

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 18th October, 2017
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

AGENDA

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.
3. Admission of Public and Press
To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.
4. Declarations of Interest
To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

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

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.
5. To confirm the Minutes of the meeting held on 6th September, 2017 (Pages 1- 6).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D/R) 7. Recommendations of the Housing Management Forum, 14th September, 2017 (Pages 7-11).
- (R) 8. Travel and Subsistence Claims (Pages 12-14).
- (R) 9. Minor Amendment to the Constitution (Pages 15-16).

- (D) 10. Council Finances and Performance (Pages 17-28).
- (D) 11. Business Rate 100% Retention Pilots (Pages 29-31).
- (D) 12. Executive Director Performance Appraisal 2017/18 (Pages 32-33).
- (D/R) 13. Dog Control and Borough Council Kennelling Service (Pages 34-36).
- (D) 14. Risk Management Policy (Pages 37-38).
- (D) 15. Public Spaces Protection Orders (Pages 39-40).

PART TWO

- (D) 16. Land between Beach Street and Sharp Street, Askam-in-Furness (Pages 41-43).

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006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) 17. Inspira - 237-241 Dalton Road, Barrow-in-Furness (Pages 44-45).

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006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) 18. Establishment Matters (Pages 46-47).

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 2 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**

Councillors Pidduck (Chairman)
Sweeney (Vice-Chairman)
Barlow
Biggins
Brook
Cassells
Hamilton
R. McClure
Maddox
Pemberton
D. Roberts
Williams

For queries regarding this agenda, please contact:

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Published: 10th October, 2017.

EXECUTIVE COMMITTEE

Meeting: Wednesday 6th September, 2017
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Biggins, Brook, Hamilton, McEwan, McLeavy, Maddox, Pemberton and D. Roberts.

Also Present:- Phil Huck (Executive Director), Sue Roberts (Director of Resources), Jon Huck (Democratic Services Manager and Monitoring Officer) and Sandra Kemsley (Democratic Services Officer).

44 – Declarations of Interest

Councillors Hamilton and McEwan declared an Other Registrable Interest in Agenda Item 11 – Appointment to Barrow Highways Advisory Committee. They were Members of Cumbria County Council.

45 – Minutes

The Minutes of the meeting held on 26th July, 2017 were agreed as a correct record.

46 – Apologies for Absence

Apologies for absence were received from Councillors Barlow, Cassells, R. McClure and Williams.

Councillors McEwan and McLeavy substituted for Councillors Barlow and R. McClure respectively.

47 – 2018-2019 Holiday Dates

The Director of Resources' report set out the bank holidays and additional days when the Council would be closed and what staff would be required to take either a holiday (annual leave) or flexi-day over the Christmas and New Year period.

Easter 2018

Monday 2nd April, 2018, Easter Monday

Other Bank Holidays

Monday 7th May, 2018, Early May Bank Holiday
Monday 28th May, 2018, Spring Bank Holiday
Monday 27th August, 2018, Summer Bank Holiday

Christmas and New Year

Tuesday 25th December, 2018, Christmas Day
Wednesday 26th December, 2018, Boxing Day
Thursday 27th December, 2018, Council Day

Friday 28th December, 2018, Council Day
Monday 31st December, 2018, annual leave or flexi-day to be taken
Tuesday 1st January, 2019, New Year's Day

RESOLVED:- To note and agree the 2018-2019 holiday dates as reported.

48 – Procurement of Services

The Committee were informed that the Council's out of hour's calls for emergency homelessness, housing repairs and other services, had been handled externally since 2004.

The current operator was The Riverside Group Limited (Riverside) and officers had been satisfied that the service meets the Council's requirements and delivered an effective service for residents.

The contractual arrangements had now been formed into Service Level Agreements (SLA) for each of the services used and it was proposed that these were signed off by the Assistant Director - Housing; which was within his existing delegation.

When drawing up the SLA the pricing structure had been reviewed and had been incorporated. The value of the complete service was £6.4k per annum, plus RPI in subsequent years; there was also the provision for additional services and the pricing list had identified those should they ever be required.

The purpose of the report was to request approval not to obtain alternative prices for the service. Officers accepted that it was not a unique service and that there would be other providers, but given the effective service that was currently operated and the key role it played in service delivery, it was recommended that the contract continued with Riverside. Officers would continue to monitor the use of and effectiveness of the service that the Council received and would re-procure the service in the normal way should the need arise.

The Council's Purchase Procedure provided for:

"The use of specialist suppliers may not require the quotations as set out where there is uniqueness to the provision. Specialist supplies/suppliers are not expected to be a regular occurrence. Where a specialism is identified, justification must be agreed and documented by a member of Management Board prior to ordering."

Management Board had supported the use of Riverside and had referred the matter to the Committee as it was not unique and it was an ongoing service, therefore outside the scope of the current provision and delegation.

RESOLVED:- To agree that the Council's out-of-hours emergency calls continued to be contracted to The Riverside Group Ltd, with no further quotations being sought.

49 – Member Representation on FCC Partnership Board

The Committee were informed that part of the contract with FCC Environment who delivered the Council's waste, recycling and street sweeping services, was the formation of a Partnership Board. The objectives of the Board were to keep each other informed of all developments, both good and bad at all times and make efficiency savings year on year.

The contract expanded on these by committing to share information openly; jointly solve problems; continuously improve services; reduce the cost of services through efficiencies and innovate and implement changes.

FCC had nominated four representatives to the Board comprising their Contract Manager, Area Manager, Regional Development Manager and their General Manager for Cumbria. In line with similar Partnership Board arrangements on other contracts, to nominate four members to the FCC Partnership Board, plus the Executive Director and Assistant Director of Community Services.

RESOLVED:-

1. To nominate Councillors Hamilton, McLeavy, Pidduck and M. A. Thomson to the FCC Partnership Board; and
2. To agree that the FCC Partnership Board becomes an outside body to which the Council nominates Members at Annual Council.

50 – Appointment to Barrow Highways Advisory Group

The Executive Director informed the Committee that an email had been received from Cumbria County Council advising that the Barrow Highways Advisory Group would now only include one Member from the Council instead of three Members.

RESOLVED:- To nominate Councillor Brook to the Barrow Highways Advisory Group and Councillor D. Roberts as substitute.

51 – Closure of Playgrounds

The Committee were reminded that as part of the Budget Strategy 2016-2020 Council had agreed a new policy on provision of playgrounds which ensured the current distribution of playgrounds by settlement, protected the largest and well used facilities and identified the least used and valuable from a play perspective.

Members had reviewed current playground provision, comprising 33 playgrounds against that policy and had identified five playgrounds for closure, with two subject to discussions about future management.

The playgrounds identified for closure were:-

1. Dowie Close – an isolated playground which projected into an open field with limited use by the wider community.

2. Storey Square – set within a larger enclosed area of grassed open space, play equipment was limited and in poor condition, would be grassed and retained as public open space.
3. Rusland Avenue – very small (150m²) with limited play equipment, very limited access and use by the wider community. The land was not owned by the Council.
4. Lakeland Avenue – very limited informal surveillance from adjacent properties – persistent vandalism and anti-social behaviour problems retain as informal open space.
5. Sandy Gap – very limited play equipment, in poor condition, retain as informal open space.

The Council welcomed proposals for management of playgrounds 1, 2 and 3 above from local groups.

Discussions would be held on future management of Biggar Village and Talisman Close.

Estimated savings included in the Budget Strategy from these closures would be £13,247.

RESOLVED:- To agree the playgrounds identified for closure and alternative management arrangements as reported.

Immediately after the vote was taken Councillor Pemberton requested that it be recorded in the Minutes that he voted against the motion.

52 – Housing Service: Continuation of Support for Housing Maintenance Team

The Committee was informed that on 29th June, 2016 this Committee had agreed to the appointment of an independent building surveyor in the Housing Maintenance Team for a period of up to 12 months and to agree the classification of the appointment as an 'exception' under Item 16 of the Council's Standing Orders.

It had been envisaged that the appointment would be short term but the on-going implementation of the new Housing Management Software Systems and the unexpected need to change appointed contractors had led to a number of delays in the delivery of the 2017/18 Planned Investment Programme. The change of contractor for major void works was expected to compound the problem further in the short-term as new working practices would need to be developed and implemented.

The roll out of CX repairs and Keystone Asset Management software between October and December 2017 would undoubtedly place additional pressures on the

Maintenance Team and as such there existed a need for the temporary surveyor to be retained for the remainder of the financial year.

The surveyor concerned had knowledge and familiarity with the Procure Plus e-procurement systems and had been engaged on a competitive hourly rate. It was proposed to retain the surveyor on a week-by-week basis until 31st March 2018. The maximum number of hours employed were not expected to exceed 21 hours in any one week.

RESOLVED:- To agree the continued retention of an existing Building Surveyor in the Housing Maintenance Team on a week-by-week basis until 31st March, 2018.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

53 – 2018-2019 Council Tax Support

The Director of Resources reminded the Committee that since 1st April, 2013, the Council had operated a Local Council Tax Reduction Scheme (Council Tax Support) that mirrored the Council Tax Benefit regime as it was, including subsequent updates to Housing Benefit that would have applied to Council Tax Benefit pre 1st April 2013; those receiving Council Tax Support would have received the same under Council Tax Benefit.

The funding for the Local Council Tax Reduction Scheme came mainly through the financial settlement; that was 90% of the Scheme cost in the first year of the Scheme. The amount was no longer itemised in the settlement, so the Revenue Spending Power reductions had been used as a proxy to determine the funding.

The 2017-2018 Council Tax Support had been awarded as at 30th June 2017 was £5.7m. The Council's share of the cost was based on the precepts for the year and was £748k; for 2018-2019 that was estimated to increase to £764k with funding of £614k. The net cost of £150k had been reduced by £75k estimated to be generated from existing Council Tax reforms (implemented from 1st April, 2013), leaving £75k to come from Council resources. That shortfall had been included in the Council's current Medium Term Financial Plan.

RECOMMENDED:- To recommend the Council to agree the continuation of the current Local Council Tax Reduction Scheme for 2018-2019.

54 – Car Parking Review

The Committee considered a detailed report regarding a recent review of off-street car parking usage and income.

The Committee was informed that the Council had over 1,200 parking spaces across 19 car parks, 10 of which were not available for pay and display purposes and were for contract holders with some also having disabled parking spaces.

Of the remaining nine car parks only Market Street had contract spaces allocated, the others were all pay and display parking with some also having disabled parking spaces.

There were 276 contract parking spaces across 10 car parks and 222 of the spaces had been taken, with 54 spaces available across five car parks.

The Council also offered season tickets, 251 currently sold across three car parks; these allowed the holder to park in available pay and display spaces. The current income from pre-paid parking was £134k per annum, pay and display parking £600k per annum and £35k from the Ringo mobile phone payment service.

The review resulted in a number of recommendations which, taken together, aimed to balance the type, location and number of spaces available, against the income generated.

RECOMMENDED:- To recommend the Council:-

1. To agree not to increase the number of contract parking spaces on current pay and display car parks;
2. To agree that additional contract or season tickets be made available for low demand car parks only;
3. To agree that the discount scheme for bulk space purchases applied only where a single customer was paying upfront at the start of the year and the discount levels were:
 - i. 10% discount for 10-19 spaces;
 - ii. 20% discount for 20-29 spaces;
 - iii. 30% discount for more than 30 spaces;
4. To agree that the Admin and Parking Services Manager be delegated to apply the discount scheme; and
5. To agree to continue to monitor the viability of low demand car parks.

The meeting closed at 3.15 p.m.

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

18th October, 2017

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

**RECOMMENDATIONS
OF THE
HOUSING MANAGEMENT FORUM**

14th September, 2017

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

The recommendations of the meeting of the Housing Management Forum held on 14th September, 2017 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: 14th September, 2017	(i)
Reporting Officer: Colin Garnett, Assistant Director - Housing	
<p>Title: Recharge Proposal: Amendment to the 'Standard Repair Charge Pricelist'</p> <p>Summary and Conclusions:</p> <p>The purpose of the Assistant Director - Housing's report was to agree the future approach for the cost of recharging Tenants or former Tenants in accordance with the Rechargeable Repair Policy.</p> <p>Recommendations:</p> <p>To agree the principle that future charges will be based on the actual cost of the Schedule of Rate item at the time of the repair being completed.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 14th September, 2017	(ii)
Reporting Officer: Colin Garnett, Assistant Director - Housing	
<p>Title: Fire Safety</p> <p>Summary and Conclusions:</p> <p>The purpose of the Assistant Director – Housing’s report was to update Members on the Council’s approach to fire safety in the housing stock and agree its approach to particular matters.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To note the Council’s approach to fire safety in the residential housing stock; 2. To agree actions to review Risk Assessments in residential flats with enclosed communal access and for Shops and Community Centres in the housing stock; and 3. To agree that the cost of such surveys be identified within the existing agreed maintenance budget. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 14th September, 2017	(iii)
Reporting Officer: Colin Garnett, Assistant Director - Housing	
<p>Title: Management of Communal Entrances</p> <p>Summary and Conclusions:</p> <p>The purpose of the Assistant Director - Housing's report was to highlight to Forum Members an issue in enclosed communal access routes in flats and consider an approach to dealing with the matter.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To acknowledge and agree the presence of Residents' belongings in communal routes was unacceptable; 2. To agree that no action would be taken at the current time to provide alternative storage arrangements for such possessions but that the position may be reviewed at a future date; and 3. To agree the approach of the Housing Service to adopt an approach of negotiation with Residents in order to resolve the problem but that in some instances resorting to legal action may be the only option. 	

EXECUTIVE COMMITTEE	(R) Agenda Item 8
Date of Meeting: 18th October, 2017	
Reporting Officer: Director of Resources	
<p>Title: Travel and Subsistence Claims</p> <p>Summary and Conclusions:</p> <p>This report sets out a number of updates to allowances and requests a cut-off period for claims.</p> <p>Recommendations:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1. To approve the casual user mileage rate at 40p for in and out of Borough Claims; 2. To approve the ending of the separate training mileage leaving officers to claim at their usual rate; 3. To approve the casual mileage rate for reimbursing interview candidates; 4. To approve the updated subsistence allowances set out in Section D of the report. 5. To approve the three month cut-off period for claims, with an initial three month amnesty; 6. To agree that the Officer allowances apply to Members; and 7. To approve the effective date as 1st February, 2018. 	

Report

a) In and out of the Borough

Casual users are currently reimbursed for car journeys inside the Borough at 40p and outside the Borough at 30p. A single casual user rate would simplify the claiming process and given the last full year of mileage, would potentially increase spend by £500. Casual users are required to provide certain documentation prior to traveling; some will be charged a small fee for business insurance which this increase may contribute to.

b) Training

For professional training, officers generally travel by train or the training is locally sourced. Occasionally officers travel by car and the current (rather historic) mileage rate is 10.6p per mile. It is proposed that this mileage rate is ended and the officers claim either the casual or essential user rate as applicable to them.

c) Interview Candidates

Car journeys for interview candidates are currently reimbursed at the training rate of 10.6p. As this rate is ended it is proposed that the casual rate of 40p is applied.

d) Subsistence

The current subsistence allowances have been in place since November, 2011. The maximum allowances now proposed are:-

- Breakfast £5 and lunch £7 unchanged, but where someone has a large breakfast or lunch and not both, the allowance may roll together;
- Dinner increased to £18 from £12 – the majority of reimbursements come in for dinner and the current average is around £15, the maximum rate is set for four or more years and is £18 to reflect that;
- Hotel including all meal allowances in London up £10 to £150;
- Hotel including all meal allowances outside London up £10 to £130;
- Interview candidates travelling to Barrow from more than 30 miles away incurring an overnight stay, increase from £56 to £75;
- Interview candidates meal allowances to be split by the HR Department and subject to the Officer daily maximum combined of £30, currently £20.72.

e) Cut off Period for Claims

Claims for travel and subsistence must be submitted within three months of the journey or costs being incurred. Members are asked to agree this policy for the following reasons:-

- verification – claims submitted for longer periods are difficult for managers to verify;
- cost – the Council wishes to be aware of the costs it has incurred in a timely and accurate manner, back-dated claims can be for significant amounts;
- processing – an even distribution of reimbursement claims is better for payroll resource management

It is also proposed that there is an initial three month amnesty for Officers and Members to bring their claims up to date.

f) Members

The provisions for Officers apply to Members; Members are casual users for mileage allowance.

g) Effective Date

These changes will take effect for journeys or costs incurred from 1st February 2018 onwards.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no implications.

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

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE	(R) Agenda Item 9
Date of Meeting: 18th October, 2017	
Reporting Officer: Director of Resources	
<p>Title: Minor Amendment to the Constitution</p> <p>Summary and Conclusions:</p> <p>This report requests a minor amendment of the Constitution of the Council for consistency.</p> <p>Recommendations:</p> <p>To recommend the Council to agree that the Constitution is amended for consistency.</p>	

Report

The Assistant Directors currently have delegations under The Anti-Social Behaviour, Crime and Policing Act 2014 on behalf of the Council. The Environmental Health Manager has a different delegation which must be mirrored onto the Assistant Directors delegations for consistency and to allow any future action to be undertaken.

Members are recommended to agree that the following is added to the current Assistant Director delegation in respect of The Anti-Social Behaviour, Crime and Policing Act 2014:

(v) Issuing community protection notices.

(i) Legal Implications

The recommendation will allow Assistant Directors to issue community protection notices should the Council undertake action in the future.

(ii) Risk Assessment

The recommendation will allow Assistant Directors to issue community protection notices within an agreed framework.

(iii) Financial Implications

There are no financial implications from amending the Assistant Directors delegation.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One
Date of Meeting: 18th October, 2017		(D) Agenda Item 10
Reporting Officer: Director of Resources		
<p>Title: Council Finances and Performance</p> <p>Summary and Conclusions:</p> <p>This report sets out the Council finances and performance for the period ended 30th June, 2017. The report includes the General Fund, Capital Programme, Treasury Management, Reserves and Balances and the Housing Revenue Account.</p> <p>Recommendations:</p> <p>To note the financial and non-financial performance information.</p>		

Report

A. General Fund Revenue Budget

The General Fund budget for 2017-2018 was set as £9,729,940, using £198,970 from the Medium Term Financial Support reserve to balance.

The budget has increased by £263,240 to £9,993,180 following the receipt of these grants:

- Coastal Community Fund £88,230; accountable body
- Flexible Homeless Support £80,540; replaces housing benefit funding of management element
- Business Rate Revaluation Support £62,200; relief scheme
- New Burdens £32,270; welfare reform services

These items are all planned to be spent during 2017-2018 and have matching expenditure budgets. The budget remains balanced using £224,940 from the Medium Term Financial Support reserve; increased for the Kennels.

The Statement of Accounts contains a new financial statement; this is the Expenditure and Funding Analysis. The objective of the analysis is to demonstrate how the funding available to the Council has been used in providing services in comparison with the resources consumed or earned in accordance with generally accepted accounting practices. The analysis also shows how this expenditure is allocated for decision making purposes between the Council's Divisions.

Expenditure and Funding Analysis – Original Budget

Table 1 presents the original budget as an Expenditure and Funding Analysis:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	3,089	(481)	3,570	-	3,570
Community services	3,746	362	3,384	(25)	3,409
Regeneration & built environment	772	(74)	846	(105)	951
Central services	2,120	(28)	2,148	-	2,148
Net cost of services	9,727	(221)	9,948	(130)	10,078
Other income and expenditure	(9,517)	-	(9,517)	(1,664)	(7,853)
(Surplus)/Deficit on provision of services	210	(221)	431	(1,794)	2,225
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					(1,567)
Pension deficit funding					373
Reserves within provision of service					(221)
Reserves outside provision of service					(810)
Total (balanced budget)					0

The items excluded in the accounting to funding basis are those that are not reported for resource management or decision making:

- Capital
 - Minimum Revenue Provision
 - Revenue or reserves for the capital programme
- Pension
 - Performance of pension assets and liabilities
 - Pension administration
- Other
 - Collection fund prior year adjustments

There are further items dealt with at year end that are not included in the revenue budget, so do not require exclusion during the year.

The use of reserves is split because some of the items excluded by the analysis are funded from reserves:

- Business Rate Retention Scheme prior year deficit £481,130
- Capital programme £130,100
- Budget balance £198,970

Expenditure and Funding Analysis – Current Budget

The current budget is presented in Table 2:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	3,376	(677)	4,053	-	4,053
Community services	3,764	24	3,740	(395)	4,135
Regeneration & built environment	740	(455)	1,195	(105)	1,300
Central services	2,110	(209)	2,319	-	2,319
Net cost of services	9,990	(1,317)	11,307	(500)	11,807
Other income and expenditure	(10,150)	-	(10,150)	(1,664)	(8,486)
(Surplus)/Deficit on provision of services	(160)	(1,317)	1,157	(2,164)	3,321
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					(1,567)
Pension deficit funding					373
Reserves within provision of service					(1,317)
Reserves outside provision of service					(810)
Total (balanced budget)					0

The changes in the budget are presented in Table 3:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	287	(196)	483	-	483
Community services	18	(338)	356	(370)	726
Regeneration & built environment	(32)	(381)	349	-	349
Central services	(10)	(181)	171	-	171
Net cost of services	263	(1,096)	1,359	(370)	1,729
Other income and expenditure	(633)	-	(633)	-	(633)
(Surplus)/Deficit on provision of services	(370)	(1,096)	726	(370)	1,096
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					-
Pension deficit funding					-
Reserves within provision of service					(1,096)
Reserves outside provision of service					-
Total (balanced budget)					0

The other income and expenditure line consists of a number of items:

- Total revenue financing
- Minimum Revenue Provision
- Performance of pension assets and liabilities
- Pension administration
- Treasury portfolio
- Parish precepts
- Capital grants

The change in their budget is the sum of the £263,240 grants that have increased the General Fund revenue budget plus:

- Coastal Community Fund £86,280; accountable body
- Big Lottery £283,500; accountable body

These are capital items and are planned to be spent during 2017-2018; they have matching expenditure budgets in Community Services.

Expenditure and Funding Analysis – Quarter 1 Actual

The actual net spend for quarter 1 (April – June 2017) is presented in Table 4:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	880	-	880	-	880
Community services	707	-	707	-	707
Regeneration & built environment	96	-	96	-	96
Central services	624	-	624	-	624
Net cost of services	2,307	0	2,307	0	2,307
Other income and expenditure	(1,000)	-	(1,000)	-	(1,000)
(Surplus)/Deficit on provision of services	1,307	0	1,307	0	1,307
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					-
Pension deficit funding					825
Reserves within provision of service					-
Reserves outside provision of service					-
Total					2,132

The profiled budget for quarter 1 is presented in Table 5:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	869	-	869	-	869
Community services	708	-	708	-	708
Regeneration & built environment	123	-	123	-	123
Central services	642	-	642	-	642
Net cost of services	2,342	0	2,342	0	2,342
Other income and expenditure	(1,000)	-	(1,000)	-	(1,000)
(Surplus)/Deficit on provision of services	1,342	0	1,342	0	1,342
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					-
Pension deficit funding					825
Reserves within provision of service					-
Reserves outside provision of service					-
Total					2,167

The variance between the profiled budget and the actual net spend is presented in Table 6:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	(11)	-	(11)	-	(11)
Community services	1	-	1	-	1
Regeneration & built environment	27	-	27	-	27
Central services	19	-	19	-	19
Net cost of services	36	0	36	0	36
Other income and expenditure	-	-	-	-	-
(Surplus)/Deficit on provision of services	36	0	36	0	36
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					-
Pension deficit funding					-
Reserves within provision of service					-
Reserves outside provision of service					-
Total					36

There are no significant variances from quarter 1 monitoring to report.

B. General Fund Reserves

The use of General Fund earmarked reserves for 2017-2018 has increased by £1,096,260 as shown in Section A, Table 3. These are expected and estimated transactions and not all are actual final figures at this time.

The reserves movement in the quarter, by division, is shown below with items of £10k and above shown separately. All of the reserves have been used in accordance with their specified purpose:

- Resources
 - Pension deficit (Greater Manchester Fund) £59k
 - Furness Economic Development Forum funding £50k
 - Contract inflation £49k
 - Ormsgill VLI grant £18k
 - Other items £20k
- Community services
 - Public buildings maintenance £110k
 - Playgrounds remediation £77k
 - Leisure outsourcing project £35k
 - Kennels (reinstating the full budget) £26k
 - Recycling/calendar mailing £19k
 - Contract inflation £12k
 - Staff Training £12k
 - Major equipment replacement £10k
 - Other items £37k
- Regeneration & built environment
 - Local Plan £115k
 - Property condition surveys £65k
 - Town Centre initiatives £41k
 - Public buildings maintenance £27k
 - Document scanning project £27k
 - Asset Management system upgrade £25k
 - Staff training £12k
 - Dalton Lane planning appeal £12k
 - Major equipment replacement £11k
 - Other items £46k
- Central services
 - Leisure outsourcing project £66k
 - Public buildings maintenance £43k
 - Major equipment replacement £13k
 - Other items £59k

The closing balance of reserves was adjusted during the audit of the 2016-2017 Statement of Accounts, with £300k moving from reserves and into capital grants unapplied. The resulting balances brought forward in Table 7 reflect that adjustment and present the current year end estimated position:

	Brought forward at 1/4/2017	Expected movements in 2017-2018	Estimated reserves at 31/3/2018
	£000	£000	£000
Medium Term Financial Plan support	1,535	(225)	1,310
Transformation reserve	733	(290)	443
Renewals reserve	1,832	(552)	1,280
Insurance reserve	91	(20)	71
Losses reserve	866	-	866
Budget contingency reserve	2,792	(559)	2,233
Other earmarked reserves	366	(94)	272
Earmarked revenue grants	810	(387)	423
Total	9,025	(2,127)	6,898

C. Commercial Properties

The commercial property rent income for 2017-2018 is budgeted to be £1.3m. During the period to 30th June, 2017, there have been minimal changes in tenancy and a net reduction of £12k is projected for the year so far.

D. Capital Programme

The Capital Programme was last reported on 1st February, 2017, as part of the budget setting process. The revised Capital Programme is attached at **Appendix 1** and is summarised in Table 8:

Investment	2017-2018	2018-2019	2019-2020
Public Housing	1,872,000	1,872,000	1,872,000
Private Housing	1,036,215	974,000	974,000
Housing Market Renewal	1,281,454	225,000	700,000
Public Buildings	562,770	955,500	150,000
Industrial & Commercial Properties	100,000	1,568,944	-
Other Public Assets	188,992	60,000	60,000
Community Initiatives	972,188	-	-
Retentions	10,000	10,000	10,000
Asset Investment Fund	291,319	150,000	150,000
Total Capital Programme	6,341,938	5,815,444	3,916,000
Financing			
Government Grants	2,498,792	974,000	974,000
HRA MRR	1,872,000	1,872,000	1,872,000
HRA Contributions	73,673	-	-
Earmarked Reserves	255,258	670,400	-
Private Contributions	50,000	-	-
Capital Receipts	1,592,215	2,299,044	1,070,000
Total Capital Programme	6,341,938	5,815,444	3,916,000

The major (over £10k) variations are as follows:

- Re-profiling
 - £837,705 re-profiled from 2016-2017 to 2017-2018
 - £69,000 re-profiled from 2017-2018 to 2018-2019
 - £400,000 re-profiled from 2017-2018 to 2019-2020
 - £50,000 re-profiled from 2018-2019 to 2019-2020
- Revised Funding
 - Disabled facilities grant revised allocation 2017-2018 from £974,000 to £1,063,215
 - Cavendish Park Lottery & WREN £617,000 funding 2017-2018
 - Leisure Centre £17,230 transferred to revenue 2017-2018 for pool works
 - Industrial & Commercial Property Fund 2018-2019 £1,418,944 transferred from balance of usable capital receipts and earmarked reserves
- New Capital Projects
 - Barrow Island Growth Zone £100,000 2017-2018 & £150,000 2018-2019 transferred from Industrial & Commercial Property Fund
 - IT Equipment and Development 2017-2018 new corporate storage system £54,213
 - Town Centre Public Realm 2017-2018 £43,250 transferred from Town Centre Shop Front Grants
- Capital Receipts
 - Projected capital receipts have been increased by £315,000 2017-2020

The Capital Programme contains no borrowing but does contain anticipated capital receipts. £0.3m of usable capital receipts remains to be identified during the life of the current Programme; projects will not be commissioned where funding is not secured. The Programme requires £4.3m of usable capital receipts and at the 1st April, 2017, the balance held was £1.7m with a programme of asset sales anticipated to generate £2.3m.

E. Treasury Management

The Council's existing borrowing of £39.5m is all fixed rate PWLB loans maturing over the mid to long term. The debt belongs to the General Fund £13.4m and the HRA £26.1m. One HRA loan for £1m matures during 2017-2018.

The total interest on the loans is £1.45m for the year with each loan having interest payments at six month intervals.

The limit for external debt for 2017-2018 is £54m and this has not been exceeded.

The interest receivable on matured temporary surplus cash deposits for the period ended 30th June, 2017, is £23k. As at 30th June, 2017, the Council's funds were placed with (Table 9):

Financial institution	Deposited	
Building Societies:		
Furness Building Society	£3m	
Monmouthshire Building Society	£3m	
National Counties Building Society	£3m	
Newcastle Building Society	£3m	
Progressive Building Society	£3m	
Cambridge Building Society	£1m	
West Bromwich Building Society	£1m	
Total of fixed term deposits		£17.00m
HSBC overnight deposit account		£2.66m
Total funds invested		£19.66m

F. Budget Strategy

The Budget Strategy proposals for 2017-2018 are included in the General Fund revenue budget. The current position for each of the areas identified proposals is presented in Table 10:

Savings area	Strategy target	Current saving
Major contract renewals <ul style="list-style-type: none"> Street cleansing contract awarded Revenues, Benefits and Customer Services saving for 2018-2019 Internal Audit service insourced 	£1.02m	£0.40m
Leisure <ul style="list-style-type: none"> Leisure Centre outsourcing saving for 2018-2019 The Forum review saving for 2018-2019 	£0.49m	-
Treasury <ul style="list-style-type: none"> Provision to repay debt rescheduled 2016-2017 	£0.26m	£0.31m
Burials and Cremations <ul style="list-style-type: none"> Charging policy implemented 1st April 2017 	£0.25m	£0.20m
Ring-fenced Properties <ul style="list-style-type: none"> Both properties brought into General Fund 2016-2017 	£0.15m	£0.03m
Dock Museum <ul style="list-style-type: none"> Recoverable charges implemented 2016-2017 Other efficiencies to follow 	£0.05m	£0.03m
Commercial Estate <ul style="list-style-type: none"> Additional rental income and associated reduction in NNDR 	£0.05m	-

Savings area	Strategy target	Current saving
Kennels <ul style="list-style-type: none"> Service provision under review 	£0.03m	-
Playgrounds <ul style="list-style-type: none"> Review of service delivery 2016-2017 Application of Playgrounds Policy 2017-2018 	£0.03m	Not yet available
Allotments <ul style="list-style-type: none"> Charging policy implemented 1st April 2017 Grounds maintenance and repair costs reviewed 	£0.03m	£0.01m
Barrow Park <ul style="list-style-type: none"> Boating service subsidy removed Use of the Pavilion and other efficiencies to follow 	£0.03m	£0.01m
Conveniences <ul style="list-style-type: none"> New arrangements in place for 2017-2018 	£0.01m	Not yet available
Total	£2.40m	£0.99m

Savings in some of the areas need to be maintained through 2017-2018 in order to be secure. The quarterly monitoring shall aim to identify the status of the savings as we proceed through the financial year.

G. General Fund Balance

The General Fund balance has been risk assessed as £2.3m and is projected to remain as £2.3m at the 1st April, 2018.

H. Housing Revenue Account

The Housing Revenue Account budget was set as a balanced budget for 2017-2018. There have been a small number of variations resulting in a surplus of £13k; this is a temporary surplus and may be required to fund additional costs during the remainder of the year. The surplus is not anticipated to increase the fund balance at this time.

The fund balance at 1st April, 2017, was £1.4m; the current minimum Housing Revenue Account fund balance is £1.2m.

I. Service Performance

The service performance indicators are set out in the following tables; the indicators have been split between those with monitored against annual targets and those which are reported as outputs, these are monitored but targets are not appropriate.

The quarter 1 performance against the indicators with targets are presented in Table 10:

2016-2017	Indicator	Target	2017-2018
15.2 days 15.5 days 5.2 days 3.7 days	Average time to process: <ul style="list-style-type: none"> • new housing benefit claims • new council tax support claims • changes to housing benefit claims • changes to council tax support claims 	14 days 14 days 6 days 6 days	10.5 days 10.6 days 3.5 days 4.2 days
90.5%	Percentage of local land charge searches completed in 5 working days	98%	96.3%
28.87% 32.32%	Percentage collected: <ul style="list-style-type: none"> • council tax • business rates 	96.8% 98.6%	29.8% 31.9%
86.6% 80.0%	Percentage of planning applications processed: <ul style="list-style-type: none"> • major applications in 13 weeks • other applications in 8 weeks 	60% 80%	60.0% 46.9%

The local land charge searches is below the target figure as during April the service experienced delays from Cumbria County Council in responding to search requests for Highways questions. The target for the year has been set at 98% rather than 100% in previous years due to the impact this has on service delivery; as far as possible the service minimises the impact from Highways delays to the customer.

The planning 'other' applications performance is being investigated.

The quarter 1 performance for the other outputs is presented in Table 11:

2016-2017	Indicator	2017-2018
66,927	Park Leisure Centre activity numbers	69,949
15,910	Dock Museum visitor numbers	16,826
14,433	The Forum ticket sales	13,337
£136,967	Income from pay and display ticket sales	£131,142
1.78 days	Average days of sickness per employee	2.9 days
9	Right to buy sales	6
32.96%	Average household recycling	31.29%
11	Disabled facilities grants awarded	13

Management Board and the Human Resources Department are reviewing the increase in the average days of sickness in order to determine any further mitigation that can be implemented.

The household recycling figure of 31.29% is the collection rate, the processed or non-contaminated recycling figure was 20.92%; 643 tonnes of material presented for recycling was contaminated and waste disposal costs are subsequently incurred. I am advised that performance has improved in later months, but there will be a budget impact on the General Fund which is currently being estimated.

(i) Legal Implications

The recommendation has no significant implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Equality and Diversity

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

(vi) Health and Wellbeing Implications

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

Background Papers

Nil

CAPITAL PROGRAMME 2017-2020

	2017-2018 £	2018-2019 £	2019-2020 £
Capitalised planned maintenance	1,872,000	1,872,000	1,872,000
Total Investment in public housing	1,872,000	1,872,000	1,872,000
Disabled facilities grants	1,063,215	974,000	974,000
Total Investment in private housing	1,063,215	974,000	974,000
Rawlinson Street Phase 1	13,412	-	-
Group Repair - Greengate Street	-	200,000	-
Rawlinson Street Phase 2	344,653	-	-
Rawlinson Street Phase 3	-	-	400,000
Barrow Island Environmental Improvements	923,389	25,000	-
Private Sector Housing	-	-	300,000
Investment in Housing Market Renewal	1,281,454	225,000	700,000
Total Investment in housing	4,216,669	3,071,000	3,546,000
Crematorium	90,000	805,500	-
Leisure Centre	322,770	-	-
Public Buildings Fund	150,000	150,000	150,000
Total Investment in Public Buildings	562,770	955,500	150,000
Barrow Island Growth Zone	100,000	150,000	-
Industrial & Commercial Property Fund	-	1,418,944	-
Total Industrial & Commercial Properties	100,000	1,568,944	-
Town Centre Shop Front Grants	12,069	-	-
Town Centre Public Realm	43,250	-	-
IT Equipment & Development	60,000	60,000	60,000
Housing Management System	73,673	-	-
Total Investment in other public assets	188,992	60,000	60,000
CCTV	35,000	-	-
Rural Regeneration - Coastal Protection	20,188	-	-
The Well	300,000	-	-
Cavendish Park	617,000	-	-
Total Investment in Community Initiatives	972,188	-	-
Retentions	10,000	10,000	10,000
Asset Investment Fund	291,319	150,000	150,000
Total	6,341,938	5,815,444	3,916,000
Funding of Capital Programme			
DCLG Grant	1,063,215	974,000	974,000
Cluster Empty Homes	548,389	-	-
Lottery Grant	567,000	-	-
DEFRA Environment Agency	20,188	-	-
Public Health England	300,000	-	-
Private Contributions	50,000	-	-
HRA MRR	1,872,000	1,872,000	1,872,000
Contributions from HRA	73,673	-	-
Cluster of Empty Homes Loan Repayments	337,650	25,000	300,000
Contributions from Earmarked Reserves	255,258	670,400	-
Usable Capital Receipts	1,254,565	2,274,044	770,000
Total	6,341,938	5,815,444	3,916,000

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 11
Date of Meeting:	18th October, 2017	
Reporting Officer:	Director of Resources	
<p>Title: Business Rates 100% Retention Pilot</p> <p>Summary and Conclusions:</p> <p>This report sets out the work carried out across Cumbria to determine the benefits and risks of participating in a Cumbria 100% business rate retention pilot pool.</p> <p>Recommendations:</p> <p>To delegate to the Leader of the Council, Executive Director and Director of Resources the final decision on whether to join the Cumbria 100% business rate pilot and the content of the bid.</p>		

Report

The Council is currently a member of the Cumbria Business Rates Pool. This enables the Council to retain additional business rate income which contributes to balancing the revenue budget. Each year the members of the Pool have to consider the risks and rewards of the Pool and consider whether the Pool should continue. The decision on membership of the pool is delegated to the Director of Resources. From the Pool commencement in April 2014 to the end of March 2017, the Council's gains from the Pool have been £259k with a further £63k held as a Pool volatility reserve.

From April 2020 the Government is intending to introduce 100% retention of business rates which will see the replacement of Revenue Support Grant, Rural Services Delivery Grant and other grants funded by the 50% of business rates currently paid to Government. Adjustments would be made to tariffs and top-ups to equalise nationally the amounts of business rates retained compared to need and ability to generate income from council tax. A number of authorities were piloting this new approach to funding from April 2018 and further pilot bids have been invited for the 2018-2019 financial year but on a different basis to the current pilots.

Cumbrian authorities have worked together to assess the feasibility and desirability of a pilot for Cumbria. Overall it is estimated that there would be additional income retained by Cumbrian authorities compared to the current arrangements but the actual amount will be dependent upon the level of business rate income for 2018-2019 and is therefore not certain. Initial

estimates suggest the additional income could be between £1.1m and £9m. A proposed methodology has been prepared which would ring-fence the income from the current arrangements and then distribute this additional gain from the pilot between a Cumbria investment fund (20%) and each authority based on their grants forgone. **Appendix 2** illustrates this distribution based on the higher estimate of £9m extra gain from the pilot; £187k for Barrow Borough Council.

There are a number of risks and opportunities around the pilot. The level of risks around a single-year pilot is much lower than the risks of the new arrangements continuing beyond April 2019. Particular risks are around the level and timing of refunds of rates arising from successful challenges to rateable values. Risks also arise from the resetting of the baselines expected in April 2020 when it is uncertain whether there would be future net increases or decreases in rates due. If the level of rates due were to fall below the new baselines to be set in April 2020 then there is much more risk to the income of individual authorities if in a pool. There are also risks around the sustainability of assumptions which have been adopted in order to get a pilot bid which could be acceptable to all parties by the tight deadline. Ideally many of the proposals would have had a longer period for careful consideration.

The key concerns are:

- The pilot extends beyond 2018-2019 – the structure of a long term 100% business rate pool may not be as beneficial as a single year.
- What may we be losing out on following the Fairer Funding review and move to 100% business rate retention in 2020.
- Weighing up the gains against the risks – monitoring requirements for a pilot will be greater than the current pooling arrangement.
- The operation of and access to the Cumbria investment fund – ideally a Full Council decision, but the bid timescale does not allow for that.
- Should the current Pool continue instead, that must be with the existing membership.

The Government plans for the continuation beyond 2018-2019 are also not certain. Any pilot bid has to be submitted by 27 October, 2017. Due to the timescales imposed by Government, Cumbria Officers are still working on the potential bid and its advantages and disadvantages. It is proposed that the final decision on the pilot is delegated to the Leader of the Council, Executive Director and Director of Resources.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

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

(iii) Financial Implications

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

(iv) Health and Safety Implications

The recommendation has no implications.

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

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

Cumbria County Council: Maximum projected gains from 100% BRR Pilot in 2018/19

	Baseline Funding (1) £'000	Plus own gains from 50% (2) £'000	Plus Pooling Gains (3) £'000	Plus Levy gains (4) £'000	Plus Pilot gains (5) £'000	Resources from 100% BRR £'000
Allerdale	4,437	778	449		224	5,888
Barrow	4,705	317	211		187	5,420
Carlisle	3,776	971	539		226	5,512
Copeland	2,838	197	0	108	149	3,293
Eden	2,159	513	284		173	3,129
South Lakeland	2,436	981	525		158	4,100
Cumbria CC	118,170	1,744	1,563	89	6,083	127,648
Growth Initiatives	-	-	-	-	1,800	1,800
Total	138,521	5,501	3,570	197	9,000	156,789

Notes

- (1) This is the Baseline Funding that each authority receives from business rates when it collects business rates in line with the Business Rates Baseline.
- (2) This is the business rates revenue above the current Business Rates Baseline that each authority would receive in 2018-19, under 50% BRR.
- (3) This is the share of gains each of the existing members of the Pool gains under 50% BRR which are 'ringfenced' under the proposed Pilot.
- (4) This is the share of the additional gains made through Copeland not having to pay a levy on growth against its current 50% share under the proposed Pilot. This will be 'ringfenced'.
- (5) This represents the additional gain. As distributed across each authority, of the growth from the 50% share of business rates passed from central government to Cumbria.

EXECUTIVE COMMITTEE		Part One
Date of Meeting: 18th October, 2017		(D) Agenda Item 12
Reporting Officer: Executive Director		
Title: Executive Director Performance Appraisal 2017/18		
Summary and Conclusions:		
In accordance with Council policy, the Council Leader and Deputy Leader have agreed objectives for the Executive Director during 2017/18.		
Recommendations:		
To note the Executive Directors objectives for 2017/18.		

Report

Performance Appraisal has been rolled out across the authority with all staff receiving an appraisal from their line manager. The Executive Director was appraised against the agreed objectives for 2016/17 which were reported to your Committee on 7th September 2016. It was agreed that performance against these objectives had been satisfactory.

During the meetings it was noted that the Council Plan had been completed and was due to be considered by this Committee as a consultation draft. It was agreed that the Executive Director be responsible for co-ordination and overall delivery of the priorities and objectives in the Council Plan, and that assessment of performance in 2017/18 and beyond should be against the objectives under:

- Priority 1 - Developing the local economy to secure a long term economic future for all our community
- Priority 2 – A strong and vibrant town centre
- Priority 3 – Closing the gap on health inequalities
- Priority 4 – Providing a greater choice of good quality housing and regenerating the oldest and poorest quality housing in the Borough
- Priority 5 – Providing efficient and effective services

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

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

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE	<u>Part One</u> (D/R) Agenda Item 13
Date of Meeting: 18th October, 2017	
Reporting Officer: Executive Director	
<p>Title: Dog Control and Borough Council Kennelling Service</p> <p>Summary and Conclusions:</p> <p>The report covers a number of issues relating to the control of stray dogs, operation of the Borough Kennels and extension of existing dog exclusion and control orders.</p> <p>Recommendations:</p> <p>a) To recommend the Council to agree that the Stray Dogs Enforcement Policy be adopted; and</p> <p>b) To undertake a full review of fees and charges for the Council kennelling service as part of the 2018/19 budget; and</p> <p>c) To agree that the duration of the following local orders:</p> <ol style="list-style-type: none"> 1. Dogs Exclusion from Various Play Areas 2. Dogs on Leads Order 2008 3. Dogs on Leads by Direction Order 2008 4. Dogs Exclusion Order 2008 <p>be extended under S60 of the Anti Social Behaviour, Crime and Policing Act 2014.</p>	

Report

This report covers several aspects of the services the Council provides in relation to dogs and the Borough Kennels.

The Budget Strategy 2016-2020 anticipated a saving of £30,000 pa during 2017/18 from the Borough Kennels budget. This was to be achieved by outsourcing the kennels service to either a local or national animal welfare charity or through a contracted service with a private provider. Although the private provider route cannot be fully ruled out at this stage, there has been very limited interest in either option, and the most likely outcome at this stage is that the kennels will be retained in house. This was reported to this Committee in June when the broad service delivery options were presented to members. Given the above the only viable option remains a zero based budget with the Council's services being provided to meet the minimum statutory requirements.

In this regard it is important the Council agrees its policy on stray dogs, and a draft policy is attached at **Appendix 3** for your consideration. This policy makes clear the purpose of the Borough Kennels is to fulfil our statutory obligations to provide an acceptance point for stray dogs. It also defines – in the absence of any statutory definition – what we consider to be a stray dog. The policy also makes clear that every effort will be made to rehome strays, but they will not be held for an indefinite period.

The policy covers how the Council will deal with strays, but also seeks to act as a deterrent to those owners who allow their dogs to stray. The policy, therefore, makes clear that the costs of kennelling fees and administrative fees will be recovered from all owners prior to their dog being returned to them. No exceptions will be made to this policy. A full review of fees and charges will be undertaken as part of the 2018/19 budget.

In order to meet the saving requirements agreed for the kennels service, significant changes to the opening hours of the kennels are under consideration and will be reported to the next meeting of the Executive Committee, following staff consultation.

Public Spaces Protection Orders Covering Dog Control

The Borough currently has four local Orders covering the exclusion and control of dogs in various areas of the Borough as follows:

1. Dogs Exclusion from Various Play Areas
2. Dogs on Leads Order 2008
3. Dogs on Leads by Direction Order 2008
4. Dogs Exclusion Order 2008

Under the terms of the Anti Social Behaviour, Crime and Policing Act 2014 these Orders will expire unless they are extended under S60 of the same Act by 20th October 2017. In my opinion the likelihood of anti social behaviour occurring if these Orders lapsed is significant, and the above Orders should be extended for the maximum period of three years allowed under S60 of the Act.

(i) Legal Implications

The policy recommended to Council clarify the Council's legal obligations under current legislation.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The financial implications of the recommendations and revised arrangements for the kennels will be reported to future meetings.

(iv) Health and Safety Implications

The recommendation has no implications.

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

(v) Equality and Diversity

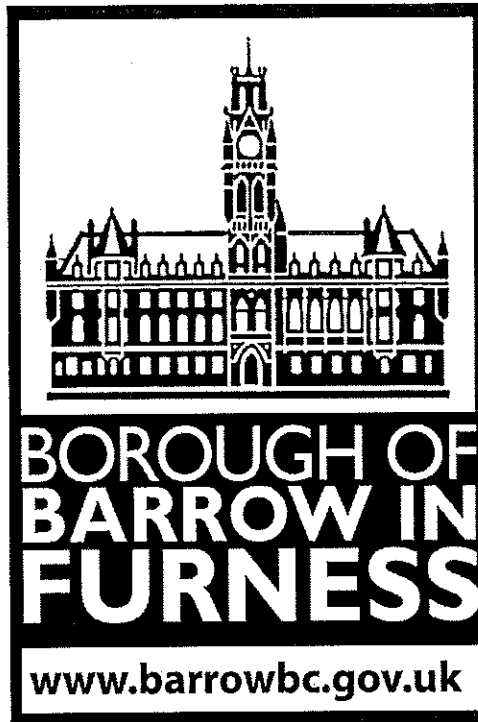
The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

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

Background Papers

Nil



STRAY DOG ENFORCEMENT POLICY

Version Control:	
Document Name:	Stray Dog Enforcement Policy
Version:	27092017
Author:	Executive Director
Approved by:	Full Council
Date Approved:	January 2018
Review Date:	January 2021

STRAY DOG ENFORCEMENT POLICY

1. Introduction

- 1.1 This policy sets out the services the Borough Council will provide in relation to stray dogs. As with all its enforcement responsibilities, the Council will undertake enforcement duties in a reasonable, equitable and proportionate manner. The Assistant Director of Community Services has been delegated to discharge the Council's obligations under S149 of the Environmental Protection Act. In addition, the Council will authorise officers to carry out enforcement duties in relation to stray dogs.

2. The Legal Background

- 2.1 Under S149 of the Environmental Protection Act 1990 the Council has a statutory duty to appoint an officer responsible for dealing with stray dogs in their area. Where the duly appointed officer has reason to believe a dog is a stray he shall seize the dog and remove it to the Borough Kennels.
- 2.2 In April 2008 the Clean Neighbourhoods and Environment Act 2005 introduced additional duties for local authorities to provide an acceptance point for stray dogs outside normal office hours. Any stray found outside the Council's published opening hours has to be taken to our kennels by the finder.
- 2.3 The Council has a legal obligation to keep and maintain a public register of all stray dogs. This must include the time, date and place of seizure, details about the dog including any details on the tag or collar and the outcome following seizure. The register has to be available for public inspection.
- 2.4 Under the Microchipping of Dogs (England) Regulation 2015 it is compulsory for all dogs in England over 8 weeks old to be microchipped and for the owners details to be recorded on an approved database. If a dog comes into the Council's possession and is not microchipped or the owner's records are out of date, the keeper will be served with a notice giving them 21 days to comply.

3. Stray Dogs

- 3.1 There is no formal definition of a stray dog in the relevant legislation. For the purposes of this policy a stray dog is defined as 'A dog roaming unattended in a public place'. Stray dogs meeting this definition will be seized and if necessary be taken to the Borough Kennels at the following address:

North Scale, Walney, Barrow-In-Furness, LA14 3RW

3. Stray Dogs (continued)

- 3.2 The purpose of the Borough Council maintaining a kennels service is solely to discharge its legal obligations for stray dogs set out in preceding paragraphs. Dogs not meeting the definition of stray dogs set out above will not be accepted at the Borough Kennels.
- 3.3 Members of the public who find a stray dog have a legal duty to either return it to the owner or contact the Borough Council to report it.
- 3.4 On the first occasion a dog is seized as a stray the Council will attempt to contact the owner if they can be identified to allow collection of the animal. Where the dog does not have owner's identification all reasonable attempts to return dogs will be made. It is the responsibility of the owner to collect their dog from the Borough Kennels within their published opening hours.
- 3.5 Seized dogs will only be released to their owners when all costs incurred in kennelling the animal are paid in full. The owner will only be allowed to reclaim the dog if proof of ownership can be provided.
- 3.6 Charges for kennelling and other costs are published on the Council's website.
- 3.7 Dogs seized by the Council that need veterinary treatment will be taken to a vet at the earliest opportunity. Any costs incurred in doing so will be recharged to the owner.
- 3.8 All dogs which are returned to their owners and are not microchipped will be offered a free microchip.
- 3.9 All kenneled dogs unclaimed after 7 days automatically become the property of the Council. Once ownership is transferred in this way the former owner has no legal claim for the return of the animal.
- 3.10 Every effort will be made to find new homes for stray dogs unclaimed after the statutory seven day period. This is done in association with local animal welfare charities. Only in very exceptional circumstances will the Borough continue to kennel dogs after 3 months from the date of the dog coming into the Borough's ownership.

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 14
Date of Meeting: 18th October, 2017		
Reporting Officer: Corporate Support Manager		
<p>Title: Risk Management Policy</p> <p>Summary and Conclusions:</p> <p>The Council's Risk Management Policy has been reviewed and updated. The policy sets out the Council's approach to risk management and the assessment process adopted.</p> <p>Recommendations:</p> <p>To approve the Risk Management Policy.</p>		

Report

The Council's Risk Management Policy is attached at **Appendix 4**. The document sets out the purpose of the policy and explains the Council's approach in identifying and then assessing risks and mitigating actions.

The key considerations when identifying and assessing risks are:

- What is the worst that could happen?
- What is the likelihood of it happening?
- What would be the impact if it did?
- What can we do about it?

The policy sets out the matrix used by Management Board in initially assessing the risk score in terms of impact and likelihood, and also the subsequent re-score once mitigating factors are taken into consideration.

Mitigating factors lead onto the management of risk and there are four possible scenarios:

- Tolerate the risk
- Treat the risk
- Terminate the risk
- Transfer the risk to a third party

The possible mitigations will depend on the particular risk being assessed and will identify which of the four scenarios the risk falls into. If the result does not

fit within the Council's risk appetite (not tolerable, not treatable, can't be terminated or transferred) then alternative actions will need to be identified.

The policy determines that an initial risk score of 15 will be the threshold for mitigating actions to be identified.

The Council has a Corporate Risk Register and an Operational Risk Register. These are published on the Council website and are periodically reviewed.

(i) Legal Implications

This recommendation has no legal implications.

(ii) Financial Implications

This recommendation has no implications.

(iii) Health and Safety Implications

The recommendation does not have any significant risks.

(iv) Risk Assessment

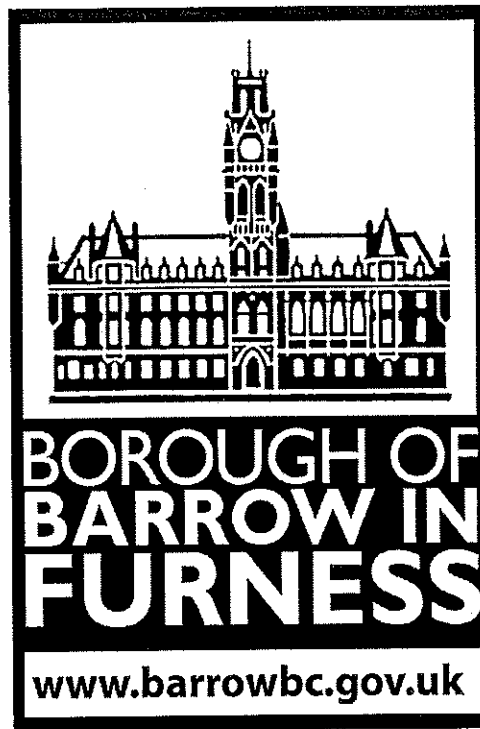
The recommendation updates the Council's Risk Management Policy to reflect the best practice.

(v) Equal Opportunities

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

Background Papers

Nil



Risk Management Policy

Version Control:	
Document Name:	Risk Management Policy
Version:	Version 3
Responsible Officer:	Corporate Support Assistant
Approved by:	
Date Approved:	
Review Date:	September 2020

Risk Management Policy

Introduction and purpose

This policy defines Barrow Borough Council's approach to risk management.

Barrow Borough Council has adopted a balanced approach to risk management. The Council recognise that good risk management will support and improve the decision making process, increasing the likelihood of objectives being achieved and enabling the Council to quickly respond to new threats and opportunities.

Risk management is about understanding the opportunities and risks that could help or prevent us in trying to deliver our intended outcome.

Understanding and managing our threats or risks comes down to four questions:

- What's the worst that could happen to us?
- What's the likelihood of it happening?
- What would be the impact if it did?
- What can we do about it (i.e. how can we prevent it from happening or what can we put in place to manage it if it should?)

Robust risk management will also help us to explore and take up opportunities as they are identified.

Good risk management does not mean that we are to take greater risks, nor that we avoid taking risks. Rather, strong risk management gives us a better understanding of the risks and opportunities that we face and how we can best manage them.

The real value of strong risk management lies in the benefits it will deliver. These benefits will be varied in their nature and extent, some might be more significant than others, but they will all be important to the Council's reputation and ability to deliver an improved public service.

Some of the benefits we can expect to realise include:

- Supporting and improving the decision making process;
- Improved public confidence in our ability to deliver services (our reputation);
- Early warning of problems;
- Prioritisation of resources;
- Improved business planning by focusing on the outcome not the process.

Barrow Borough Council's approach

The Council's approach to risk management is to support the main requirement of good corporate governance:

Strong Leadership:

- Elected Members and Senior Managers will support and promote strong risk management throughout the Council.

The Elected Members:

- The Executive Committee approve the Risk Management Policy Statement and subsequent revisions. They consider the Risk Management implications when making decisions. Also they agree to the Council's appropriate responses to its highest risks.
- The Leader of the Council will be responsible for the overview of the Council's Risk Management activities.
- Audit Committee review the Council's Risk Register.

Senior Managers:

- Ensure that there is a robust framework in place to identify, monitor and manage the Council's operational risks and opportunities. Also make sure that there is a management and quarterly review of the corporate risk register, along with demonstrating a commitment to the embedding of risk management across the Council.

Consistent:

- There will be a robust structure and a consistent approach to risk management throughout the Council. We will use a risk management framework to equip our staff so they can manage risks appropriately.

Open and Transparent:

- Our approach to managing risks will be open and clear. The Council will promote a learning culture and blame will not be placed if decisions that have been made turn out to be wrong. Staff and Members have access to information on our current risks and opportunities and how we are managing them. Corporate and operational risks will be recorded in the Council's Risk Register, which is published on the Barrow Borough Council's website.

Accountable:

- There will be clear accountability for our risks across the organisation. Our risks will be open to regular Audit Committee inspection and also monitored by external agencies.
- Appropriate risk-taking and innovation will be encouraged and promoted through a 'no blame' culture.

The approach to effective risk management will be based on identifying the risk, assessing the risk and managing the risk.

Identifying the risk:

- The manager will use their experiences of their work area to identify threats.

Assessing the risk:

- Management Board will assess the risk using a standard risk matrix.

Impact/ Likelihood	1: Insignificant	2: Minor	3: Moderate	4: Significant	5: Major
1: Almost never					
2: Unlikely					
3: Uncertain					
4: Likely					
5: Almost always					

Managing the risk:

We will deal with significant risks in one of the four ways described below:

1: Tolerate the risk: As an organisation we should accept that sometimes it is appropriate to continue with activities even though we know that it involves taking a risk. For a risk where the benefits significantly outweigh the disadvantage, we should consider that to be when acceptable when:

- We can put controls in place to mitigate the risk.
- The risk cannot be mitigated cost effectively.

When identifying controls remember to establish the cost of the controls before implementing them.

2: Treat the risk: This involves reducing the risk to an acceptable level either by containment actions or contingent actions.

Mitigating actions involve actions that can reduce the likelihood of occurrence or reduce the impact if it does occur. These are applied before the risk emerges.

Contingent actions involve having an action plan of what we can do to minimise the impact if the risk occurs. These are applied after the risk has appeared.

Contingent actions involve having an action plan of what we can do to minimise the impact if the risk occurs. These are applied after the risk has appeared.

3: Terminate the risk: This involves doing things differently and thus removing the risk. This option is more applicable to operational risks but is limiting in terms of strategic risks.

4. Transfer the risk to a third party: Examples of this include insurance or paying contractors to undertake some of the Council's functions. This is a good way of mitigating financial risk and buying in expertise from other organisations.

When managing and controlling our risks, our actions should be proportionate – the cost and time of our efforts should be in balance with the potential impact of the risk.

Management Board will identify mitigating actions to reduce the likelihood and/ or impact. It is also agreed for Management Board to have annual meeting in June for risk management alone.

Once a threat has been identified, the likelihood and impact of the threat is assessed and a risk score is established. The Council has identified a risk score of 15 above which it will take specific action to lower the likelihood and/ or impact to a residual risk score that the Council deems to be acceptable.

Where possible a timescale will be agreed for the implementation of the mitigating actions and bring the risk score down to an acceptable level.

An example of how this works is shown below.

Recording the risk: This is identified in the Council's risk register:

Threat description and reference	Likelihood Impact Score			Potential impact	Mitigating actions	Responsible Officer	Likelihood Impact Score		
	Likelihood	Impact	Score				Likelihood	Impact	Score
Corporate 1 2017/1 Legislative changes will impact on the Housing Revenue Account Income.	5	5	25	Imposed 1% rent reduction year on year for 3 years. (est total loss in budget of c10% over the 3 years) - welfare reform changes, in particular the continued impact of the bedroom tax, and the implementation of universal credit. There has also been a significant increase in the number of "Right to Buy" applications which are generally for larger properties and is impacting on the our ability to	The Housing Service has drafted its next Business Plan which will agree The Service will deal with The threats to income over The next three years in particular. The Housing Service has and is implementing a range of initiatives within its operational arrangements to deal with welfare reform. This ranges from The change in focus of Housing officers and up-skilling to engagement with potential residents with emphasis on ensuring they have budget plans in place from The start of their new tenancy. Equal priority is also afforded to existing	Assistant Director - Housing	5	4	20

The Risk Register is a record of the Council's risks and is periodically reviewed and published to monitor the progress made in reducing the scores of individual risks. It also contains the risk owners and mitigating actions they have put in place.

Delivery of the annual objectives

The Council will use a similar approach for managing the risks that may affect delivery of the Council's objectives with appropriate managers. If there is a high risk of an objective not being achieved Management Board will determine whether an action plan is required to mitigate the risk.

Staff Responsibility

Responsible Officer

- Have a responsibility for the development and implementation of action plans

All Staff

- Be aware of the risks and control mechanisms within their area of work
- Report any new risks to their Line Manager

Corporate Support Manager

- Develop and maintain the Risk Register

- Monitor the implementation of action plans
- Prepare reports for senior managers and Members
- Arrange training in risk management for Councillors and Officers.

Training

- The Council provide appropriate risk management training for staff involved in risk management and elected members as required.

Risk Policy Publication

- The Corporate Support Assistant will ensure that the latest version of the Risk Management Policy is published.

EXECUTIVE COMMITTEE	(D) Agenda Item 15
Date of Meeting: 18th October, 2017	
Reporting Officer: Executive Director	
<p>Title: Public Spaces Protection Orders</p> <p>Summary and Conclusions:</p> <p>Recommendations:</p> <p>I recommend that the duration of the Designated Public Places Orders covering the following areas:-</p> <ol style="list-style-type: none"> 1. Barrow Public Park 2. Green Heart Den 3. Barrow Town Centre 4. Vickerstown, Walney Island 5. Four Groves 6. Dalton Leisure Centre 7. Ormsgill Community Centre 8. Dalton Town Centre 9. Vulcan Road Estate <p>are extended under S60 of the Anti-Social Behaviour Crime and Policing Act, 2014.</p>	

Report

In October, 2017 the Borough Council Designated Public Place Orders that cover various parts of the Borough are due to expire. These orders will be replaced by Public Spaces Protection Orders (PSPO's) granted under Section 60 of the Anti-Social Behaviour Crime and Policing Act, 2014.

There are currently 9 designated public places in Barrow Borough to control consumption of alcohol as follows:-

1. Barrow Public Park
2. Green Heart Den
3. Barrow Town Centre
4. Vickerstown, Walney Island
5. Four Groves
6. Dalton Leisure Centre
7. Ormsgill Community Centre
8. Dalton Town Centre
9. Vulcan Road Estate

District Councils are responsible for making a PSPO, but police officers and police community support officers can also play a role in enforcing the orders. The above orders provide the police and others within a designated area to tackle drinking of alcohol where there is associated anti-social behaviour having a detrimental effect on the quality of life of those in the locality.

S60 of the Anti-Social Behaviour Crime and Policing Act, 2014 allows for current orders to be extended for three years and I recommend this is undertaken. I am satisfied the risk of anti-social behaviour in the absence of the DPPO's listed above is significant.

(i) Legal Implications

The recommendation clarifies the Council's position under the current legislation.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

There are no financial implications from the recommendations.

(iv) Health and Safety Implications

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

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil