached NOTICE for your information which requires you to present your waste in accordance with the conditions specified.**

Yours faithfully

Streetcare Department

**Appendix 4**



Name and address

**Community Services  
Directorate  
Streetcare**

TOWN HALL · DUKE STREET  
BARROW-IN-FURNESS · CUMBRIA LA14 2LI  
Date: 21<sup>st</sup> October 2016  
DX NO: DX 63917 BARROW-IN-FURNESS

Our Ref: **NC/MG**

Contact Name:

Your Ref:

Tel No: **01229 876543**

Dear,

**LARGE BIN REVIEW FORM**

Our records show that you were issued with a large bin on information supplied by yourself.

In order to update our records, please complete the attached review form and return to the above address within fourteen days from date of this letter. Failure to return a signed completed form may result in the large bin facility being removed and a small 120 litre bin being issued.

For further information regarding this matter please ring the above number.

Yours sincerely,

Streetcare Department



## Exceptions Policy

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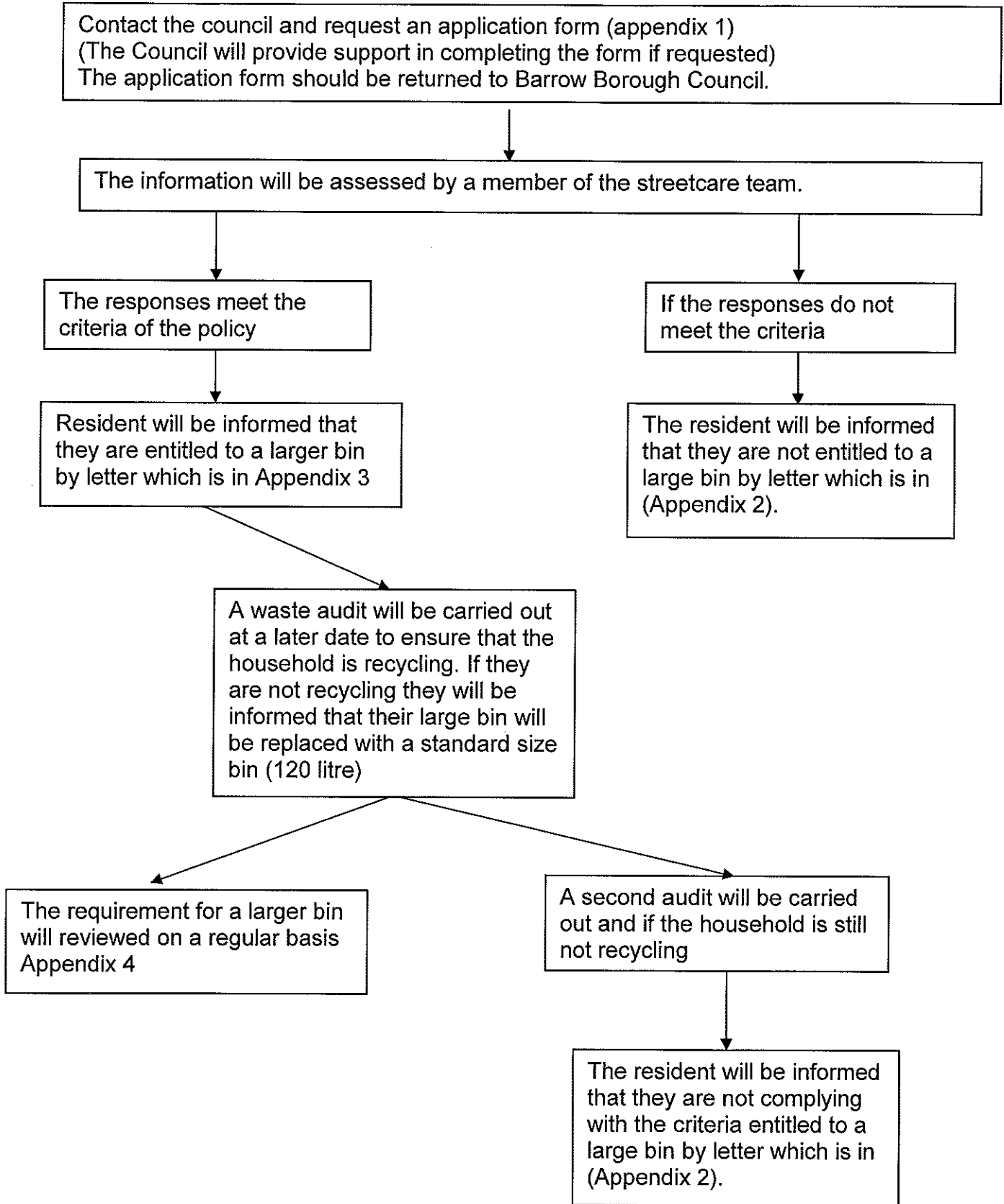
- Households with six or more permanent residents
- Households with two or more children in nappies
- Residents with medical conditions that produce significant excess non-hazardous waste
- The resident must be using the Council's recycling service to reduce amount of waste going into the bin

In these cases the resident must apply for a large bin using the application form in Appendix 1.

Barrow Borough Council recognises that there may be a delay in providing larger bins and will collect reasonable side waste for a limited period. Side waste will be inspected by the collection crews and if it contains recyclable materials it will be reported to the Streetcare team who will help you to recycle your waste. Residents who do not recycle may have their large bin removed and replaced with a smaller bin.

Residents that qualify for larger bins will have their situation reviewed on an annual basis by the Streetcare team.

### Process for requesting larger bin



<b>OVERVIEW AND SCRUTINY COMMITTEE</b>		<b>(D) Agenda Item 12</b>
<b>Date of Meeting:</b>	<b>9th February, 2017</b>	
<b>Reporting Officer:</b>	<b>Director of Resources</b>	
<p><b>Title: Performance Management</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report contains Housing Benefit and Council Tax Support performance.</p> <p><b>Recommendations:</b></p> <p>Members are asked to note the report.</p>		

### Report

At the meeting of this Committee on 1<sup>st</sup> December, 2016, performance information relating to speed of processing claims was presented as part of the quarterly update. Members requested further information relating to quality of processing and this is included in the following table:

<b>Indicator</b>	<b>Quarter 3</b>	<b>Target</b>
Average time to process new housing benefit claims	13.8 days	18 days
Average time to process new council tax support claims	14 days	18 days
Average time to process housing benefit changes of circumstances	5.5 days	7 days
Average time to process council tax support changes of circumstances	4.3 days	6 days
Percentage of new housing benefit claims decided within 14 days of receiving all information	100%	99%
Reconsiderations and appeals processed and notified within 4 weeks (HB & CTS*)	80.5%	80%
Percentage of financial errors identified from the daily 10% random sample (HB & CTS*)	5.4%	8%
Percentage of non-financial errors identified from the daily 10% random sample (HB & CTS*)	6.8%	8%

\*HB & CTS Housing Benefit and Council Tax Support claims combined

The targets are set annually with the Strategic Partnership Board.

### Background Papers

Nil

<b>OVERVIEW AND SCRUTINY COMMITTEE</b>		<b>Part One</b>
<b>Date of Meeting: 9th February, 2017</b>		<b>(D) Agenda Item 13</b>
<b>Reporting Officer: Director of Resources</b>		
<p><b>Title: Core Spending Power</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report contains the Core Spending Power per dwelling from 2010-2011 to the projection for 2019-2020.</p> <p><b>Recommendations:</b></p> <p>Members are asked to note the report.</p>		

### Report

At the meeting of this Committee on 1<sup>st</sup> December, 2016, the budget assumptions were presented. Members requested further information relating to the Core Spending Power per dwelling.

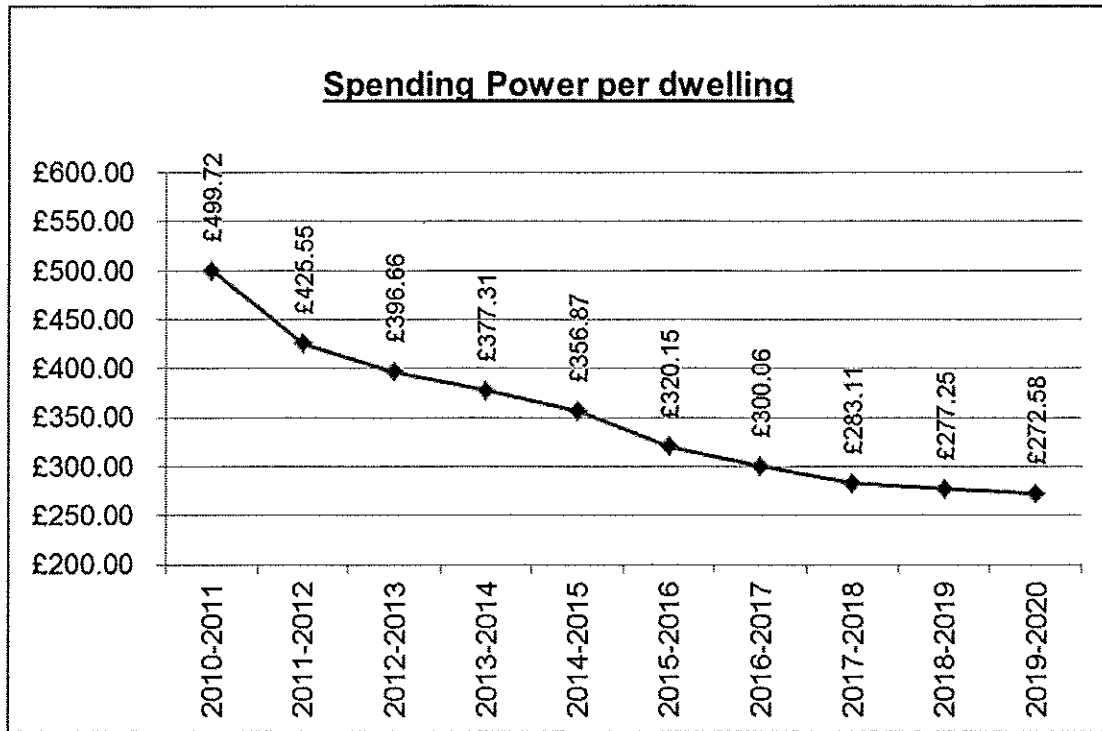
The Core Spending Power is calculated by the Government and is published with the financial settlement each year. The components of the Core Spending Power calculation have varied over time and were named Revenue Spending Power initially.

The Core Spending Power now consists of the settlement (Revenue Support Grant and Baseline Funding Level; share of Business Rates), Council Tax income for the year and any New Homes Bonus. It would also include any Transition Grant, Efficiency Support Grant or other Government grant included in a particular year.

The spending power was first published in 2011-2012 as £425.55 per dwelling and the current financial settlement has 2019-2020 projected as £272.58 per dwelling. This is a reduction of £152.97 or 36% per dwelling. However, the austerity of local government finances began in 2011-2012, so 2010-2011 is the baseline.

For 2010-2011 the settlement was £9,084,171, Area Based Grant was awarded (as in prior years) of £3,091,848 and the Council Tax generated £4,452,307. With the number of dwellings at 33,275 at that time, this gives a Spending Power per dwelling figure of £499.72.

The reduction in the spending power per dwelling across the period of austerity, managed through the Budget Strategy process, is therefore £227.14, 45%. The following chart shows the Spending Power from 2010-2011 to the current projection for 2019-2020:



The Core Spending Power excludes the Housing Revenue Account.

#### Background Papers

Nil