

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 7th February, 2018
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

A G E N D A

PART ONE

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

3. **Admission of Public and Press**

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

4. **Declarations of Interest**

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

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

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

5. To confirm the Minutes of the meeting held on 29th November and the special meeting held on 18th December, 2017 (Pages 1-28).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D/R) 7. Recommendations of the Housing Management Forum, 18th January, 2018 (Pages 29-34).
- (R) 8. Council Finances and Performance (Pages 35-41).

- (D) 9. Grant Certification Audit (Pages 42-43).
- (R) 10. Budget Proposals (Pages 44-58).
- (R) 11. HR Policies / References Policy (Pages 59-60).
- (R) 12. Revision to the Development Service Manager (Planning) Delegation (Pages 61-65).
- (R) 13. Review and Appointment of Hackney Carriage Stands in the Borough – Licensing Regulatory Committee (Pages 66-75).
- (D) 14. Review of Purposes and Use of The Forum (Pages 76-77).

PART TWO

- (R) 15. Establishment Matters.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 1 & 2 OF PART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

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Published: 30th January, 2018.

EXECUTIVE COMMITTEE

Meeting: Wednesday 29th November, 2017
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Biggins, Brook, Hamilton, R. McClure, W. McClure, Maddox, Pemberton and Williams.

Also Present:- Phil Huck (Executive Director), Susan Roberts (Director of Resources), Colin Garnett (Assistant Director – Housing) (Items 1 to 7 only), Sharron Rushton (Democratic Services Officer) and Sandra Kemsley (Democratic Services Officer).

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

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 & 2 (Minute No. 82) of Part One of Schedule 12A of the said Act.

71 – Minutes

The Minutes of the meeting held on 18th October, 2017 were agreed as a correct record.

72 – Apologies for Absence

Apologies for absence were received from Councillors Cassells and D. Roberts.

Councillor W. McClure had substituted for Councillor D. Roberts for this meeting only.

73 – Housing Management Forum: Recommendations

The recommendations of the Housing Management Forum held on 2nd November, 2017 were submitted for consideration.

N.B. The Minutes are reproduced as **Appendix 1** to the Minutes of this meeting.

RESOLVED:- That the recommendations of the Housing Management Forum be agreed as follows:-

Housing Revenue Account Finances

1. To agree the reductions proposed in the Assistant Director - Housings report;
2. To note the expenditure identified which would be considered by the Executive Committee; and

3. To acknowledge the ongoing threats to the HRA and the continued approach of the HSRWG to develop a medium term Financial Plan.

Rent Collection Arrangements

1. To agree to the Council moving to a 52/53 week collection arrangement from the start of the next financial year subject to consultation with Tenants; and
2. To agree the Council investigate further the options and benefits for introducing rent payment in advance at the start of a new Tenancy.

United Utilities Contract for the Collection of Water Charges

To agree to extend the contract for the Collection of Water Charges for a further year.

Radon Gas

1. To acknowledge the progress made to date with regard to checking radon gas levels within the housing stock;
2. To agree that Officers may proceed with the monitoring of medium to high risk properties in line with the process outlined in this report; and
3. To agree to the additional cost required (£8347.50) to conclude the monitoring process.

74 – Leisure Tender Evaluation Panel

The Committee was reminded that in accordance with Contract Standing Orders, when the Council was selecting and tendering with contractors, evaluations were performed against the criteria set out for each contract. That was usually a number of Officers evaluating and scoring independently and then an aggregate result was produced.

The Council had retained specialist leisure consultants for the Leisure Contract that was currently in the tendering process. As part of the service procured, the Council had accessed the 'tools' that the consultants provided; these had included an affordability assessment, template documentation, facilitating the Market Interest Day and evaluation methods among others.

For the Leisure Contract the approach to evaluating the tenders, and the selection stage, varied from normal practice as the submissions were independently reviewed but only scored as a group when the Evaluation Panel was convened. That did not breach Contract Standing Orders but was brought to Committee as a one-off variation from normal practice. Management were satisfied that the approach had allowed for all panellists to air their views and discuss any aspects of submissions before ultimately setting the score as a group, or deciding upon any pass/fail status. That was a significant contract for the Council and robust evaluations were a vital component in the process.

Members noted that the selection stage had now been completed and the Evaluation Panel approach was used.

RESOLVED:- To endorse and agree the use of an Evaluation Panel for the actual scoring of the Leisure Contract tendering process.

75 – Annual Audit Letter

The Director of Resources informed the Committee that the Annual Audit Letter for the year ended 31st March, 2017, had been produced by the External Auditors. In summary, the Council had obtained an unqualified financial statements opinion and in terms of value for money, the Council had put in place proper arrangements to ensure economy, efficiency and effectiveness in its use of resources during the year ended 31st March, 2017.

RESOLVED:- To note the External Auditors report.

76 – Budget Timetable and Assumptions

The Director of Resources' report set out the 2018-2019 budget timetable and assumptions.

RESOLVED:- To note the 2018-2019 budget timetable and assumptions.

77 – Universal Credit Full Service

The Director of Resources informed the Committee that Universal Credit was a single monthly payment for people in and out of work. It was determined and administered by the DWP.

Universal Credit had replaced six legacy benefits: income based job seekers allowance; income related employment and support allowance; income support; working tax credit; child tax credit and housing benefit (currently administered by the Council).

Council tax support had not been included in Universal Credit and must be claimed separately direct from the Council; forms would be supplied to the local Job Centre Plus.

Universal Credit payments were made direct to claimants as part of the Government's drive to make people more responsible for their own money, however direct payment of housing costs for vulnerable customers could be negotiated between the DWP and the landlord.

The Live Service had commenced in December 2014 and the impact on the housing benefit caseload had not been significant. The Full Service would commence in April 2018 and would cover a broad range of claimants. The claimants not affected by the change were those of pension age, those in supported accommodation and self-employed; their migration would be in later years.

Across Cumbria, Allerdale and Copeland Councils were already Full Service; Carlisle and Eden Councils would commence Full Service in May 2018 and South Lakeland in June 2018. All postcodes assigned to the Barrow Job Centre Plus would be part of the Barrow Full Service from April 2018.

After the transition from Live to Full Service, the DWP would begin moving all remaining existing benefit claimants to the Full Universal Credit Service in 2019; which was likely to be a multi-year transition.

During the Live Service phase, the Council had a partnership/grant agreement with the DWP to provide support to the UC service centres, to perform some manual processes that were previously automated, to provide personal budgeting support and to provide assisted digital support. Whilst the work from the service centres had increased and the manual processes continued, the number of customers accessing personal budgeting and assisted digital support had been low.

The agreement with the DWP was direct with the Council and the Council had, under the Live Service, contracted the service centre and manual processes to the benefits contractor. The personal budgeting and assisted digital support had been contracted to Barrow Citizens Advice Bureau.

Under Full Service it was expected that the number of customers would significantly increase. The Council did not have existing arrangements with any other organisations that were able to provide personal budgeting and assisted digital support.

The Council was currently liaising with the DWP and Barrow Citizens Advice Bureau regarding extending the service provision, but if the grant level was inadequate or if demand would outpace the facilities and services that Barrow CAB could not provide, the Council may have to decline the request to provide these services for the DWP; the two services would be considered separately.

The Council was also expected to continue holding an annual landlord forum and while in the short/medium term that could include a housing benefits update, it was hoped that the DWP would attend for Universal Credit updates.

RESOLVED:-

1. To note the update on the roll out of Universal Credit Full Service; and
2. To agree that if the provision of personal budgeting and assisted digital support could not be contracted out, then the Council was unable to provide these services for the DWP.

78 – Local Plan Update

The Committee was reminded that in 2017, the Council had commissioned Arc4 to update their assessment of housing need in the Borough. Their findings had been included in the Strategic Housing Market Assessment (SHMA) Addendum 2017 which had identified a need for 133 dwellings each year over the 2014-2031 plan period.

A number of issues had arisen since then which had required a re-assessment of housing need:

1. The Inspectors decision at the Dalton Lane/Breast Mill Beck Road Inquiry (application no B07/2015/0707) which raised concern about the methodology used for identifying need in the SHMA.
2. The production of more recent population estimates which had showed continued population decline occurred in 2016, however less of a decline than predicted under the 2014 population projections.
3. The production of more recent, post-Brexit, employment projections.
4. The consultation on the Government's standard methodology for identifying housing need which, based on past demographic trends and affordability only, suggested that there was a need for no additional housing in the Borough. Council Officers had responded to the consultation and had objected to the proposed methodology.

In light of the above, Edge Analytics had assessed housing need over a revised Plan period of 2016 to 2031. The methodology used had been based on current government guidance rather than the proposed standard housing methodology.

In their analysis, Edge had considered a number of different scenarios which had resulted in a range of housing need between -75 and 119 dwellings per year.

Six of the scenarios were demographic scenarios. These estimate continued decline in the Borough's population over the plan period driven by the combined impact of annual net out-migration flow and an ageing population. These scenarios were considered to be unrealistic as they did not take into account housing need which arose from employment growth. They were also not aspirational as annual housing delivery had exceeded these figures consistently since 2003.

Two of the scenarios were employment-led and estimate population growth over the plan period. The first had been based upon employment projections produced by Cumbria Observatory taking into account growth at BAE Systems. That estimated population growth over the plan period of 0.2%. The second scenario, which had resulted in the highest need figure, estimates that the number of jobs would be the same at the end of the plan period than at the start which resulted in population growth of 3.6%.

Taking into account past delivery trends, past employment trends, future aspirations and the assumptions behind each of the scenarios the highest of the need figures was the most realistic. A requirement for 119 dwellings per year over the plan period 2016-2031 should be taken forward as the Council's housing requirement through the Local Plan. The Plan would be amended to reflect the updated evidence, however no amendments to site allocations would be required.

The Executive Director also reported that two modifications were required to the Local Plan Proposals Map as a result of consultation on the Pre-Submission Draft.

The first modification was Policy EC7 - Energy Uses Opportunity Area.

The boundary of the Energy Uses Opportunity Area had been amended to include the decommissioned South Morecambe Bay Gas Terminal and the now closed Roosecote Power Station, in order to acknowledge the potential of the sites for future exploration, production, generation and transmission of energy and related activities.

The second modification was Policy GI4 - Green Spaces.

An additional area of open land had been designated as a green space at Walker Street/James Street, Askam in Furness, as consultation with the local community had identified the value of the open greenspace to the local residents.

He also commented that it would be necessary to undertake a final six week consultation on these amendments prior to the Plan being submitted to the Secretary of State. Upon agreement, the Submission Draft Local Plan would be available for consultation for a minimum six week period during December 2017/January 2018. During that time comments would be invited from statutory bodies, organisations, individuals, groups, developers/landowners and other interested parties on the modifications made since the Pre-Submission Draft consultation in summer 2017.

In line with the resolution at this Committee in May 2017 a number of minor editorial and technical amendments had been made to the Plan which would be prepared in a schedule and made publicly available during the public consultation.

The Draft Local Plan would then be submitted to the Secretary of State for independent examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, an Inspector would be appointed and a public examination would be held, it was hoped that the Plan would be examined in Spring 2018 and then adopted.

RESOLVED:-

1. To agree that the Draft Local Plan be amended to reflect the updated Objectively Assessed Need figure and modifications to the Proposals Map and public consultation be undertaken in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
2. To agree that following consultation to proceed with submitting the Draft Local Plan to the Secretary of State for independent examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, to request that an Inspector be appointed to examine the Draft Plan, and to agree any minor amendments as necessary to make the Plan sound.

79 – UK Share Prosperity Fund

The Executive Director informed the Committee that the Council was a member of Industrial Communities Alliance which had supported economic, social and environmental renewal of Britain's older industrial areas. It had been formed in 2007 and represented the interests of 60 local authorities.

The Alliance had recently published a report on Regional Policy post-Brexit, which had noted that for over 30 years the European Union, primarily through the European Regional Development Fund and The European Social Fund had supported regional development across the UK. Within Cumbria the current round of structural funds would offer €91m between 2014-2020 to support regional development.

The Alliance were lobbying for an adequate allocation of funds to the Government's UK Shared Property Fund and for targeting on areas where need was greatest. They had proposed a motion which they were asking all member local authorities to consider.

RESOLVED:- To agree that the motion be included on the Council Summons at the next meeting on Tuesday 23rd January, 2018.

80 – The 2018 Boundary Review – Revised Proposals for new Parliamentary Constituency Boundaries

The Electoral Registration Officer's report informed the Committee that the Boundary Commission for England were consulting on revised proposals for a period of eight weeks from 17th October to 11th December 2017.

In Cumbria the Boundary Commission for England had proposed five constituencies contained entirely within the county, making one change to their initial proposals, affecting the Barrow and Furness, and Workington and Whitehaven constituencies, the latter of which were recommending an alternative name.

The Commission had proposed that the existing Barrow and Furness constituency, which needed to gain electors in order to be within the permitted range, should extend northwards rather than eastwards, due to poor transport links across Cartmel Sands.

An issue with the initial proposals did arise on whether Bootle ward on the west coast, which had been suggested should be included in the Barrow and Furness constituency, might more appropriately be included in the Workington and Whitehaven constituency.

The Assistant Commissioners had carefully considered the evidence that had been received, and had been persuaded by the arguments put forward by residents of the Bootle ward that it did indeed look north for its services and community links. They recommended that the initial proposals for Cumbria should be amended to accommodate the transfer of the Bootle ward from the Barrow and Furness constituency into the Workington and Whitehaven constituency.

A copy of the proposal was considered by the Committee.

The Committee were reminded that at its meeting on 18th October 2016 it had considered initial proposals of new Parliamentary Constituency Boundaries. The Committee had agreed at that meeting that no comments on the initial proposals be made by the Committee and be left to each Political Party if they so wished.

RESOLVED:- To agree that no comments on the revised proposal be made by the Executive Committee and that it be left to each Political Party if they so wished.

81 – Land in Church Street, Barrow-in-Furness

The Committee was informed that the Council owned two small areas of land in Church Street, adjacent the Kings Arms Public House.

The land was currently unused and unmaintained and was surplus to operational requirements.

The Commercial Estate Manager had been approached by Amber Taverns, the owners of the Kings Arms Public House, who sought to purchase the land and incorporate it into their holding. They required the land simply to improve its appearance and perhaps extend their 'garden area' to the rear of the property.

Amber Taverns had offered £11,500 for the freehold and the asset had been valued on the Councils Asset Register at £10,000.

RESOLVED:- To authorise the Assistant Director of Regeneration and the Built Environment to proceed with the sale of land in Church Street, Barrow-in-Furness on the terms reported.

82 – Kennels Opening Hours

The Committee were reminded that following agreement of the stray dogs policy and within the context of savings required to meet the 2016/2020 Budget Strategy, reduced opening hours for the Borough Kennels were proposed. The new operating arrangement would commence on 1st April, 2018 and one post was affected by a reduction in working hours.

RESOLVED:-

1. To agree that the reduced operating hours for the Borough Kennels be agreed effective from 1st April, 2018;
2. To agree that Post No. KEN 003 had its contracted hours reduced to 20 hours per week; and
3. To agree that Post No. KEN 001 had its contracted hours reduced to 12.5 per week.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

83 – Revenues and Benefits and Customer Services

The Committee considered a detailed report of the Director of Resources which set out the considerations and conclusions regarding the Council's Revenues, Benefits and Customer Services that were contracted-out until 30th September, 2018. Officers sought Members' instructions and had made recommendations for some aspects of the services concerned.

RECOMMENDED:- To recommend the Council:-

1. To agree that the telephony licences and support be competitively procured from the market;
2. To agree that Customer Services was insourced;
3. To agree that Customer Services across the Council were reviewed as part of a service re-design project;
4. To agree that the Revenues and Benefits services were considered as a single service division;
5. To agree that continued outsourcing and insourcing were the service delivery models considered for Revenues and Benefits; and
6. To agree to insource the Revenues and Benefits service division.

84 – Consultation on Council Plan

The Committee was reminded that the Council Plan had been approved for consultation in June, 2017. It had been agreed that there should be an ‘in depth’ consultation process engaging with key partners through meetings to discuss the plan and any amendments they recommended to the consultation document. The Plan had also been advertised on the Council’s website.

It was reported that since June, consultation meetings had been carried out with the following organisations: Cumbria Constabulary; Cumbria Local Enterprise Partnership; Furness College; Barrow Business Improvement District; Cumbria County Council; South Lakeland District Council; Furness Economic Development Forum; Locality Health and Well Being Forum; Cumbria County Council Local Committee; BAE Systems; Morecambe Bay Clinical Commissioning Group; and Homes and Communities Agency. A meeting with Voluntary Representatives had been planned for early December.

The principal outcome of the consultation process had been one of support for the Council’s vision, priorities and objectives and a willingness to engage to ensure their delivery over the timescale of the plan. Consultees thought the plan was clearly articulated and set a new direction for the future of the area. Some textual alterations had been suggested and agreed and these were considered by the Committee.

The main issues to emerge from the consultation were:-

- i) Strong support for the inclusion of a public health priority within the plan.
- ii) Support for a local economic/community development plan for a specific area of the Borough, including support from Cumbria LEP.

- iii) Pre-early intervention and support to children and families from the most deprived wards.
- iv) Strong support for increasing the skills and aspirations of the working age population and school and college students.
- v) The need to build strong alliances and partnerships to promote the area at a regional and national level.
- vi) Strong support for the need to develop and improve the operation of the night time economy in Barrow.

Officers were currently preparing the Action Plan which disaggregated the objectives into measurable actions which would be reported to Members in due course.

RECOMMENDED:- To recommend the Council to approve the Council Plan 2017-2020.

85 – Neighbourhood Planning Protocol

The Committee considered a detailed report of the Executive Director regarding a Neighbourhood Planning Protocol.

He informed the Committee that a Neighbourhood Planning Protocol and Guidance documents had been prepared to allow the Council to respond to its planning duties and the opportunities for local communities arising from the Localism Act 2011 and Neighbourhood Planning Regulations 2012 (and 2015 amendment).

The protocol and guide which were considered by the Committee set out the roles and responsibilities for the Council and those preparing Neighbourhood Plans.

RECOMMENDED:-

1. To note the content and approach set out within the report on Neighbourhood Planning; and
2. To agree that the Neighbourhood Planning Guidance and Protocol documents be adopted as the Council's formal approach to Neighbourhood Planning.

86 – Off Street Parking Places – New Traffic Regulation Order (TRO) for Council Owned Car Parks and Land

The Committee was informed that The Council of the Borough of Barrow-in-Furness (Off-Street Parking Places) Order 2013 (“TRO 2013”) had taken effect on 2nd December, 2013 and had recently been reviewed. The review had highlighted that there was a requirement to include the Town Hall Courtyard and the designated parking area at McClean Close and Grange and Cartmel Crescent.

Currently there were no enforceable restrictions in place for these areas; the Council was therefore unable to control “unauthorised” parking.

The rear Town Hall Courtyard was frequently being used by “unauthorised” persons.

Complaints had also been received by the Housing Department from the residents of McClean Close who were unable to make use of their residents’ parking spaces due to parking by non-residents. Grange and Cartmel Crescent had been previously included as part of the On Street order as it was essentially a residents parking scheme, however, as it was Council land it now required inclusion on the Off Street Order to enable the restrictions to be enforced.

Hindpool Road Contract Car Park also needed to be removed from the TRO 2018 because that area had been included in the sale of 1-5 Lawson Street.

A list of the car parks contained in the TRO 2013 was considered by the Committee.

In addition, after a review of car park contract charges, it had been agreed that the following discount scheme be introduced for bulk space purchases applied only where a single customer was paying upfront at the start of the year; the discounts were:-

10% for 10-19 spaces;
20% for 20-29 spaces; and
30% for more than 30 spaces

In making a new Order the Council was required to publish a notice of proposal in the local newspaper, consult with the local Highway Authority and serve notice on all statutory consultees. A minimum of 21 days was required for consultation responses.

Any objections received must be given due consideration and modifications made if necessary prior to the Order being made and brought into force.

RECOMMENDED:- To recommend the Council to agree to revise the current TRO 2013 in accordance with the requirements of the Local Authorities Traffic Regulation Order (Procedure) (England and Wales) Regulations 1996 and delegate authority to the Executive Director to make a new Order to take effect from 1st April, 2018.

87 – The Council’s IT Strategic Plan

The Committee considered the IT Strategic Plan for 2017-2020. The Committee were informed that a reliable infrastructure and compliance with Public Sector Networks requirements and was critical to supporting the needs of the business. The four main objectives of the strategic plan were: Providing a robust and reliable IT infrastructure; Developing the services offered by the IT Department to meet the needs of the business and support the Council’s services; Provide a secure IT environment to allow the Council to carry out its business and comply with PSN requirements; and Providing resilience by having effective business continuity and disaster recovery arrangements in place.

Understanding and supporting the future needs of the business would be achieved by regular meetings with Service Heads to agree future IT requirements and by robust

evaluation of future IT projects to ensure that they were a priority for service delivery and that appropriate skills and resource were available to deliver the Plan.

RECOMMENDED:- To recommend the Council:-

1. To approve the IT Strategic Plan; and
2. To agree to invite Councillor Brook onto the IT Monitoring Group.

88 – Employment Matters

The Committee was informed that a good and well-functioning HR Department was crucial to any organisation. The department was viewed as a specialist in people management, including recruitment; ensured HR policies were relevant, up to date and were being carried out consistently throughout the organisation; and provided a consultancy role to manage specific employee issues. The department must provide an experienced and skilled service which could be reactive to the needs of managers whether for recruitment, discipline and grievance cases or absence management.

In addition to operational functions, the department had a strategic role in supporting the Council's goals through the Workforce Strategy, and carrying out a proactive role in supporting managers and developing employees.

The Director of Resources informed the Committee that the HR Department currently had a temporary part-time HR Officer working 22.5 hours a week; three full days. It had been necessary to add that resource as there were a number of additional areas of work within the department which had dramatically increased the workload beyond the scope of the current resources. There were also concerns about resilience and service availability given the increased demands. The key areas impacting the resourcing of the HR Department were implementation of a HR System, including Payroll; increased recruitment activity; sickness absence and referrals to Occupational Health, introduction of compulsory appraisals; Leisure Contract TUPE implications together with other work areas that were either new or had increased.

RECOMMENDED:- To recommend the Council to approve a permanent part-time HR Officer, 22.5 hours a week on Scale SO1/2 from 1st April, 2018.

The meeting closed at 4.05 p.m.

HOUSING MANAGEMENT FORUM

Meeting: Thursday 2nd November, 2017
at 2.00 p.m.

PRESENT:- Councillors Hamilton (Chairman), Barlow, Brook, McEwan and Williams.

Tenant Representatives:- Mrs M. Anderson, Mr E. Lynch and Mr A. McIntosh.

Officers Present:- Colin Garnett (Assistant Director - Housing), Janice Sharp (Operations Manager) and Paula Westwood (Democratic Services Officer - Member Support).

18 – Minutes

The Minutes of the meeting held on 14th September, 2017 were taken as read and confirmed.

19 – Apologies for Absence

Apologies for absence had been received from Councillors Blezard and Thurlow.

20 – Housing Revenue Account Finances

The Assistant Director - Housing submitted a report regarding the Housing Revenue Account (HRA) Finances. He advised that the HRA remained in a position that unless significant reductions in expenditure were agreed, it would move into deficit by 2019/20. His report provided an update on the work of the Housing Service Review Working Group (HSRWG) who had considered options for reducing expenditure over the next two years and had also been tasked with considering future arrangements to maintain a balanced HRA.

He reminded Members of previous information provided by the Director of Resources in the Council's financial position statement presented to Executive Committee in July, and reproduced to this Forum and Tenants' Forum. He advised that having completed further analysis of the loss of income, and possible increased costs, the HRA would be required to reduce expenditure by £500k over the next two years: £300k in 2018/19 and £200k in 2019/20 years. He reiterated that the £500k had been based on a number of assumptions and should they change, the reduction in expenditure required would correspondingly change, and secondly the £500k did not include any "future" proofing for the HRA, hence even when the £500k was identified, a medium term plan would be required for following years.

Over the last two financial years there had been a reduction in expenditure of c£300k and the Assistant Director – Housing suggested further savings by implication would be more difficult and "visible" to Tenants.

He advised that the HSRWG had met on two occasions over the last couple of months and at the end of August the Local Government Association had hosted an event at

Barrow to discuss the challenges to the Housing Service. The Deputy Leader of Liverpool City Council had attended that event to assist in the conversation that was had. He advised that the event had been positive and had focused on the short and medium term objectives of the group. As such there had been recognition that reductions in expenditure needed to be viewed in the context of the reduction in income which would require the Housing Service to change its business model. Some of the comments captured at the event included:-

- “We know we have to be pragmatic and make difficult decisions in the future”
- “We would rather make tough decisions ourselves than stock transfer”
- “...the retention Policy outweighs the risk of other concerns : yes but we have some reservations about future funding”

In the short term his report presented a number of options considered by the HSRWG for reduced expenditure for 2018/19. With regards the final comment above that would be a significant consideration for future meetings of the HSWRG:

Options for 2018/19

General Expenses	Original budget	Saving	Revised
Management training	£15,000	£5,000	£10,000
Equipment purchase	£15,000	£5,000	£10,000
Leave it Clean/Downsizing	£8,000	£3,000	£5,000
Good Tenant / Good Neighbour	£8,000	£3,000	£5,000
Grounds maintenance combined	£24,570	£9,000	£15,570
Newsletter	£11,000	£3,000	£8,000
Housemark - unsubscribe	£6,500	£6,500	£0
Incentive Scheme - remove	£2,500	£2,500	£0
Furniture budget (homeless props) - remove	£15,000	£15,000	£0
Area Improvements	£15,000	£5,000	£10,000
TOTAL	£120,570	£57,000	£63,570

Total proposed General savings: £57k

Establishment:

He advised that this Forum did not have delegation to make decisions over establishment matters and the following had been provided for information only and would be subject to a further report to the Council’s Executive Committee for decision.

In view of the financial situation, Officers had not looked to fill vacancies that had arisen over the Summer months, as such there was now five vacancies, one in Business

Support and four Area Housing Officers. Further consideration would be required regarding the vacant post in Business Support, but Officers had been considering alternative service delivery arrangements within the Operations Team. Following discussion, there was now a plan to re-configure the Operations Team to consider not filling the four vacant Posts. That would not change the job requirements of the colleagues concerned, or the general concept of “generic” Officers, but would require a clarification of focus with some concentrating on rent collection, estate management or lettings.

Potential savings. C£100k

Maintenance services

In previous discussions there had been some reluctance to consider reductions in Maintenance Budgets. However, at the LGA meeting referred to above it had been recognised that it would become increasingly difficult to continue with that view. Members had therefore been requested to give consideration to:-

- Reduce routine expenditure to reflect a reduced Housing stock, Saving £7k;
- Reduce expenditure on garage improvements from £75k to £20k, saving £55k*;
- Reduce expenditure on fencing from £60k to £20k, saving £40k*; and
- Reduce Environmental Enhancement Budget from £25k to £20k, saving £5k.

*would require a change in emphasis from previous approach to complete essential repairs only and suspend future planned schemes. In the case of fencing would continue with Probation arrangement.

Potential savings. £107k

Total potential savings identified: £264k

Clearly the potential savings would not meet the identified requirements for reduction in expenditure so would require further consideration by the HSWRG over the next month.

He advised that Members had previously agreed to reduce the debt set aside required to meet debt repayments to a level which could be accommodated by the annual budget. There may be an option for the set aside to be reduced further in 2019/20 and that would be considered by the Director of Resources further and reported to the HSRWG.

Secondly, from the introduction of the Homeless Reduction Act in April 2018 additional grant funding for its implementation would follow, including the cost of providing temporary accommodation. At present the costs of the Homeless Service was shared with the General Fund but, depending on the grant received may enable some of the existing costs of homeless accommodation to be recovered and/or moved to the General Fund. Again, that was not a matter for this Forum’s consideration but the Forum would be kept up to date on the progress of that matter by the Council in due course.

Finally, the Housing Service was prudent in its management of the HRA. In short, we do not look to deliver full spend as a matter of course, but ensure any expenditure reflects the unavoidable in terms of establishment commitments and to deliver the Council priorities for investment.

He advised that during the current year, with particular reference to vacant posts which had occurred, he was confident that the balances of the HRA would possibly increase by year-end. Such increases would not change the pressures on the HRA moving forward, but in discussion with the Director of Resources she would consider whether such resources could be ring-fenced to deal with any one-off costs that had arisen.

RECOMMENDED:-

1. To agree the reductions proposed in the Assistant Director - Housing's report;
2. To note the expenditure identified which would be considered by the Executive Committee; and
3. To acknowledge the ongoing threats to the HRA and the continued approach of the HSRWG to develop a medium term Financial Plan.

21 – Rent Collection Arrangements

The Assistant Director - Housing reported that the Council offered Tenants a weekly tenancy, either as a Secure or an Introductory Tenancy. Rent payments were required weekly, on a 48 week year basis. The report considered the option to move to a 52/53 week rent collection year.

He advised that the current 48 week arrangement had been influenced by a number of factors including the holiday arrangements of the town's main employer who operated a fixed two-week annual holiday to enable Tenants to have a non- payable week at Christmas and year-end and to assist in the administration of the Rent Accounting process at year-end.

Over the years the non payable weeks had often been referred to as "rent free". However, that was not correct as they were not "free" but rather "non-collectable". The annual rent remained the same so, on an annual basis, Tenants paid a higher rent on payable weeks to cover the non-collectable weeks.

He advised that he had been prompted to consider the option of moving to a 52/53 week rent collection year in light of future welfare benefit changes.

The motive was to simplify the administration of the rent collection process, to recognise how our operating environment was changing and put rents on a similar footing to those in other sectors.

From an operational perspective, the motives for operating on a 48 week basis, now seemed less clear and he commented as follows:-

1. The operation of the current arrangements created additional administrative burdens to convert from the annual rent. With only a limited number of Tenants moving to Universal Credit (UC) so far the Council had already experienced problems of operating a 48 week year in relation to the proposed four-weekly payment schedule for UC. A 52 week collection would remove that potential problem by simplifying the arrangements and avoiding a potential hurdle in the UC process.
2. With the introduction of the new CX IT system, the administrative burden for year-end would be reduced and non-payable weeks did not offer the Council any advantages.
3. Moving to a 52 week year would “artificially” reduce rents but would make it easier for potential Tenants to compare the Council’s rents with those of other sectors. The other major social housing provider in the Borough was Accent who already charged rents on a 52 week basis. The impact for Tenants on the Council moving to 52 weeks was as follows (rent exclusive of service charges):-

Property Type	Bedrooms	48 weeks	52 weeks
Ground-floor flat	1	£72.30	£66.74
Upper-floor flat	2	£78.93	£72.86
House mid-terr.	3	£95.67	£88.31
House semi-det.	3	£96.64	£89.21

4. The concept of weekly payments - whilst a preferred method to some - would most probably change over time along with a move to a more electronic system for receiving income and making payments rather than a cash-based system - the benefit system being an example of this.
5. There may be Tenants who would prefer to retain the concept of non-collectable weeks for personal reasons. As the move to a 52 week year would be a fundamental change in the delivery of services it had been recommended that Tenants be consulted.

The Assistant Director - Housing also advised that he was aware that a number of social landlords required rent in advance when a new Tenant was signed up. The motive for that was straight forward in terms of the process of ensuring the importance of paying rent was reinforced at the start of the tenancy. He advised that Officers had considered the pros and cons for adopting such an approach but had not reached a conclusion. They welcomed the Forum’s direction on whether that was something that should receive further consideration.

RECOMMENDED:-

- 1) To agree to the Council moving to a 52/53 week collection arrangement from the start of the next financial year subject to consultation with Tenants; and

- 2) To agree the Council investigate further the options and benefits for introducing rent payment in advance at the start of a new Tenancy.

22 – United Utilities Contract for the Collection of Water Charges

The Assistant Director - Housing advised that the current five year Contract to collect Water Charges on behalf of United Utilities was coming an end. He advised that he had recently met with representatives of United Utilities to discuss the options for moving forward. The purpose of his report was to consider whether the Council would like to continue the arrangement.

The Council had entered into an arrangement to collect water charges on behalf of United Utilities from 1st April 2013. There had been a number of positive benefits identified for both Tenants and the Council to enter into that Contract, including reduced charges to Tenants in the form of a discount, the funding of a full time role to focus on financial inclusion, and to generate additional income and resources to the Housing Revenue Account. In addition, it had been recognised that the proposed changes in welfare benefits would be a challenge to those Tenants who had no experience of paying rent and the collection of water charges provided the opportunity to fund a post to work with Tenants to budget and set up bank accounts.

It was noted that in the North West, similar arrangements were in place with five housing providers including ourselves.

Financial Benefits

The gross charges for the housing stock were £820k.

The Council received a fee from United Utilities for the collection service. That was based on a fee per property and a percentage of total sales, which represented a commission rate of approximately 23%.

For the current year the income to the HRA was £196k.

The Assistant Director - Housing advised that he was unable to provide an accurate figure in terms of the net financial benefit to the HRA as the income should be set off against additional arrears as a result of water charges and the current IT system did not make it practical to breakdown rent received against rent or service charges but treat the payment as one.

Delivery of the Contract

It was clear that majority of Tenants maintained their rent accounts in a satisfactory manner. Additional help had been provided to 546 Tenants directly.

It was noted that some Tenants, for whatever reason clearly objected to the payment of the water charges and had debts which were increasing and appeared to be directly as a result of water charges.

It had been the Council's practice since the inception of the Contract, no "possession action" would be taken against Tenants where it was clear the rent arrears were only as a result of non-payment of water charges. In such instances the Council liaised with the Tenant and offered assistance with budgeting. The Council had previously applied for funding from the United Utilities Trust to clear debts through to taking action in the form of a money judgement order.

Whilst there were additional benefits to Tenants from the Council collecting charges, those benefits had reduced over time so for instance the ability to make applications to the Trust Fund to clear debts no longer existed. It was the case that other benefits were available to customers of United Utilities generally.

The Assistant Director - Housing presented the following options for the future to Members:-

1. Stop collecting Water Charges

- In considering the options, he was concerned that the Council were having to consider the matter at a time when the HRA was already under pressure to reduce expenditure which could be identified but also expecting further financial pressures with the introduction of full service for Universal Credit from next April.
- Despite the negative comments regarding non-payment above, he suggested there remained a financial benefit to the service and Tenants through the arrangement. He was not aware of any other options for increasing income to the HRA to help mitigate the identified reductions in income.
- The collection arrangements did pose a risk to the HRA and add complication to our procedures for pursuing non-payment of rent generally. For those Tenants who had history of not paying the charge, clearly the debt would be likely to increase with little option to reach a resolution.

2. Continue with the Contract

- He had recently met with United Utilities to discuss the options. This included whether there was scope to vary the current arrangements to reduce the risks of non-payment to the Council, for example increasing the level of commission. Clearly such an arrangement had to have a benefit to both parties and he had been advised it would not be possible for them to increase the commission and for the arrangement to be beneficial to them.
- He had discussed the current risks to the income of the HRA and the introduction of Universal Credit, the implications which appeared to pose further threats to income. As a compromise they had suggested they would be interested in extending for one year rather than the five year arrangement which was currently in place.

In summary therefore the options were either to end the arrangement, or continue on either a one year basis or a five year Contract as we have in place now.

RECOMMENDED:- To agree to extend the contract for a further year.

23 – Radon Gas

The Assistant Director – Housing submitted a report informing Members of the need to undertake periodic testing of housing assets to ensure the risk from exposure to radon gas was mitigated.

He advised that Officers had recently been contacted by Public Health England advising of the risk from exposure to radon gas and the Council's duty under the 2004 Housing Act to provide a safe home for Tenants. Public Health England further advised that radon gas was defined as a hazard under the Housing Health and Safety Rating System.

Radon was a radioactive gas that came from the rocks and soil found everywhere in the UK. It was not possible to see, smell or taste radon gas and as such special equipment was needed to detect it. In general terms radon gas levels in the air we breathe outside is very low but can be higher inside buildings. The only way to know if a property has high radon levels is to have it tested.

The guidance received from Public Health England required the Council to:-

- **Check** – Which properties were located in a radon gas affected area;
- **Measure** – The levels of radon gas present in “medium and high risk” properties; and
- **Action** – Reduce radon gas levels using a range of simple building improvements.

The 2015 stock condition data contained information regarding the anticipated level of exposure to radon gas within the Council housing stock (stock numbers correct at 2015). A summary of the data had been presented as follows:-

Radon Zone Classifications

- 0-1 Low exposure 2,696 properties
- 5-10 Medium exposure 131 properties
- 10-30 High exposure 94 properties

In order to progress the management of radon gas further the Council was required to validate these figures against the data held by Public Health England using their post code search facility.

Progress to date

Check (Stage 1)

He advised Members that the postcode search with Public Health England had been completed in September 2017. The cost of the postcode survey conducted by Public Health England was £220.62.

The report identified a total of 225 properties that had been classified as “medium to high risk” of exposure to radon gas. All of the 225 properties were located in Dalton, Askam or Lindal.

Monitor (Stage 2)

Agreement had been requested to proceed with purchasing suitable monitoring equipment for the 225 affected properties. This would involve:-

- Ensuring monitoring equipment was installed, collected and analysed for all Council Housing assets located in “Medium to High Risk” radon affected areas:
 - Detector No.1 would be placed in the living area for a three-month observation period; and
 - Detector No. 2 would be placed in a bedroom for a three-month observation period.
- Ensuring test results were evaluated by Public Health England.

The estimated cost of the monitoring equipment and analysis by Public Health England was £8347.50.

Action (Stage 3)

The monitoring and evaluation process was expected to be completed early in 2018. Following a review of the test results, Officers would report the findings back with a view to agreeing a suitable action plan for any identified remedial works. Where remedial works were required, Officers would need to ensure that appropriate remedial measures to reduce Radon Gas levels arising from the monitoring process was done so promptly and monitored in accordance with the guidance from Public Health England.

Remedial works would be required to all properties where Public Health England classified the risk of exposure to radon gas on a property by property basis to be excessive. Where that was the case, the Council may decide to implement one of the following measures:-

- Installing a radon gas sump pump;
- Installing a positive ventilation system;
- Improving natural underfloor ventilation; or
- Installing active underfloor ventilation.

Members had been requested to note that Officers may identify properties with cellars and basements (although that was very unlikely) where the risk from radon gas was significantly increased. Properties with a cellar or basement may require specialist advice to ensure risks from exposure to radon gas were fully mitigated.

RECOMMENDED:-

1. To acknowledge the progress made to date with regard to checking radon gas levels within the housing stock;
2. To agree that Officers may proceed with the monitoring of medium to high risk properties in line with the process outlined in this report; and
3. To agree to the additional cost required (£8347.50) to conclude the monitoring process.

24 – Planned Investment and Planned Maintenance 2017/18

The Assistant Director - Housing submitted information relating to the Planned Investment and Planned Maintenance Programme for 2017/18. The information is attached at **Appendix A** to these Minutes.

He advised that the window and door replacements had been put on hold this year due to outstanding issues during the 2016/17 programme. However it was noted that the money would be carried forward to next year.

RESOLVED:- To note the information.

25 – Performance Information Report

The Assistant Director - Housing submitted information relating to the Housing Performance Indicators for 2017/2018 in comparison with previous years. The information is attached at **Appendix B** to these Minutes.

He advised that the Council had budgeted to sell 30 properties under the Right to Buy but it indications were that this may be exceeded by the end of the year.

RESOLVED:- To note the information.

The meeting closed at 2.44 p.m.

PLANNED INVESTMENTS 2017/18

SCHEME	PROCUREMENT TYPE	AVAILABLE BUDGET	EXPEND. TO DATE	ESTIMATED START DATE	ESTIMATED COMPL. DATE	CONTRACTOR	COMMENTS	Lease-holders affected?
RE-ROOFING & POINTING WORKS ROOSEGATE ESTATE PHASE 4	CUMBRIA HOUSING PARTNERS	£490,000	£356,853	1.4.2017	1.4.2018	DLP Roofing	100% COMPLETE	No
WINDOW & DOOR REPLACEMENTS VARIOUS HOUSING AREAS	CUMBRIA HOUSING PARTNERS	£200,000	£0	1.4.2017	1.4.2018	TOP NOTCH	0% COMPLETE (DISPUTE WITH CONTRACTOR)	No
WALNEY RENDER & DAMP PROOFING WORKS	CUMBRIA HOUSING PARTNERS	£234,000	£0	1.4.2017	1.4.2018	DLP Roofing	WORKS TO COMMENCE NOVEMBER 2017	No
DALTON CAVITY WALL TIE REPLACEMENTS	CUMBRIA HOUSING PARTNERS	£150,000	£188	1.4.2017	1.4.2018	DLP Roofing	80% COMPLETE AWAITING INVOICES FOR HANDOVER	No
CRAVEN PARK COURT RE-ROOFING	CUMBRIA HOUSING PARTNERS	£120,000	£759	1.10.2017	1.4.2018	DLP Roofing	DUE TO COMMENCE WORKS IN NOVEMBER 2017	Yes
YEW TREE ESTATE RE-ROOFING	CUMBRIA HOUSING PARTNERS	£240,000	£690	1.10.2017	1.4.2018	DLP Roofing	DUE TO COMMENCE WORKS IN NOVEMBER 2017	Yes
COMMUNAL ENTRANCE LIGHTING	CUMBRIA HOUSING PARTNERS	£40,000	£0	1.11.2016	1.4.2018	GEORGE JONES	DUE TO COMMENCE IN NOVEMBER 2017	Yes
COMMUNAL ENTRANCE PAINTING	CUMBRIA HOUSING PARTNERS	£10,000	£0	1.11.2017	1.4.2018	GEORGE JONES	DUE TO COMMENCE IN NOVEMBER 2017	Yes
GARAGE IMPROVEMENTS	CUMBRIA ROOFING	£75,000	£0	1.4.2017	1.4.2018	CUMBRIA ROOFING	GARAGE SITES IDENTIFIED WORKS DUE TO START JANUARY 2018	No
REWIRES	CUMBRIA HOUSING PARTNERS	£306,000	£175,901	1.4.2017	1.4.2018	K WILSON	60% COMPLETE	No
BATHROOMS	CUMBRIA HOUSING PARTNERS	£126,000	£312	1.8.2017	1.4.2018	WRIGHT BUILD	PRE START SURVEYS IN PROGRESS	No
HEATING	CUMBRIA HOUSING PARTNERS	£420,000	£161,874	1.4.2017	1.4.2018	AFM GAS Ltd	40% COMPLETE	No
PAINTING	CUMBRIA HOUSING PARTNERS	£180,000	£72,128	1.4.2017	1.4.2018	G JONES	40% COMPLETE	Yes

HOUSING MAINTENANCE COMMITMENTS 2017/18

	Funding Available	EXPENDITURE TO DATE	Weekly Available	Gross Comm. as a % funds available
Tenant Demand Repairs	£1,394,575	£ 474,226	£ 26,819	34%
Voids	£480,038	£ 158,961	£ 9,232	33%
Gas Servicing	£293,000	£ 117,201	£ 5,635	40%
Decoration Vouchers	£30,000	£ 10,664	£ 577	36%
Environmental Improvements	£25,000	£ 7,913	£ 481	32%
Disabled Adaptations	£250,000	£ 29,437	£ 4,808	12%
Electrical Testing	£81,000	£ 12,345	£ 1,558	15%
Door Entry Maintenance	£19,176	£ 14,416	£ 369	75%

HOUSING PERFORMANCE INDICATORS

Rent Arrears & Collection Dwellings (exc. Dispersed)	Actual 2015/16	Actual 2016/17	Apr-June 2017/18	Apr-Sept 2017/18
£ Rent & Service Charges due (Including empty properties)	£11,416,157	£11,258,442	£2,951,021	£5,430,966
£ rent loss due to empty dwellings (voids)	£149,667	£163,054	£37,030	£91,505.00
£ Rent collected from Current Tenants	£11,267,074	£10,997,130	£2,698,975	£5,425,105
£ Rent collected from Former Tenants	56,798	£85,881	£18,005	£36,337
Total Rent collected as % of rent due	98.69%	97.70%	74.96%	98.24%
£ Current Arrears	£360,453	£396,319	£461,177	£461,637
£ Former Arrears	£230,070	£264,642	£259,731	£527,472
Write Offs (Gross)	£105,959	£98,187	£18,116	£47,966
Tenants evicted for rent arrears	17	25	3	5
£ Rent Arrears UC claimants	£36,011	£56,031	£76,003	£80,586
Arrears & Collection - Other Properties				
£ Rent arrears Dispersed (Homeless)	£1,778	£3,375	£3,351	£2,608
£ Rent arrears Garages	£2,294	£7,648	£9,157	£9,322
£ Rent Arrears Shops	£5,028	£6,070	£5,717	£6,154
£ rent loss due to empty Dispersed (Homeless)	£35,255	£30,663	£7,926	£13,900
£ rent loss due to empty Garages	£1,308	£1,377	£286	£590
£ rent loss due to empty Shops	£0	£18	£0	£0
Void & Lettings (General Needs)				
Total Dwellings	2633	2603	2595	2590
Total number of re-lets	254	248	63	141
% of re-lets accepted on first offer	62.2%	68.1%	60.3%	66.7%
Number of re-lets that underwent Major Works	101	94	21	46
Average relet time in days (Standard)	38	42	46	45
Average re-let time in days (Major Works)	60	73	75	76
Average re-let time in days (all re-lets)	46	53	55	55
Number of units vacant and available for letting at period end	31	37	32	30
Number of units vacant but unavailable for letting at period end	12	5	10	11
No. Tenancies terminated	271	261	64	145
Tenancy Turnover %	10.3%	10.0%	2.5%	5.6%
ASB				
Number of new anti-social behaviour cases reported	84	29	4	12
Number of closed successfully resolved ASB cases	1	25	6	9
Number of closed unresolved anti-social behaviour cases	66	1	0	0
Repairs & Maintenance				
Average number of calendar days taken to complete repairs	15	18	12	17
Percentage of repairs completed at first visit	96.4%	95.5%	95.5%	94.2%
% all responsive repairs completed on time	86.7%	85.9%	90.5%	82.4
Number Repair Orders completed	10,290	6,190	989	2,328
Average Responsive repairs per property	3.9	2.4	0.4	0.9
Appointments kept as a percentage of appointments made	88.0%	82%	87.6%	84.9%

Major Works & Cyclical Maintenance				
Percentage of dwellings with a gas safety certificate renewed by anniversary	100%	100%	100%	100%
Percentage of homes that fail to meet the Decent Homes Standard	0.49%	0%	0%	0%
*Average SAP rating of dwellings at end of year (based on RD SAP 9.83)	69.4	69.4	69.4	69.4
Homeless				
Homeless aver. days in temporary dispersed accommodation	70	77	38	52
Homeless aver. days in temporary B&B accommodation	22	62	3	3
Homeless Total Cases Closed	894	1099	128	190
Homeless Advice	227	492	81	189
Homeless Prevention	385	326	63	96
Homeless Successful Preventions	158	277	61	92
Eligible Homeless (Owed a full duty)	17	11	6	9
Staff satisfaction with employer	Actual 2015/16	Actual 2016/17	Apr-June 2017/18	
Average permanent employee headcount	53	53	51	48
Number of leavers	3	0	2	3
Ave. working days lost / sickness absence	18.8	13.1	15.2	15.7
Customer contact & complaints				
The number of Stage 1 complaints upheld in the year	2	4	0	1
Percentage of complaints resolved at first contact	unavailable	unavailable	unavailable	unavailable
Water Charge Collection				
Direct Debit payers	793	772	789	800
Successful applications for Support Tariffs	570	562	563	546
Housing Register				
Cumbria Choice Register	1242	1186	1206	1142
Active Direct Applicants	1018	960	969	919
Active Transfer Applicants	224	226	237	223
Housing Stock				
Houses	1252	1223	1218	1213
Flats	1213	1221	1220	1220
Bungalows	156	156	156	156
General Needs Dwellings	2621	2600	2594	2589
Dispersed	10	12	12	12
Homeless (Cold Weather Provision)	3	1	0	0
New Lives Project	2	2	2	2
Adelphi Court	12	12	12	12
Total Dwelling Stock	2648	2627	2620	2615
Community Centres	5	5	5	5
Leaseholds	208	212	213	213
Garages	489	504	504	504
Shops	19	19	19	19
TOTAL PROPERTIES	3369	3367	3361	3356

RTB Properties / Land (Values)				
Houses	£498,310	£1,170,025	£190,740	£425,700
Flats	£0	£87,820	£13,500	£13,500
Bungalows	£0	£0	£0	£0
Land	£0	£0	£0	£0
TL	£498,310	£1,257,845	£204,240	£439,200
Satisfaction				
Percentage of tenants satisfied with the landlord's services overall	90%	90%	90%	90%
Percentage of tenants satisfied with repairs and maintenance	91%	91%	91%	91%
Percentage of tenants satisfied that their views are listened to	80%	80%	80%	80%
Percentage of tenants satisfied with the quality of the home	91%	91%	91%	91%
Percentage of residents satisfied with the neighbourhood	86%	86%	86%	86%
Percentage of tenants satisfied that their rent provides VFM	88%	88%	88%	88%
Percentage of tenants satisfied that their service charges provide value for money	83%	83%	83%	83%

Relet & Terminations run from 1/4/17 to 31/3/18

EXECUTIVE COMMITTEE

Special Meeting: Monday 18th December, 2017
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Brook, Cassells, Hamilton and Williams.

Also Present:- Phil Huck (Executive Director), Susan Roberts (Director of Resources), Jon Huck (Democratic Services Manager and Monitoring Officer) and Tara Keane (Democratic and Electoral Services Assistant).

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

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 (Minute No. 92) of Part One of Schedule 12A of the said Act.

90 – Apologies for Absence

Apologies for absence were received from Councillors Barlow and Maddox.

91 – Sale of Residential Land in Flass Lane, Solway Drive and Arthur Street, Barrow-in-Furness

The Committee was informed that the Council owned land in Flass Lane (land North of Duchy Court), Solway Drive (either side of West Point House, North Site 1.67 Hectares (4.13 Acres) and South Site 1.33 Hectares (3.29 Acres) and Arthur Street, 62 Hectares (4 Acres), Barrow-in-Furness.

The original approval to dispose of the sites for residential development had been agreed at this Committee on 14th November, 2012 and on 20th January, 2016.

All of the sites had been subject to previous marketing campaigns and developer interest and, most recently had been offered on the open market with bids invited for 13th November, 2017.

The following offers had been duly received:-

Flass Lane Sites

Bidder 1	Site A	£362,000
	Site B	£356,000
Bidder 2	Site A + B	£740,000
	Site A (only)	£450,000
	Site B (only)	£290,000

Mullberry Homes	Site A + B	£1,900,000
Bidder 4	Site A	£600,000
	Site A + B + Arthur Street (subject to a 'development proposal')	

Solway Drive Sites

Leck Construction £325,000 (subject to conditions)

Arthur Street Site

MJGleeson £302,000

Following discussions with the Executive Director and the Assistant Director Regeneration and the Built Environment it was proposed the following offers be accepted:-

Flass Lane Sites

Mullberry Homes	Site A + B	£1,900,000
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Solway Drive Sites

Leck Construction £325,000

Arthur Street Site

MJGleeson £302,000

Any offer made would be subject to contract and full planning approvals.

RESOLVED:-

1. To note the report; and
2. To authorise the Commercial Estate Manager to proceed with the sale of the sites on the terms and conditions as outlined in the report.

92 – Revenues, Benefits and Customer Services

The Director of Resources reminded the Committee that Liberata UK Limited was the current contractor for the Council's Revenues, Benefits and Customer Services. Liberata had written to the Executive Director and had requested that this Committee considered the points that they had raised.

The Committee considered a letter from the CEO Liberata UK and an earlier email.

RESOLVED:- To note the report.

The meeting closed at 2.15 p.m.

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

7th February, 2018

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

RECOMMENDATIONS

OF THE

HOUSING MANAGEMENT FORUM

18th January, 2018

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

The recommendations of the meeting of the Housing Management Forum held on 18th January, 2018 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	(R)
Date of Meeting: 18th January, 2018	(i)
Reporting Officer: Colin Garnett, Assistant Director - Housing	

Title: Housing Revenue Account 2018/19

Summary and Conclusions:

The purpose of report was to agree a Housing Revenue Account Budget for the 2018/19 financial year. It also provided details about the Expected Outturn Budget and balances for the current year.

Recommendations:

That the Executive Committee agree the following:-

1. To note the information provided in the report;
2. To note the Expected Outturn Budget for 2017/18 of a deficit of £37,900;
3. To note the balances on the Expected Outturn Budget for 2017/18;
4. To agree the basis on which the 2017/18 draft Budget had been proposed in 3.1 to 3.7 of the report;
5. To agree the creation of an Operational Reserve as described at 4.2 of the report;
6. To agree the garage increase of 2% at point 5 of the report;
7. To agree or note others outlined in 6.1, 6.2 and 6.5 of the report re: changes for resale enquiries;
8. To agree the introduction of administration charges for Leaseholders;
9. To agree the continuation of the Service Level Agreement with ASB Action Ltd and waive the normal procurement requirement in those instances;
10. To agree the ongoing role of the HSRWG to consider action required to maintain a balanced HRA; and
11. To agree the approach to matters raised in 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 of the report.

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 18th January, 2018	(ii)
Reporting Officer: Colin Garnett, Assistant Director - Housing	
<p>Title: Housing Maintenance Investment Programme 2018/19</p> <p>Summary and Conclusions:</p> <p>The purpose of the report was to agree the expenditure profile for 2018/19. The proposed profile and priorities had been based on the agreed Five-year Asset Management Strategy 2015 and made reference to the findings of the 2014 Stock Condition Survey.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To note progress on achieving and maintaining the Decent Homes Standard; 2. To agree the annual investment profile shown at Appendix B of the report; 3. To agree continued delivery through Procure Plus; and 4. To note the newly arising investment works identified in the report. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 18th January, 2018	(iii)
Reporting Officer: Colin Garnett, Assistant Director - Housing	
<p>Title: Fire Risk Assessments 2018/19</p> <p>Summary and Conclusions:</p> <p>The purpose of the report was to provide Members with an update on the findings of the recent Fire Risk Assessment report and seek Members' approval to introduce a number of key priorities and actions regarding fire safety in communal areas, flats and shops premises.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To agree to install new heat detectors and interlinked smoke alarms to all flats above shops or commercial outlets; 2. To agree a policy to introduce a quarterly inspection regime for communal areas and access walkways including recording and monitoring of refuse storage facilities and enforcement of fire safety prohibition notices; 3. To agree to install new interlinked smoke alarms to all two storey flats with communal or walkway/balcony access arrangements; 4. To install new emergency lighting to all flats with walkway/balcony access arrangements; 5. To agree to install new interlinked smoke detectors to all flats where the bedroom exits into the lounge or where the exit route from a flat was down a stairway which was separated from the hallway; 6. To agree to provide each block of flats serviced by a communal or walkway/balcony access arrangements with an escape route and muster point notice; 7. To agree a policy to replace existing flat entrance door and fire escape route doors with new fire retardant doors that offer a minimum of 30 minutes fire protection when flats become void; 	

8. To agree a policy not to install firefighting equipment (Extinguishers, Blankets etc.) to blocks of flats with communal or walkway/balcony access arrangements and to advise Residents to sound the alarm, evacuate and ring the Fire Service;
9. To agree that Officers review and discuss these fire safety concerns to the affected shops on a case by case basis; and
10. To endorse Officers' view that the existing interlinked smoke detection systems were an adequate means of raising the alarm should a fire be detected and that break glass points were not required.

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 8
Date of Meeting:	7th February, 2018	
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 September, 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 contained within the report of the Director of Resources.</p>		

Report

A. General Fund Revenue Budget

The General Fund budget for 2017-2018 at the end of quarter 1 was £9,993,180, using £224,940 from the Medium Term Financial Support reserve to balance.

The budget has increased by £8,580 to £10,001,760 following the receipt of these grants:

- New Homes Bonus £6,910; one-off share of national top-slice
- DWP £1,670; Real Time Information data matching work

The Real Time Information work is paid for externally and the New Homes Bonus top-slice will be added to reserves. The budget remains balanced using £394,030 from the Medium Term Financial Support reserve; increased for waste services, recycling income and cemetery & crematorium income.

Waste services costs have been increased to fund services that are required but are outside the contract sum. Recycling sale income is detrimentally impacted by the contamination rates experienced this year. Cemetery and crematorium income is lower than the budget anticipated as our nearest comparators did not apply increases to their charges; the Councils charges remain comparable in line with the policy.

Expenditure and Funding Analysis

The budget monitoring in-year is now formatted to match the Statement of Accounts and is displayed as an Expenditure and Funding Analysis.

The objective of the Expenditure and Funding 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 resources are allocated for decision making purposes between the Council's directorates.

The current budget is presented as the Expenditure and Funding Analysis in Table 1:

Division	Reported for resource management	Reserves	Net Expenditure	Accounting to funding basis	Net Expenditure
	£000	£000	£000	£000	£000
Resources	3,605	482	4,087	-	4,087
Community services	3,799	71	3,870	394	4,264
Regeneration & built environment	547	468	1,015	212	1,227
Central services	2,087	212	2,299	-	2,299
Net cost of services	10,038	1,233	11,271	606	11,877
Other income and expenditure	(10,293)	(7)	(10,300)	1,664	(8,636)
(Surplus)/Deficit on provision of services	(255)	1,226	971	2,270	3,241
Items excluded from the Expenditure and Funding Analysis:					
Reversal of depreciation					(1,579)
Pension deficit funding					374
Reserves within provision of services					(1,226)
Reserves outside provision of services					(810)
Total (balanced budget)					0

The items excluded in the "accounting to funding basis" column are those that are not reported for resource management or decision making; capital accounting, pension fund items and collection fund prior year items. There are further items dealt with at year end such as asset valuation adjustments and accrued leave 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 funded from reserves are excluded by the analysis (outside the provision of services):

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

The in-year financial monitoring of services is represented by the "reported for resource management" column of the Expenditure and Funding Analysis. The items contained in both the "reserves" and "accounting to funding basis" do not appear as actual ledger entries until year end and so do not require the same in-year exclusion as the budget.

The variance on the provision of services at quarter 2 (April to September) is presented in Table 2:

Division	Profiled current budget	Net actual expenditure	Variance
	£000	£000	£000
Resources	1,684	1,647	37
Community services	1,522	1,439	83
Regeneration & built environment	245	194	51
Central services	1,372	1,374	(2)
Net cost of services	4,823	4,654	169
Other income and expenditure	(2,758)	(2,758)	-
(Surplus)/Deficit on provision of services	2,065	1,896	169

There are no significant variances from quarter 2 monitoring to report.

B. General Fund Reserves

The use of General Fund earmarked reserves for 2017-2018 has decreased by a net £91,300 to £2,036,410. These are expected and estimated transactions and are not 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 – decreased by £195,320
 - Decrease; additional external interest earned £35k
 - Decrease; re-profiled FEDF funding £100k
 - Decrease; re-profiled Coastal Communities funding £135k
 - Domestic abuse grant brought into revenue £34k
 - Ormsgill VLI grant brought into revenue £15k
 - Payroll database for election payments £12k
 - Other items £14k
- Community services – increased by £95,250
 - Decrease; additional Leisure Centre income £46k
 - Decrease; Leisure Centre utility costs £13k
 - Decrease; Dock Museum external painting re-profiled £15k
 - Waste services costs £64k
 - Recycling sale income £89k
 - Cemetery income £12k
 - Other items £4k
- Regeneration & built environment – increased by £13,270
 - Decrease; additional Building Control income £16k
 - Decrease; work in default costs recovered £12k
 - Decrease; public buildings maintenance re-profiled £53k
 - Decrease; additional commercial rent £47k
 - Local Plan £75k
 - Crematorium brickwork repairs £19k
 - Salthouse Depot lighting repairs £27k

- Re-profiled FEDF funding £30k; master plans
- Other items £10k decrease
- Central services – increased by £2,410
 - Decrease; re-profile clock tower works £12k
 - Decrease; re-profile management training £10k
 - IT temporary staffing costs £16k
 - Other items £4k
- Other income and expenditure – decreased by £6,910
 - New Homes Bonus top-slice returned

Table 3 reflects the current estimated year end 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	(394)	1,141
Transformation reserve	733	(303)	430
Renewals reserve	1,832	(496)	1,336
Insurance reserve	91	(20)	71
Losses reserve	866	-	866
Budget contingency reserve	2,792	(434)	2,358
Other earmarked reserves	366	(86)	280
Earmarked revenue grants	810	(303)	507
Total	9,025	(2,036)	6,989

C. Commercial Properties

The commercial property rent income for 2017-2018 is budgeted to be £1.3m. During the period to the 30th September, 2017, there have some changes in tenancy and a net increase of £38k is projected for the full year.

D. Capital Programme

The Capital Programme is presented with the budget proposals on today's agenda.

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 September, 2017, is £54k. As at 30th September, 2017, the Council's funds were placed with (Table 4):

Financial institution	Deposited	
Building Societies:		
Cumberland Building Society	£2m	
Furness Building Society	£1m	
Monmouthshire Building Society	£3m	
National Counties Building Society	£3m	
Newcastle Building Society	£2m	
Nottingham Building Society	£3m	
Principality Building Society	£2m	
Progressive Building Society	£1m	
Skipton Building Society	£1m	
West Bromwich Building Society	£3m	
Total of fixed term deposits		£21.00m
HSBC overnight deposit account		£1.82m
Total funds invested		£22.82m

F. Budget Strategy

The Budget Strategy proposals for 2017-2018 are included in the General Fund revenue budget; £1m for 2017-2018. The current position for each of the savings areas is presented in Table 5:

Savings area	Strategy target	Current saving	Permanent
Major contract renewals	£1.02m	£0.44m	£0.44m
Leisure	£0.49m	-	-
Treasury	£0.26m	£0.31m	£0.31m
Burials and Cremations	£0.25m	£0.21m	-
Ring-fenced Properties	£0.15m	£0.06m	-
Dock Museum	£0.05m	£0.01m	-
Commercial Estate	£0.05m	-	-
Kennels	£0.03m	-	-
Playgrounds	£0.03m	-	-
Allotments	£0.03m	£0.03m	-
Barrow Park	£0.03m	£0.01m	£0.01m
Conveniences	£0.01m	-	-
Total	£2.40m	£1.07m	£0.76m

Savings in some of the areas need to be maintained through 2017-2018 in order to be permanently secured.

The permanent savings are those where the Budget Strategy proposal has been implemented; there may be small annual variations in the figures saved as these are compared to each successive year.

The Strategy target figures are based on the savings values at 31st March, 2020, and this includes annual inflation that slightly erodes savings made on reduced costs (there is no impact on removed costs).

G. General Fund Balance

The General Fund balance has been risk assessed as £2.3m and is projected to remain as £2.3m at 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 number of variations resulting in a surplus of £111k; 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 Housing Revenue Account minimum fund balance and financial reserves are presented in the budget proposals report on today's agenda.

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.

Table 6 contains the performance against the indicators with targets:

2016-2017	Indicator	Target	2017-2018
14.4 days 14.8 days 5.4 days 4.0 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	10.6 days 10.6 days 4.3 days 5.2 days
88.6%	Percentage of local land charge searches completed in 5 working days	98%	98%
56.45% 56.79%	Percentage collected: <ul style="list-style-type: none"> • council tax • business rates 	96.8% 98.6%	56.87% 57.74%
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%	50% 55%

The major planning applications performance has reduced from the quarter 1 60% and the other planning applications performance has improved from the quarter 1 47%. Service performance is being monitored by Management.

Table 7 contains the performance for the other outputs:

2016-2017	Indicator	2017-2018
141,035	Park Leisure Centre activity numbers	137,723
34,139	Dock Museum visitor numbers	34,806
19,307	The Forum ticket sales	23,451
£286,385	Income from pay and display ticket sales	£276.061
3.64 days	Average days of sickness per employee	6.3 days
17	Right to buy sales	10
34%	Average household recycling	32%
27	Disabled facilities grants awarded	38

The HR Department are implementing a number of actions agreed by Management Board to refresh absence management training, review the referrals available for employees and to determine any further mitigation that can be implemented.

The household recycling figure of 32% is the collection rate, the processed or non-contaminated recycling figure is 22%; the tonnage of material presented for recycling that is contaminated incurs waste disposal costs and these have been estimated in the current budget. If the contamination can be improved, the budgeted disposal costs can be reduced and the recycle sale income increased. The recycling tonnage includes the greenwaste collected and the recycling reward received for this pays for the contracted greenwaste service.

(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

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 9
Date of Meeting:	7th February, 2018	
Reporting Officer:	Director of Resources	
<p>Title: Grant Certification Audit</p> <p>Summary and Conclusions:</p> <p>This report sets out the need for the Council to appoint external auditors in relation to grant certification work; primarily for the annual Department for Work and Pensions Housing Benefit subsidy claim.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To approve the direct appointment of the Council's appointed auditor, Grant Thornton (UK) LLP, for grant certification work; and 2. To delegate to the Director of Resources the authority to negotiate and enter into a contract with the appointed auditor for the grant certification work for the same term as the contract awarded through Public Sector Audit Appointments Limited. 		

Report

Under the provisions within the Local Audit and Accountability Act 2014 (Act) the Council opted to join a national collective scheme led by Public Sector Audit Appointments Limited (PSAA), for the appointment of external auditors.

The Council received confirmation of its appointed auditors on 19th December, 2017, as Grant Thornton (UK) LLP. This contract covers the audit of the accounts for a five year period, 2018-2019 to 2022-2023. The PSAA audit contract does not cover certification work, such as the Housing Benefit subsidy claim, as the PSAA has no power under the Act to make certification arrangements. The Council must procure its own grant certification auditors within the parameters set by the Department for Work and Pensions (DWP).

Councils can make an appointment through a normal procurement process or directly approach the appointed auditor for the general (accounts) audit to also conduct the grant certification work.

The Council is required to formally inform the DWP of its audit arrangements by 28th February, 2018 (before 1st March, 2018). Failure to appoint by the deadline will lead to the Housing Benefit subsidy being withheld until an appointment is confirmed.

The option to procure through tendering or obtaining quotations has been discounted as it would incur cost and may lead to a second auditor being appointed. The preferred option is a direct appointment which would retain a single external auditor for the Council and provide a more efficient audit service with all work being carried out by the same auditor.

The indicative certification fee for 2017-2018 is £16,168. It is not possible to confirm this figure as final as the audit work for the 2017-2018 subsidy claim is carried out in the Autumn of 2018.

It is proposed that Director of Resources is delegated to negotiate and enter into a contract with the appointed auditor for the grant certification work, for the same term as the contract awarded through the PSAA.

(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

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 10
Date of Meeting:	7th February, 2018	
Reporting Officer:	Director of Resources	
<p>Title: Budget Proposals</p> <p>Summary and Conclusions:</p> <p>This report sets out the budget proposals for 2018-2019 and the decisions associated with budget setting. The report contains matters relating to the General Fund revenue account, General Fund and Housing Revenue Account establishment matters, the Capital Programme and financial reserves.</p> <p>Recommendations:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1. To set the 2018-2019 General Fund revenue budget as £10,520,410 including £104,140 for parish precepts, an increase of 2.99% on all Council Tax bands and the addition to reserves of £171,350; 2. To agree the principle of Council Tax exemption for care leavers and the delegation to the Director of Resources of the Cumbria-wide policy; 3. To agree the introduction of a booking fee for the Forum and the delegation to the Venue Manager of fee setting in line with the current price setting for the Forum; 4. To agree the delegation to the Assistant Director – Community Services of setting the kennel fees; 5. To agree that fees and charges not currently delegated to officers are increased by 2.5%; 6. To agree the creation of a permanent full time Senior Advice Officer on Scale 6/SO1 within the Homeless Section at no additional cost to the General Fund, funded by additional external grant; 7. To agree the creation of a permanent full time Housing Options Support Officer on Scale 4/5 within the Homeless Section at no additional cost to the General Fund, funded by additional external grant; 8. To agree the creation of a permanent full time Leisure Client Officer on Scale PO6, reporting to the Assistant Director – Community Services. 9. To agree the creation of a permanent full time Housing Project Assistant on Scale 3 within the Housing Revenue Account which has no additional cost to the Housing Revenue Account as the addition is compensated by a separate post deletion; 		

10. To agree the creation of a permanent full time Contract Supervisor on Scale 6/SO1 within the Housing Maintenance Section which has no additional cost to the Housing Revenue Account as the addition is compensated by a reduction in external professional fees;
11. To approve the movements in General Fund earmarked reserves which total a net use of £1,057,470 including the contribution made from the 2018-2019 budget setting;
12. To approve the Capital Programme for 2017-2018 to 2020-2021 which totals £19.28m; and
13. To approve the creation of a General Reserve for the Housing Revenue Account and to establish this in 2017-2018 from the current fund balance will be set as £1m at 31st March, 2018.

Report

1. Financial Settlement

The financial settlement for 2018-2019 consists of the Revenue Support Grant of £1,688,396 and the Business Rate Retention Baseline of £3,010,316, totalling £4,698,712.

The Council signed up to the Government's multi-year settlement offer with the Budget Strategy submitted as an Efficiency Plan. The indicative financial settlement in the offer is unchanged for the Revenue Support Grant and slightly lower for the Baseline. The Baseline has altered because of the 2017 Rating Valuation exercise and there are compensating changes to the tariff that eliminate the Baseline reduction.

The financial settlement is provisional and will be finalised in February 2018.

The Business Rate Retention Scheme figures included in the proposed budget are based on a draft NNDR1 form (formal declaration of Business Rates for Government). The final NNDR1 form is submitted after this report is drafted; the budget figures will only be altered if they are significantly different.

2. Core Spending Power

The Core Spending Power consists of the financial settlement, New Homes Bonus and Council Tax for the year. This is calculated by the Government based on available information and indicates a reduction in Core Spending Power of 3% for the Council. The reduction is greater than the provisional 2.1% reduction indicated last year due to the further reductions in New Homes Bonus which were introduced in 2017-2018. The Council will not receive any additional New Homes Bonus for 2018-2019 as the net additions are below the current threshold of 0.4%.

Nationally there is an increase in Core Spending Power of 1.5% which includes all local authorities and fire authorities.

3. Budget Strategy

The second Budget Strategy (2016 to 2020) aims to eliminate the forecast £2.73m deficit by 2019-2020 which is in addition to the £5.01m deficit eliminated by the first Budget Strategy (2011 to 2016).

The Budget Strategy identifies a profiled deficit reduction by 2018-2019 of £1.92m. A small element of the target has been re-profiled into 2019-2020, leaving £1.84m as the deficit reduction target for 2018-2019.

The General Fund revenue budget incorporates £1.77m of the target, leaving a £63k shortfall to be re-profiled into 2019-2020. The following table identifies the planned expected reduction compared to the budgeted reduction:

Savings area	Planned £	Budgeted £	Comparison £
Major contract renewals	622,650	826,070	(203,420)
Leisure	467,000	275,860	191,140
Treasury	288,290	328,150	(39,860)
Burials and Cremations	241,470	219,630	21,840
Ring-fenced Properties	63,710	30,280	33,430
Dock Museum	26,140	5,830	20,310
Commercial Estate	Planned for 2019-2020		
Kennels	36,170	27,250	8,920
Playgrounds	36,640	11,270	25,370
Allotments	25,680	19,160	6,520
Barrow Park	18,430	12,870	5,560
Conveniences	10,020	16,650	(6,630)
Total	1,836,200	1,773,020	63,180

A few of the areas are ahead of the profiled reduction (negative figures), the others have produced lower reductions than anticipated at this point in the Budget Strategy and are expected to improve in 2019-2020. It is prudent to review the Budget Strategy during 2018 to ensure the desired outcome remains achievable.

The 2019-2020 budget deficit is projected as £2.73m. The £1.77m shown in the previous table is incorporated in the proposed budget leaving a total gap of £0.96m. Of the £0.96m, the Budget Strategy anticipates that in 2019-2020 £0.63m from the continued implementation of the savings areas (including the shortfall in 2018-2019) will be delivered, leaving a budget deficit of £0.33m with savings and reductions yet to be identified.

4. Outturn 2017-2018

The outturn for 2017-2018 requires £394,030 from the Medium Term Financial Support reserve to balance the General Fund. During the budget setting exercise for 2018-2019 any permanent or recurring amendments have also been reflected in 2017-2018. The quarterly reports will continue to monitor the remainder of 2017-2018.

5. Budget 2018-2019

The proposed General Fund budget for 2018-2019 at **Appendix 1** is £10,520,410 which includes £104,140 for parish precepts and a contribution to reserves of £171,350.

There is an additional line within the proposed budget called Budget Strategy savings (£540,140). The details for this item are shown below:

- Revenues and Benefits Services (£422,310); the proposed budget contains the full year contract costs in the normal subjective line, which will be replaced half way through the year with direct costs; this entry is the value of the budget reduction for 2018-2019.
- The forum (£28,910); the budget reductions for the forum are noted in Paragraph 7f and are incorporated into the normal subjective lines; this entry is the value of the potential rent of floor space for 2018-2019.
- Park Leisure Centre (£88,920); the proposed budget contains full year direct costs and income on the normal subjective lines; this entry is the value of the potential first year subsidy £150,000, less the direct costs and income for months after the contract starts (£238,920).

6. Comparison to Medium Term Financial Plan

The current Medium Term Financial Plan projects a deficit for 2018-2019 of £295,660. Before the movement with the Budget Support reserve, the General Fund budget resulted in a surplus of £171,350. This movement from a deficit to surplus position includes a significant one-off item of income from a review of the Council Tax setting. Removing this one-off income of £196,780, results in a deficit of £25,430. This is an improvement of £270,230 against the Medium Term Financial Plan projection.

The differences are summarised in the following table:

Item	Savings/ Reductions £
Contracted services savings	(174,880)
Service income in line with the Council's charging policy	(166,770)
Generated from Council Tax; base review and annual increase	(113,690)
Commercial property lettings; property costs and rents	(81,240)
Operational property costs reduced	(41,040)
Pay award, pension valuation and upfront annual payment	(27,130)
Other items	(6,880)
	(611,630)

Item	Additional costs £
Reduced income from parking charges and NNDR increases	89,450
Budget Strategy items; see Paragraph 3	63,180
Reduced market rents and NNDR increase	53,770
Staff conferences, seminars and professional training	46,640
Reduced external interest earned; low interest rates	36,000
Service specific grant reductions; Government grants	34,190
Establishment changes; see Paragraph 8f	18,170
	341,400
Total – deficit reduction	(270,230)

If these items visibly recur, through in-year monitoring and any Budget Strategy review, this could be a contribution to the deficit reduction of £0.27m which could potentially offset some of the £0.33m Budget Strategy unidentified deficit.

7. Budget Items to Note

a) Borrowing Costs

No new borrowing for capital purposes has been included in the proposed budget.

b) Inflationary Pressures

The cost of inflation has been estimated and totals £397,380:

- £165,860 for staff pay offer; two-year offer of 2% increase on scale points 20 and above, higher increases for lower scale points and some changes to the structure of the national scale
- £30,880 for utilities
- £194,370 for contracted services
- £6,270 for Members allowances at 2%, and other items

c) Car Parking Charges

No tariff increase is proposed for pay and display tickets or contract parking permits.

d) NNDR 2017 Revaluation

The impacts of the 2017 Revaluation are included in the proposed budget.

e) Apprentice Levy

The Apprentice Levy came into effect in April 2017. The purpose of the Levy is to increase the quantity and quality of apprenticeships. The Levy is paid by UK employers with a total annual employee pay bill of over £3m. In 2017-2018 the Council will pay a Levy of around £11k and a similar amount is expected for 2018-2019. The Levy is funded from staff turnover savings and can be used for apprentice training. The Council will draw funds from the post to fund apprentice training with registered apprenticeship training organisations.

f) The Forum

The forum was disaggregated from the leisure outsourcing during 2017. Since that time a group consisting of nominated Members and relevant officers have been working through options to reduce the annual subsidy. The annual subsidy is funded from the General Fund's core financing.

The proposals incorporated into the proposed budget generate a reduction in subsidy of £123,950 are:

- Introduce a booking fee (see Paragraph 8c)
- Reduced expenditure (where recommended by the Venue Manager)
- Review room hire rates and concession subsidies
- Review recoverable charges
- Review the budgeted income from shows
- Review the use of the forum floor space (excluded from the £123,950)

g) Park Leisure Centre

The tendering process for the Park Leisure Centre is well advanced, but is not at a stage where budget figures can be drawn from a contract.

The proposed budget is based on:

- Direct costs and income accruing from 1st April to July 31st, 2018
- No direct costs accruing from 1st August, 2018 onwards
- Contract subsidy of £150,000 (as estimated for the tendering process)
- Creation of a Client Officer post (see Paragraph 8f)

The actual contract subsidy will depend on the successful tender, the current amount is a maximum first year subsidy.

h) Revenues and Benefits Services

For these services the proposed budget includes a half year savings based on the services, and Customer Services, being insourced. This is a prudent budget reduction of £361k which will double in 2019-2020 as anticipated by the Budget Strategy and hopefully increase as the services are integrated and rationalised.

i) Cumbria Business Rate Pool

The County was not successful in becoming a Business Rate Retention Pilot. Subsequently the Cumbria Business Rate Pool has been reviewed and will continue with full Cumbria membership. The governance arrangements provide sufficient mitigation from other authority's potential losses and broadly continue the existing Pool financial protocols. Membership of the Cumbria Business Rate Pool is an annual decision delegated to the Director of Resources.

j) Council Tax Base

The Council Tax requirement is based on the Council Tax Base. The Council Tax Base for 2018-2019 has been set at 19,290 Band D equivalents for the whole area and is split as:

- Barrow unparished 15,622.84
- Dalton with Newton Town Council 2,323.48
- Askam and Ireleth Town Council 1,083.12
- Lindal and Marton Parish Council 260.56

The Council Tax Base has increased significantly, by 592.12, from last year for expected additions to the Rating List of 170.61, a challenging review of the collection rate applied as part of the formula used of 389.70 and a positive variation in the discounts and exemptions applied of 31.81. There is a slight risk in the collection rate change and the impact will be monitored.

8. Budget Items for Approval

a) Council Tax

The Budget Strategy assumes that Council Tax is increased to the maximum permitted by the Council Tax Referendum Principles; this is the Council Tax value assumed in the Core Spending Power calculation. Prior to the financial settlement for 2018-2019 the Council Tax Principles stated that an increase was not excessive if it were under 2% or no greater than £5. The 2018-2019 Principles are that the Council Tax increase is not excessive if it is under 3% or no greater than £5.

The proposed budget includes an increase in the Barrow Borough Council element of the Council Tax of 2.99% which generates £128k per annum. The changes to the collection rate referred to in Paragraph 7j have a beneficial recurring impact, generating £131k per annum. The Budget Strategy forecast for additional Council Tax was £145k making the extra above this as £114k.

As the following table shows, 59% of properties in the Borough are in Band A, the Band A charge increases by £4.43 for the year, 9 pence per week.

Band	Ratio	Chargeable Dwellings		Chargeable Dwellings Grouped	Increase in Borough Element	Increase Per Week
A	6/9	19,147	59%	89%	£4.43	£0.09
B	7/9	5,384	16%		£5.16	£0.10
C	8/9	4,635	14%		£5.90	£0.11
D	9/9	2,289	7%	7%	£6.64	£0.13
E	11/9	977	3%	4%	£8.12	£0.16
F	13/9	230	1%		£9.59	£0.18
G	15/9	70	0%		£11.07	£0.21
H	18/9	3	0%		£13.28	£0.26

The Council Tax Base is calculated on Band D equivalents as mentioned in Paragraph 7j; the table shows that 89% of properties in the Borough are lower than Band D, giving the authority a low Council Tax Base.

b) Care Leavers Council Tax Exemption

The Council understands that young people leaving care are unlikely to have the support that families or extended families can provide when becoming financially independent. It is recognised that care leavers, up to the age of 25, need additional support which may not be met by Council Tax Support or other schemes.

A County-wide policy is currently being developed to have a consistent approach for Cumbria. It is proposed that the Director of Resources is delegated to agree that policy on behalf of the Council on the following (draft) principles:

- Care leavers who are liable to pay Council Tax in their own right will have their bill reduced to nil.
- Single householders who may be disadvantaged, from a Council Tax perspective, when a care leaver moves in will have their bill reduced to 50%.

It is hoped that the policy will be in place for the 1st April, 2018, and it will contain the details on how the exemption will be applied.

c) Theatre Booking Fee

As part of the ongoing review of the forum which is summarised in Paragraph 7f it is proposed that a booking fee is introduced and applied on a per ticket basis with no exceptions. This income will be directly attributed to the forum and reduce the subsidy currently funded from the General Fund's core financing. The booking fee will be set by the Venue Manager in line with existing policy.

d) Kennel Fees

The Council has a general policy of delegating the setting of fees and charges to service managers who can assess their market and comparators and price accordingly, or have prices set to recovery all costs of a service or function. It is proposed that the Kennel fee setting is delegated to the Assistant Director – Community Services.

e) Other Fees and Charges

For the miscellaneous fees and charges not currently delegated to officers, the proposed budget includes a 2.5% increase.

f) Establishment

This report contains five new posts included in the proposed budget for both the General Fund and the Housing Revenue Account. There is a separate Part Two report dealing with six post deletions.

The General Fund establishment budget is above the original forecast as it includes a previously agreed permanent part time HR Officer post and two temporary posts that end at different points during 2018-2019. Together with a deleted post the additional cost to the General Fund for 2018-2019 is £18,170.

General Fund

Within the General Fund there are three new posts included in the proposed budget. Two of the posts are within the Homeless Section.

The first is the creation of a permanent full time Senior Advice Officer on Scale 6/SO1 and the second is the creation of a permanent full time Housing Options Support Officer on Scale 4/5.

The Homeless Reduction Act brings a number of changes in the Council's duties, including improved advice and information about homelessness and the prevention of homelessness and introducing assessments and personalised housing plans, setting out the actions housing authorities and individuals will take to secure accommodation. The periods of time and needs have also changed, but in summary the number of people to be served will increase and the service provided will be greater.

The Homeless Section is currently operating at capacity and the additional posts are Management's best estimate of extra resources required to meet the new and ongoing service demands. There will almost certainly be more referrals to process but there will certainly be more time required to manage each application. The service demands will be monitored.

All housing authorities have been allocated Government grant funding to mitigate the impact of the Homeless Reduction Act and these posts together with a reallocation of establishment costs of £45k from the Housing Revenue Account (for existing officers) are all met by the additional grant funding. These additions to the establishment are cost neutral to the General Fund.

The third post is a Leisure Client Officer to oversee the outsourced leisure contract. This post will be permanent on Scale PO6 and Management are of the view that this post should also progress the ambition to close the gap in health inequalities. The support that this role can provide to the Council Plan fits well with the requirements of liaison with the leisure operator. The compliance checks within the leisure contract will be the responsibility of this post, reporting to the Assistant Director – Community Services.

Housing Revenue Account

Within the Housing Revenue Account there are two new posts included in the proposed budget.

The first is the creation of a permanent full time Housing Project Assistant on Scale 3. The Housing Department implemented a new housing management computer system in 2017 and as part of that have taken the functional IT support into the Department. The creation of the new post within the Housing Revenue Account is offset by the reduction in the IT Department establishment and is cost neutral to the Housing Revenue Account.

The second is the creation of a permanent full time Contracts Supervisor on Scale 6/SO1 within the Housing Maintenance Section. In delivering the planned maintenance programme of recent years, the Housing Department have used external consultancy to boost resources to the required level. The arrangement has been reviewed and it is proposed that a post is created to meet the resource gap that currently exists. There may still be a need for external support occasionally, but increasing the internal resource is the preferred option from a service delivery perspective. The external resource is already included within the Housing Revenue Account budget, so that has been reduced and employee costs increased making the addition to the establishment cost neutral to the Housing Revenue Account.

9. Use of Reserves

The proposed General Fund budget incorporates a number of movements with reserves. Some of the movements have been presented previously, but the following table is complete for budget setting purposes:

Reserve	Item	Movement £
Medium Term Financial Plan support	Budget 2018-2019	171,350
Renewals reserve	Planned maintenance	(126,950)
	Capital programme	(670,400)
Insurance reserve	Excesses	(20,000)
Budget contingency reserve	Work in default	(7,500)
	BID levy	(9,210)
	Local Plan adoption	(119,270)
	Town Centre and Marina Village	(88,820)
	Private sector housing condition survey	(50,000)
	Business Rate volatility	105,660
Other earmarked reserves	New burdens funding	4,600
	Existing apprentice posts	(41,740)
Revenue grants	Funding external organisations	(56,970)
	Ring-fenced	(148,220)
Total reduction in earmarked reserves		(1,057,470)

Reserves will also be used in delivering the Budget Strategy, particularly for contracted services. It is not possible to estimate these costs at this time, but the Transformation Reserve will be called upon during 2019-2020.

10. Capital Programme

The Capital Programme was last presented to this Committee on 18th October, 2017. The updated and proposed Capital Programme is attached at **Appendix 2** includes the following variations:

- 2017-2018 reduction of Programme (£1.053m):
 - Reprofile of resources between years (£359k)
 - Reduction in public buildings planned maintenance projects (£486k)
 - Reduction of asset investment fund (£241k)
 - Town centre public realm transferred to revenue (£43k)

- Remove retentions (£10k)
- Additional of Art Gene Sandy Gap project (accountable body) £86k
- 2018-2019 increase of Programme £537k:
 - Reprofiting of resources between years £359k
 - Remove retentions (£10k)
 - Increase in housing planned maintenance £56k
 - Increase in disabled facilities grants £26k
 - Addition of coastal protection project £106k
- 2019-2020 increase of Programme £72k:
 - Remove retentions (£10k)
 - Increase in housing planned maintenance £56k
 - Increase in disabled facilities grants £26k
- 2020-2021 new Programme year estimated at £3.652m:
 - Housing planned maintenance £1.928m
 - Disabled facilities grants £1m
 - Private sector housing (project to follow) £364k
 - IT equipment and development £60k
 - Public buildings planned maintenance £150k
 - Asset investment fund £150k

The Programme total for the four years is £19.28m:

- 2017-2018 £5.29m
- 2018-2019 £6.35m
- 2019-2020 £3.99m
- 2020-2021 £3.65m

The Programme financing does not include any borrowing but does include anticipated funding for known grants, capital receipts, and the use of the Major Repairs Reserve and the Renewals Reserve. The capital receipts include the known land disposals that are in progress and upcoming, and balances across the four years with £543k of unidentified usable receipts to be fully funded. The projects in future years will not be commissioned until sufficient funding is in place.

11. Financial Reserves

General Fund

The estimated General Fund earmarked reserves are expected to be £5.9m plus a risk-assessed minimum fund balance of £2.3m. The reserves are set out in the following table:

Reserve	1/4/2017 £000	Movement £000	31/3/2018 £000	Movement £000	31/3/2019 £000
MTFP support	1,535	(394)	1,141	171	1,312
Transformation reserve	733	(303)	430	-	430
Renewals reserve	1,832	(495)	1,337	(797)	540
Insurance reserve	91	(20)	71	(20)	51
Losses reserve	866	-	866	-	866

Budget contingency reserve	2,792	(477)	2,315	(169)	2,146
Other earmarked reserves	366	(85)	281	(98)	183
Ring-fenced grants	810	(336)	474	(144)	330
Total	9,025	(2,110)	6,915	(1,057)	5,858

Housing Revenue Account

The financial reserves required by the Housing Revenue Account have been reviewed. It is recommended that the Housing Revenue Account fund balance together with a separate general earmarked reserve is the most appropriate method for holding the financial reserves.

The Housing Revenue Account fund balance has been risk assessed with regard to budget assumptions, the level and timing of income, demand led expenditure, cash flow, the availability of reserves to deal with major contingencies, the materialisation of planned savings, the general financial climate and upcoming changes. The impact of each element of risk exposure is assessed to arrive at a minimum balance for the fund which remains untouched by operational budget matters.

The general earmarked reserve will contain the funds available to the Housing Revenue Account for restructuring costs, service development costs, insurance premiums (including old MMI claims settled), uninsured losses, one-off items of spend that meet the Reserves and Balances Policy, budget support and budget volatility (including housing maintenance).

The fund balance has been risk assessed as £1m. The general reserve will hold the remaining £406k that is currently part of the fund balance; this will be established when closing 2017-2018.

The expenditure within the Housing Revenue Account is agreed through the democratic process but volatility arises which result in under and over spends within the Account. The general earmarked reserve will manage that financial volatility within the Account under the existing delegation of the Director of Resources, protecting the minimum fund balance and controlling the balanced budget position in-year.

The estimated Housing Revenue Account earmarked reserves are expected to be £1.95m plus a risk-assessed minimum fund balance of £1m. The reserves are set out in the following table:

Reserve	1/4/2017 £000	Movement £000	31/3/2018 £000	Movement £000	31/3/2019 £000
Major Repairs Reserve	1,195	150	1,345	-	1,345
General Reserve	444	(38)	406	200	606
Total	1,639	112	1,751	200	1,951

12. Director of Resources Statement

In accordance with Section 25 of the Local Government Act 2003 I confirm that I, as the Chief Finance Officer of the Council, am satisfied that the budget assumptions and estimates are robust and that I consider the proposed level of financial reserves held by the Council to be adequate.

13. Budget Consultation

The 2018-2019 General Fund budget is based on the Budget Strategy 2016-2020 which was subject to public consultation in the Summer of 2016. With each subsequent annual budget setting exercise, the assumptions vary from the original forecast in the Budget Strategy. The budget assumptions were presented to the Overview and Scrutiny Committee on 6th December, 2017, and were published on the Council's website for comment.

Two responses were received and are combined here:

- Services which the Council should deliver:
 - Refuse collection
 - Leisure including museum and forum
 - Streetcare
 - Cleaning services in the town
 - Health and social care
 - Creating employment
- Services which the Council should focus onto generate further savings:
 - Planning
 - Office staff are we getting value for money
 - High end management can this be streamlined further
 - Streamlining pay in top paid positions
- Services which the Council should generate additional income from:
 - Car parking
 - Better use of market and other assets
 - Property, spare land, offices etc.
 - Anywhere wastage is recognised
- Do you agree that the Borough element of the Council Tax is increased by 2.25%:
 - Both agreed
- Which services should be reduced
 - No service should be reduced, although I agree on a council tax increase the Council needs to make sure the quality given to the people of Barrow should be first class
 - None

The following points reflect on the comments and their impact on the Council's proposed budget:

- *Services which the Council should deliver:* the services delivered by the Borough Council are all continuing. The Council Plan sets out the partnering and influencing intentions relating to services that are not directly delivered by the Borough Council.

- *Services which the Council should focus onto generate further savings:* efficient services are a priority within the Council plan. Staffing reductions, including management costs, were reduced in the first Budget Strategy following a specific review.
- *Services which the Council should generate additional income from:* efficient services include maximising income which compliments the Council Plan priority. Car parking tariffs are not increased in the proposed budget as there is a reduction in activity even though prices have been fixed for a number of years.
- *Do you agree that the Borough element of the Council Tax is increased by 2.25%:* since the consultation the Council Tax increase has risen in line with the Council Tax Referendum Principles to 2.99%.
- *Which services should be reduced:* the proposed budget does not reduce any services and the Council Plan recognises that public services in the Borough are shaped by providing the acceptable not the desirable.

The comments from the consultation have affirmed aspects of the Council Plan. No changes have been incorporated in the proposed budget from the comments received.

(i) Legal Implications

It is a statutory requirement to set the Council's budgets and the council tax.

Members should be aware of the provisions of Section 106 of the Local Government Finance Act 1992, which applies to Members where they are present at a meeting of the Council or the Executive Committee and at the time of the meeting an amount of council tax is payable by them and has remained unpaid for at least two months, and any budget or council tax calculation, or recommendation or decision which might affect the making of any such calculation, is the subject of consideration at the meeting.

In these circumstances, any such Members shall at the meeting and as soon practicable after its commencement disclose the fact that Section 106 applies to them and shall not vote on any question concerning these matters. It should be noted that such Members are not debarred from speaking on these matters.

Failure to comply with these requirements constitutes a criminal offence, unless any such Members can prove they did not know that Section 106 applied to them at the time of the meeting or that the matter in question was the subject of consideration at the meeting.

(ii) Risk Assessment

The recommendation has no significant implications; the Budget Strategy is already present on the Corporate Risk Register.

(iii) Financial Implications

The financial implications are included in 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 Well-being Implications

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

Background Papers

Nil

General Fund Budget 2018-2019

	Actual 2016-2017 £	Original 2017-2018 £	Outturn 2017-2018 £	Budget 2018-2019 £
Staff pay	4,744,056	5,277,680	5,281,410	5,682,700
Pension accounting	449,223	0	0	0
Staff other costs	151,062	119,840	203,810	119,390
Transport	77,033	88,060	93,980	90,230
Property	1,990,491	2,167,490	2,446,470	2,214,180
Supplies and services	4,504,991	2,948,540	4,258,890	3,058,290
Contracts	6,708,301	5,653,400	5,794,520	5,983,320
Benefits	18,472,327	18,898,490	18,979,030	18,444,960
Benefits grants	(18,522,843)	(18,886,930)	(18,886,930)	(18,334,830)
External income	(8,816,145)	(6,937,530)	(7,423,390)	(7,122,800)
Budget Strategy savings	0	0	0	(540,140)
Direct Costs	9,758,496	9,329,040	10,747,790	9,595,300
Internal income: HRA & capital	(856,653)	(847,870)	(847,790)	(815,680)
Capital charges	1,600,486	1,567,150	1,578,980	1,474,210
Indirect Costs	743,833	719,280	731,190	658,530
Net Expenditure	10,502,329	10,048,320	11,478,980	10,253,830
External interest earned	(117,572)	(75,000)	(109,500)	(91,000)
External interest paid	584,643	584,640	584,640	584,640
Minimum revenue provision	526,433	526,440	526,440	526,440
Revenue financed capital spend	227,502	130,100	130,100	670,400
Items excluded from council tax	(1,417,199)	(1,567,150)	(1,492,700)	(1,474,210)
Items included in council tax	1,192,426	1,114,040	1,114,040	1,107,780
Movement in reserves	(1,003,619)	(1,061,450)	(2,110,220)	(1,087,470)
Budget variances	0	30,000	10,910	30,000
Net Revenue Budget	10,494,943	9,729,940	10,132,690	10,520,410
Budget Funded by:				
Revenue support grant	(2,703,584)	(2,079,210)	(2,079,210)	(1,688,400)
Retained business rates	(9,098,306)	(8,386,230)	(8,091,460)	(8,449,770)
Retained business rates tariff	6,332,708	4,882,900	4,882,900	4,920,120
Retained business rates levy	55,555	0	255,920	389,190
Business rates pool	(62,814)	0	(139,320)	(108,980)
Business rates prior year surplus	0	0	0	(162,450)
Business rates prior year deficit	495,132	481,130	481,130	324,900
New homes bonus	(473,453)	(292,270)	(299,180)	(94,640)
New burdens	(49,856)	(2,320)	(80,910)	(59,180)
Other general Government grants	(811,847)	0	(728,620)	(880,970)
Council tax precept	(4,121,370)	(4,250,140)	(4,250,140)	(4,513,450)
Council tax prior year surplus	(57,108)	(83,800)	(83,800)	(196,780)
Total Revenue Financing	(10,494,943)	(9,729,940)	(10,132,690)	(10,520,410)

Capital Programme 2017-2021

	2017/2018 £	2018/2019 £	2019/2020 £	2020/2021 £
Capitalised planned maintenance	1,872,000	1,928,000	1,928,000	1,928,000
Total Investment in public housing	1,872,000	1,928,000	1,928,000	1,928,000
Disabled facilities grants	1,063,215	1,000,000	1,000,000	1,000,000
Total Investment in private housing	1,063,215	1,000,000	1,000,000	1,000,000
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	363,600
Investment in Housing Market Renewal	923,389	569,653	700,000	363,600
Total Investment in housing	3,858,604	3,497,653	3,628,000	3,291,600
Crematorium	90,000	805,500	-	-
Public Buildings Investment Fund	-	150,000	150,000	150,000
Total Investment in Public Buildings	90,000	955,500	150,000	150,000
Barrow Island Growth Zone	100,000	150,000	-	-
Industrial & Commercial Property Investment Fund	-	1,418,944	-	-
Total Industrial & Commercial Properties	100,000	1,568,944	-	-
Town Centre Shop Front Grants	12,069	-	-	-
IT Equipment & Development	60,000	60,000	60,000	60,000
Housing Management System	73,673	-	-	-
Total Investment in other public assets	145,742	60,000	60,000	60,000
CCTV	35,000	-	-	-
Rural Regeneration - Coastal Protection	20,188	106,700	-	-
The Well Recovery Hub	300,000	-	-	-
Cavendish Park	603,260	13,740	-	-
Coastal Communities - Art Gene	86,277	-	-	-
Total Investment in Community Initiatives	1,044,725	120,440	-	-
Asset Investment Fund	50,000	150,000	150,000	150,000
Total	5,289,071	6,352,537	3,988,000	3,651,600
Funding of Capital Programme:				
DCLG Grant	1,149,492	1,000,000	1,000,000	1,000,000
Cluster Empty Homes	548,389	-	-	-
Lottery Grant	553,260	13,740	-	-
DEFRA Environment Agency	20,188	106,700	-	-
Public Health England	300,000	-	-	-
Private Contributions	50,000	-	-	-
HRA MRR	1,872,000	1,928,000	1,928,000	1,928,000
Contributions from HRA	73,673	-	-	-
Cluster of Empty Homes Loan Repayments	337,650	25,000	300,000	363,600
Contributions from Earmarked Reserves	182,069	670,400	-	-
Usable Capital Receipts	202,350	2,608,697	760,000	360,000
Total	5,289,071	6,352,537	3,988,000	3,651,600

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 11
Date of Meeting:	7th February, 2018	
Reporting Officer:	Director of Resources	
<p>Title: HR Policies / References Policy</p> <p>Summary and Conclusions:</p> <p>HR Policies are reviewed and updated on a regular basis to ensure they are in line with current legislation and best practice. To speed up the process and to prevent Members being over-burdened with significant amounts of detail in relation to HR Policies, it is proposed that the Director of Resources has delegated authority to approve and implement all new and revised HR Policies; reporting these to Management Board.</p> <p>The Council's References Policy has been revised to simplify the process and to confirm that the HR Department is responsible for all incoming and outgoing references related to recruitment and employees.</p> <p>Recommendations:</p> <p>To recommend the Council:-</p> <ol style="list-style-type: none"> 1. To approve the delegation of approval and implementation of HR policies as set out in the report; and 2. To approve the revised References Policy and Procedure. 		

Report

HR Policies are reviewed and updated on a regular basis to ensure they are in line with current legislation and best practice. To speed up the process and to prevent Members being over-burdened with significant amounts of detail in relation to HR Policies, it is proposed that the Director of Resources has delegated authority to approve and implement all new and revised HR Policies; reporting these to Management Board.

The policies delegated to the Director of Resources would be those that do not impact on employee terms and conditions or an employee remuneration. Policies would be referred to Council where strategically significant and/or with material financial implications. Consultation with unions would continue where appropriate.

The Council's References Policy has been revised to simplify the process and to confirm that the HR Department is responsible for all incoming and outgoing references related to recruitment and employees. A copy of the Policy is attached at **Appendix 3**.

The Council will now only give standard references detailing the employees current post details, salary and dates of employment.

Members are asked to agree the delegation for approval of new and revised HR Policies subject to the conditions within this report. In addition Members are asked to approve the changes to the References Policy and Procedure as detailed within this report.

(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

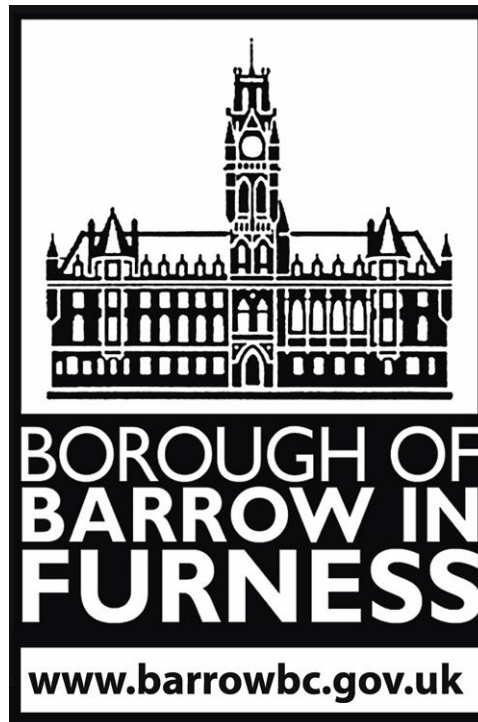
The recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(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.



Employment References Policy & Procedure

Version Control:	
Document Name:	Employment References - Policy & Procedure
Version:	2
Author:	Director of Resources
Approved by:	
Date Approved:	
Review Date	October 2017

Employment References

1.0 Purpose & Scope

This policy sets out the Council's position in dealing with both incoming and outgoing requests for employment references. The purpose of a reference is to obtain factual information from a third party on an applicant's employment history/work experience to date and provide an objective assessment of the candidates' suitability for the post.

The Council's policy is to provide short, factual references confirming that the individual was employed, the dates of the employment and the employee's job title.

There is no requirement to obtain references when internal candidates are moving from one position to another within the Council.

2.0 Legal Position

- There is no legal requirement to give a reference. If one is given it should be a true, accurate and fair summary of employment.
- A job applicant's current employer must only be approached with the candidate's permission.
- The subject of the reference may request a copy under the Data Protection Act 1998.
- Copies of references may also be requested by a Court or an Employment Tribunal.
- The Council owes a duty of confidentiality in respect of certain information which it holds about its employees and has a duty under the Data Protection Act 1998 to process data fairly and lawfully.

3.0 Responsibilities

Managers are expected to:

- Adhere to all the rules and procedures within this policy
- Refer any reference requests from external parties to HR.

4.0 Procedures

4.1 Outgoing References

- All outgoing references are dealt with by the HR Department.
- Managers must ensure all requests for references for existing or ex-employees are routed through HR.
- The Council will seek permission from a current employee before responding to a reference request from an external organisation.
- Copies of the consent and the reference given will be held on the employees file.
- The Council will provide short, factual references confirming that the individual was employed, the dates of the employment, salary and the employee's job title.

4.2 Incoming References

- References will be obtained for the successful candidate(s) prior to the verbal or written offer being made.

- References will be obtained from the current or most recent employer covering 3 years employment where possible. If most recent employment is for more than 3 years a character reference will be sought in addition to the employer's reference.
- HR, along with the appointing manager, will decide if the reference is satisfactory.
- In the event a referee fails to provide any reference, candidates will be asked to provide another point of contact.

5.0 Monitoring & Review

The effectiveness of this policy will be monitored and reviewed by the Director of Resources periodically in light of developments in the law and changes in the needs of the organisation in order to ensure its continuing effectiveness and relevance.

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 12
Date of Meeting:	7th February, 2018	
Reporting Officer:	Monitoring Officer	
<p>Title: Revision to the Development Service Manager (Planning) Delegation</p> <p>Summary and Conclusions:</p> <p>In order to address the current shortfall in meeting determination targets it is recommended that the Agreement is revised in order to make greater use of the Panel, and reduce the number of minor applications going before committee.</p> <p>Recommendations:</p> <p>To recommend the Council approve the amendments to Section G Part 3(2) Responsibility for functions Scheme of Delegations to Officers within the Constitution of the Council, in line with Appendix 4 (attached) for the Development Services Manager (Planning).</p>		

Report

Recent legislation is placing greater emphasis upon Planning Authorities to improve determination rates for all types of planning applications. To meet this challenge the Planning section has carried out an extensive overhaul of its back office systems and made substantial efficiency savings. However more needs to be done. As local resources become tighter, and the planning system more complex, it is necessary to reconsider the current Scheme of Delegations for the Development Services Manager (Planning), the role of the Planning Panel, and whether redefining the Planning Panel role will aid future determination rates.

In the current Agreement, planning applications can only be reported to the Panel where non material comments are made, (e.g. loss of a view, adverse impact on property price) and in the case of submissions for Prior Approvals or Larger Homes Extensions, where **any** representation is received. This results in a number of planning applications, mainly householder submissions for modest proposals that have attracted material comments from neighbours, (which are often rooted in private interests or neighbour disputes) going before Committee. Such applications often consume a disproportionate amount of Officer and Member time for what are usually fairly straightforward schemes that raise no, or very simple, planning issues.

Additionally such applications can exceed their Statutory eight week limit due to the committee meeting cycle.

Conversely there are occasions when Major applications may attract no objections and no adverse consultee representations, and these have been determined by Officers. Following a meeting with the Chair and Vice Chair of the Planning Committee it was agreed that it is more appropriate for Members to make these determinations. In the interests of transparency, the Planning Committee should be aware of these Major applications, together with the issues around the proposals, which can have wider implications associated with the Councils broad objectives as published in the Council Plan (2017-2020). These issues can be robustly debated thus increasing Member involvement in the process and making better use of Committee time.

Allowing objectors and applicants to speak at Committee is recognised as a fundamental part of the democratic process and there is no proposal to alter this part of the system. The “Calling In” procedure available to Members also remains unchanged.

Recently, there have been a limited number of Panel meetings due to the constraints of the Agreement. Therefore it is proposed to redefine the role of the Panel, not only in order to improve determination rates, but also to free up Committee time. The improvements are fairly modest but should help towards raising our determination times in line with government targets.

National Performance (for Delegated decisions)

It should be noted that government have announced a target of at least 90% delegation, which many authorities are achieving. In the July-Sept 2017 statistics, Barrow was bottom of 300+ planning authorities at just 75%. Elsewhere in Cumbria;

Allerdale	90%
Carlisle	94%
Copeland	89%
Eden	87%
SLDC	91%

The amended delegation is attached, as **Appendix 4**, following a meeting with the Chair and Vice Chair of the Planning Committee, where they were agreeable to the proposed changes.

(i) Legal Considerations

The statutory authority for a delegation is found in section 101(1) of the Local Government Act 1972 (‘the 1972 Act’).

The 1972 Act permits a council to delegate the performance of its statutory and legal responsibilities to:

- a committee; or
- a sub-committee; or
- an officer of the authority; or
- another local authority.

Functions may be delegated to an officer of the Council by either:

- Full Council;
- a committee; or
- a sub-committee.

It is open to the Full Council or a committee that it has appointed to decide when functions should be further delegated. A committee may delegate some of its responsibilities to a sub-committee or to an officer unless otherwise directed by full council.

A sub-committee may delegate the discharge of functions to an officer unless otherwise directed by Full Council or its parent committee (s.101(2) of the 1972 Act).

It is always open to the council or a committee to undertake the work that it has delegated to a sub-committee or officer (s.101(4) of the 1972 Act).

(ii) Risk Assessment

The changes will allow the Panel and the Planning Manager to deal with more applications within an agreed framework, thus improving the potential to raise our determination rates in line with central targets, whilst all Major proposals with wider reaching implications would be subject to Planning Committee scrutiny.

(iii) Financial Implications

The recommendation has no significant implications.

(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

Amended DELEGATION

Development Services Manager (Planning)

Section G

1. To determine all applications for planning consent, advertisement consent, and listed building consent except:-
 - I. *Where the determination or observation would be contrary to current national guidance, the provisions of an approved Development Plan or other stated adopted Council policies.*
 - II. *When the application is classed as a Major application in accordance with government guidance, but excluding subsequent amendments whether Material or Non material.*
 - III. *Where the determination would be contrary to a recommendation of a Statutory Consultee that could not be addressed via a suitable condition or revision as agreed with the consultee.*
 - IV. *Where the application affects Council owned assets (in the interests of transparency)*
 - V. *In the case of householder development, where the application generates more than 3 written material planning comments from neighbours or other interested parties (comments from the same address count as 1) prior to determination or within 21 days of their publication in the press, or the despatch of a written consultation which would be contrary to the prospective decision. Where 1- 3 material comments are received the application shall be determined in consultation with the Planning Panel*
 - VI. *Where any Member notifies the Planning Manager or the Case Officer in writing within 21 days of the despatch of the weekly list of planning applications that he or she wishes the application to be referred to the Planning Committee for determination, unless the Member is satisfied by attending the Planning Panel and considering the Officer recommendations. (A pro forma is provided for this purpose with each copy of the weekly list of planning applications).*
 - VII. *Where there is a timely request to address the Committee*
 - VIII. *Where the applicant is an elected Member.*
 - IX. *Where the applicant is employed in the Development Services section, or is a close family member of such, (defined as spouse, parent, sibling or child of an employee)*
 - X. *Where the Assistant Director of Regeneration and Built Environment is of the view that the application or matter should be referred to the Planning Committee for determination.*
2. To make observations on all statutory and other notifications including consultations on County Matter applications except where such comments are contrary to the Development Plan or national policy in which case the Panel shall be consulted
3. All applications and consultations submitted under the relevant Hazardous Substances Regulations
4. To determine all applications for Screening and Scoping Opinions submitted under the relevant EIA Regulations

5. All applications subsequently found to consist of works that are Permitted Development
6. All applications pertaining to Prior Approvals and Prior Notifications (but where more than 3 written material planning representations are received, in consultation with the Planning Panel)
7. All applications submitted under the Larger Homes Extension legislation (but where written material representations are received, in consultation with the Planning Panel)
8. To determine all applications for works to trees, including felling, pruning and requirements to replant, subject to a Tree Preservation Order
9. To exercise the powers and duties of the Council under Sections 211 to 214 of the Town and Country Planning Act, 1990 insofar as they relate to responding to notifications of intention to fell trees in Conservation Areas and to compiling a register under Section 214 of the said Act.
10. To confirm unopposed Tree Preservation Orders.
11. To take, after consultation with the Planning Panel any necessary enforcement action including the service of a stop notice or a Temporary Stop Notice under Section 171E of the Planning Act 1990 where such development is in the process of being carried out and is considered to be unacceptable.
12. To determine minor issues falling within the Case Priority Assessment List Level 4 of Council's Enforcement Policy Guidance which in the professional judgement of the Assistant Director of Regeneration and Built Environment are of a nature that does not require a Member decision.
13. To determine any matters when Reserved or made the subject of conditions, in a Planning Consent, or any material or non-material amendments to that consent.
14. To determine all applications for Certificates of Lawfulness, whether or not subject to representations
15. To exercise the authority's functions under Section 225 of the Planning Act 1990.
16. To deal with all, except the most serious cases, that fall into case priority assessment list level 1 of the revised Planning Enforcement Policy.
17. To approve within budget provision, work on agreed enhancement schemes.
18. To determine, in consultation with the Planning Panel, the issue of remedial notices and to take any necessary action arising therefrom in relation to high hedges under Part 8 of the Anti-Social Behaviour Act 2003.

All decisions are to be in line with the contemporary Code of Conduct.

EXECUTIVE COMMITTEE	(R) Agenda Item 13
Date of Meeting: 7th February, 2018	
Reporting Officer: Principal Environmental Protection and Licensing Officer	
<p>Title: Review and Appointment of Hackney Carriage Stands in the Borough - Licensing Regulatory Committee</p> <p>Summary and Conclusions:</p> <p>At the Licensing Regulatory Committee held on 7th September 2017, Members agreed the proposed hackney carriage stands outlined in a report, subject to any representations and / or objections received during the consultation period.</p> <p>The following recommendation has been referred to the Executive Committee from the meeting of the Licensing Regulatory Committee held on 25th January 2018, where Members considered the objections and consultation responses (Appendix 5).</p> <p>A local authority can adopt areas on streets or private land as stands for hackney carriages under section 63 Local Government (Miscellaneous Provisions) Act 1976 ("the Act"), subject to consent being given from the highway authority, notification to the Chief of Police and the consideration of any objections or representations received within the consultation period.</p> <p>Cumbria County Council has given consent to appoint the hackney carriage stands as proposed, with the exception of a new stand on Market Street, Dalton in Furness.</p> <p>The Chief of Police has noted our intentions to appoint the Hackney Carriage Stands but made no objection.</p> <p>A notice of proposal was placed in the North West Evening Mail on Friday 3rd November 2017 providing a 28 day consultation period, running until Friday 1st December 2017.</p> <p>Attached at Appendix 6 is the amended schedule of Hackney Carriage Stands.</p> <p>Recommendation</p> <p>To recommend the Council to approve the proposed Hackney Carriage Stands as detailed in the amended schedule.</p>	

Report

A local authority can adopt areas on streets or private land as stands for hackney carriages under section 63 Local Government (Miscellaneous Provisions) Act 1976 ("the Act"). Prior to appointing stands the Act requires:-

1. the local authority to obtain the consent of the highway authority (Cumbria County Council);
2. give notice to the Chief of Police;
3. publish a notice of proposal in the local newspaper; and
4. log and consider any objections or representations received within 28 days of the first publication.

In addition to the consultation required by law, the schedule has been advertised on the Council's website and a global email sent to all drivers, operators and proprietors of whom we hold a valid email address.

Support was received from the Furness Taxi Trade Association.

Additionally, Dalton Town Council were also notified of the intended rank locations, in particular, the proposed rank on Market Street, Dalton-in-Furness. The Town Council along with a number of residents have made objections. Similarly, those objections were received by the County Council and the proposed rank removed from the final schedule.

The Council has met all the requirements of s63 the Local Government Miscellaneous Provisions Act 1976 and can now appoint the hackney carriage stands.

(i) Legal Implications

A local authority can adopt areas on streets or private land as taxi ranks under section 63 Local Government Miscellaneous Provisions Act 1976. The processes includes the local authority first obtaining the consent of the Highways Authority, giving notice to the Chief of Police and publish a public advertisement in the local newspaper and to take into account any objections or representations received within 28 days of publication, before the rank is appointed.

The process has met the requirements of s.63 Local Government Miscellaneous Provisions Act 1976;

- Consent has formally been requested from Cumbria Highways for the proposed locations;
- A notice was placed in the North West Evening Mail and;
- Notice has been given to the Chief of Police.

Barrow Borough Council can take enforcement action against other vehicles not permitted to wait on hackney carriage stands under s.64 of the Local Government Miscellaneous Provisions Act 1976.

s.64 states:

Prohibition of other vehicles on hackney carriage stands.

- (1) No person shall cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages during any period for which that stand has been appointed, or is deemed to have been appointed, by a district council under the provisions of section 63 of this Act.
- (2) Notice of the prohibition in this section shall be indicated by such traffic signs as may be prescribed or authorised for the purpose by the Secretary of State in pursuance of his powers under [section 64 of the Road Traffic Regulation Act 1984].
- (3) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.
- (4) In any proceedings under this section against the driver of a public service vehicle it shall be a defence to show that, by reason of obstruction to traffic or for other compelling reason, he caused his vehicle to wait on a stand or part thereof and that he caused or permitted his vehicle so to wait only for so long as was reasonably necessary for the taking up or setting down of passengers.

Any Council Officer authorised under s.64 of “the Act” may pursue a person who causes or permits any vehicle other than a hackney carriage to wait on any stand for hackney carriages. The person may be liable on summary conviction to a fine not exceeding level 3 – on the standard scale.

(ii) Risk Assessment

The recommendation has no, minor or significant implications.

(iii) Financial Implications

For those licences which allow fees to be set locally, the licensing authority is allowed to recover its reasonable costs in processing and determining licence applications and also achieve compliance with the appropriate legislation. The administration and operation of the licensing regime is able to operate at full cost recovery, including the recovery of costs directly associated with the implementation of the Hackney Carriage Stands.

(iv) Health and Safety Implications

The recommendation has no, minor or 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) Other Human Rights

Any action undertaken by the Council, that could have an effect upon another person's human rights, must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole.

Any action taken by the Council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of those obligations.

(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.

APPENDIX 5

Part One

LICENSING REGULATORY COMMITTEE	(R) Agenda Item 7
Date of Meeting: 25th January, 2018	
Reporting Officer: Senior Licensing Officer	
Title: Review of Hackney Carriage Stands in the Borough	
Report Summary:	
The report requires Members to note any objections or representations received during the consultation period and make recommendations to the Executive Committee (and subsequently Full Council) to appoint the stands for hackney carriages.	

Report

1. Purpose of Report

At Licensing Regulatory Committee on the 7th September 2017 Members agreed the proposed hackney carriage stands outlined in a report, subject to any representations and/or objections received during the consultation period.

Attached at Appendix 1 is an amended schedule of Hackney Carriage Stands following consultation with Cumbria County Council ("CCC").

2. Consultation

A local authority can adopt areas on streets or private land as stands for hackney carriages under section 63 Local Government (Miscellaneous Provisions) Act 1976 ("the Act"). Prior to appointing stands the Act requires:-

1. the local authority to obtain the consent of the highway authority (Cumbria County Council);
2. give notice to the Chief of Police;
3. publish a notice of proposal in the local newspaper; and
4. log and consider any objections or representations received within 28 days of the first publication.

CCC has given consent to appoint the hackney carriage stands as proposed, with the exception of the new stand on Market Street, Dalton in Furness.

The Chief of Police noted our intentions to appoint the Hackney Carriage Stands but made no objection.

A notice of proposal was placed in the North West Evening Mail on Friday 3rd November 2017 providing a 28 day consultation period, running until Friday 1st December 2017.

In addition to the consultation required by law, the schedule has been advertised on the Council's website and a global email sent to all drivers, operators and proprietors of whom we hold a valid email address.

On 13th November 2017 support was received from a representative of the Furness Taxi Trade Association secretary, Bob Mullen, his email states;

"As secretary of the Furness Taxi Trade Association, I have been asked to write to you in support of the proposed Hackney carriage stands.

Firstly I should point out that despite the local Mail publishing an article saying that local shoppers will lose out on free parking spaces with the new ranks this is just not true, its fake news as Trump would say. We are losing rank space on Cornwallis St to free parking and giving up Duke St which will become free parking. Crellin St was never free parking and the Cavendish St rank will only be in use of a night time as will Dalkeith St.

As you may know, this has been a long time in coming with many delays and pitfalls along the way none of which were the doing of the long-suffering taxi trade. I and others from the taxi trade have attended many meetings and exchanged dozens of emails with both Cumbria County Council and Barrow Borough Council. The trade has felt that over the many years this has been going on that we have been passed from pillar to post and treated most unfairly again from no fault of our own.

We hope that this is the end of our long and patient wait and that the taxi ranks are installed as soon as possible."

Dalton Town Council was also notified of the intended rank locations and made the following representation.

"Dalton with Newton Town Council wish to register an objection to the installation of a Taxi Rank on Market Street, Dalton.

Dalton, unlike some other towns of a similar size Dalton does not have a night-time economy, most public houses in the Town Centre are closed by 11pm during the week and midnight at the weekends, the Town Council would be very interested to know what research was conducted which demonstrates the requirement for a taxi rank. As part of the supporting documents for proposals across the Borough the Hackney Carriage Unmet Demand Survey carried out by Vector Transport Consultancy in 2015 did not address provision in

Dalton at all and only one mention was made of Dalton in the Section 5 - Stakeholder Consultation, the suggestion from existing Hackney Carriages drivers in this section was that a new rank be provided at Tudor Square. The Town Council understand that although there is no official ranks in Dalton, Hackney Carriages currently use the bus layby on Tudor Square once the last bus has departed. Although not ideal this would prove to be a better location for a rank than the one now being suggested.

The proposed location is in an area with mixed residential and business properties and directly within 2 metres of the frontage of at least 6 residential properties and one business. Should a rank be introduced residents will be subjected to noise associated with late night revellers and vehicles leading to severe disruption to the current peace they currently enjoy.

Dalton has limited parking and this location in the centre of the Town is particularly problematic, the proposed location of the taxi rank will utilise an existing parking bay which provides parking for approximately 6 or 7 vehicles, this would become unavailable to residents leading to further traffic problems and disruption.

In conclusion the Town Council would ask that the installation of a taxi rank in Dalton be rejected.”

Cllr Wendy Maddox made the following representation;

“As the Borough Councillor for Dalton South and the Dalton Town Councillor for Beckside Ward I wish to object to the proposed Taxi rank to be sited in Market Street, Dalton, as this comes under my jurisdiction, and I am most concerned about the implications.

Dalton does not need a taxi rank. Dalton is a very quiet town, we have no night time economy and during the week if a pub is open you can guarantee by 11pm it is closed. There is virtually nobody on the streets after 11.15pm. So why do we need a taxi rank? On Friday pubs can be open until 1am, and if taxis are picking up they wait in the bus lay-by at Tudor Square as the last bus through Dalton is 12.15am. Again by 1.15am Dalton is deserted. Do we need a taxi rank? NO definitely not.

Where are they expecting the people of Market Street to park, parking is at a premium in Dalton as it is.

After the consultation period, if this proposal goes to Committee, I would like to make a request to speak to the Committee on behalf of the people of Dalton.

This e-mail has also been sent to Kim Baxter at County Council.”

A total of 6 representations were received from residents living in close proximity of the proposed rank location on Market Street, Dalton.

Concerns included the potential for increased noise levels, the lack of existing parking and questioned the current need for a rank in Dalton.

Copies of all representations received during the consultation period are attached at Appendix 2.

Barrow Borough Council has met all the requirements of s63 the Local Government Miscellaneous Provisions Act 1976 and can now appoint the hackney carriage stands.

3. Options

The options available to members are;

- (a) To note the consultation responses and the consent granted by Cumbria County Council (which excludes the proposed stand on Market Street, Dalton) and refer to Executive Committee for appointment
- (b) To note the consultation responses and amend the schedule by way of;
 - (i) Removing a proposed stand location;
 - (ii) Reducing the number of spaces available in any proposed location;
 - (iii) before referring to Executive Committee for appointment.

4. Recommendation

It is recommended that Members remove the proposed stand located in Market Street, Dalton in Furness and refer the amended schedule to Executive Committee for appointment by Full Council.

5. Reason for Recommendation

- a) Relevant objections to the appointment of a hackney carriage stand on Market Street, Dalton have been received from residents living in the vicinity, local Councillor and Dalton Town Council.
- b) Consent was not given by Cumbria County Highways to appoint a Hackney Carriage stand on Market Street, Dalton.
- c) Barrow Borough Council has met all the requirements of s63 the Local Government Miscellaneous Provisions Act 1976.
- d) The Chief of Police has made no objections to the appointment of the Hackney Carriage Stands.
- e) The local taxi trade support the review and implementation of new and improved hackney carriage stands in the Borough.

6. Considerations

(i) Legal Implications

A local authority can adopt areas on streets or private land as taxi ranks under section 63 Local Government Miscellaneous Provisions Act 1976. The processes includes the local authority first obtaining the consent of the Highways Authority, giving notice to the Chief of Police and publish a public advertisement in the local newspaper and to take into account any objections or representations received within 28 days of publication, before the rank is appointed.

The process has met the requirements of s.63 Local Government Miscellaneous Provisions Act 1976;

- Consent has formally been requested from Cumbria Highways for the proposed locations;

- A notice was placed in the North West Evening Mail and;
- Notice has been given to the Chief of Police.

Barrow Borough Council can take enforcement action against other vehicles not permitted to wait on hackney carriage stands under s.64 of the Local Government Miscellaneous Provisions Act 1976.

s.64 states:

Prohibition of other vehicles on hackney carriage stands.

- (1) No person shall cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages during any period for which that stand has been appointed, or is deemed to have been appointed, by a district council under the provisions of section 63 of this Act.
- (2) Notice of the prohibition in this section shall be indicated by such traffic signs as may be prescribed or authorised for the purpose by the Secretary of State in pursuance of his powers under [section 64 of the Road Traffic Regulation Act 1984].
- (3) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.
- (4) In any proceedings under this section against the driver of a public service vehicle it shall be a defence to show that, by reason of obstruction to traffic or for other compelling reason, he caused his vehicle to wait on a stand or part thereof and that he caused or permitted his vehicle so to wait only for so long as was reasonably necessary for the taking up or setting down of passengers.

Any Council Officer authorised under s.64 of “the Act” may pursue a person who causes or permits any vehicle other than a hackney carriage to wait on any stand for hackney carriages. The person may be liable on summary conviction to a fine not exceeding level 3 - on the standard scale.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

For those licences which allow fees to be set locally, the licensing authority is allowed to recover its reasonable costs in processing and determining licence applications and also achieve compliance with the appropriate legislation. The administration and operation of the licensing regime is able to operate at full cost recovery, including the recovery of costs directly associated with the implementation of the Hackney Carriage Stands.

(iv) Key Priorities or Corporate Aims

Priority 4 - Service Delivery – the Council strives to provide good quality, efficient and effective services while reducing overall expenditure.

Draft Council Priorities 2017-18

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 community

(v) Equality and Diversity

There are no equality and diversity implications.

(vi) Other Human Rights

Any action undertaken by the Council, that could have an effect upon another person's human rights, must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole.

Any action taken by the Council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of those obligations.

(vii) Health and Well-being Implications

Background Papers – 2015 Unmet Demand Survey

Document Tracking

	Signed	Date
Assistant Director		
Environmental Health Manager		
Principal Officer		
Reporting Officer		
Legal Advisor		
Monitoring Officer		

APPENDIX 6

Designation of Hackney Carriage Stands

Section 63(3)(c) of Local Government (Miscellaneous Provisions) Act 1976

Schedule 1 Prohibition of stopping except for hackney carriages 24 hours Monday to Sunday

New entries:

No.	Street Name	Time	Street Side	Restricted Length	No of taxis
1	Cornwallis Street, Barrow-in-Furness	24 hours	North	From a point of 15 metres east of its junction with Lawson Street, for a distance of 35 metres in an easterly direction.	6
2	Buccluch Street, Barrow-in-Furness	24 hours	North	From a point 11 metres west of its junction with Dalton Road, for a distance of 15 metres in a westerly direction.	3

Deleted entry:

No.	Street Name	Time	Street Side	Restricted Length	No of taxis
	Duke Street, Barrow-in-Furness	24 hours	North-east	From a point 10 metres south-east of the southern boundary of its junction with Dundonald Street, for a distance of 30 metres in a south-easterly direction.	

Schedule 2 Prohibition of stopping except for hackney carriages 8am – 6pm Monday to Sunday

New entries:

No.	Street Name	Time	Street Side	Restricted Length	No of taxis
1	Dalton Road, Barrow-in-Furness	8am – 6pm	East	From a point of 10.5m south of its junction with Harrison Street, for a distance of 16m in a southerly direction.	4
2	Crellin Street	8am – 6pm	North-west	From a point 10 metres west of its junction with Allison Street, for a distance of 12 metres in a westerly direction.	2

Schedule 3

Prohibition of stopping except for hackney carriages between 6pm and midnight and between midnight and 8 am Monday to Sunday

New entries:

No.	Street Name	Time	Street Side	Restricted Length	No of taxis
1	Dalkeith Street, Barrow-in-Furness	6pm - midnight midnight- 8am	North-east	From a point 10 metres north west of its junction with Buccleuch Street, for a distance of 40 metres in a north westerly direction.	8
2	Cavendish Street, Barrow-in-Furness	6pm - midnight midnight- 8am	North	From a point 10 metres east of its junction with Slater Street, for a distance of 15 metres in an easterly direction	3
3	Cavendish Street, Barrow-in-Furness	6pm - midnight midnight- 8am	North	From a point 36 metres east of its junction with Slater Street, for a distance of 44 metres in an easterly direction.	9

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 14
Date of Meeting: 7th February, 2018		
Reporting Officer: Executive Director		
<p>Title: Review of Purposes and Use of The Forum</p> <p>Summary and Conclusions:</p> <p>The report sets out the current position on the review of the purposes and use of The Forum and seeks Members agreement on future catering arrangements and use of part of The Forum for offices.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. To extend the current catering contract with Elior to 31st March, 2019; 2. To agree to tender catering for The Forum with a commencement date of 1st April, 2019; and 3. To agree, subject to technical assessments, to use the areas of The Forum set out in the report for offices. 		

Report

At your meeting of 26th July, 2017 Members resolved to remove The Forum from the Leisure Outsourcing offer and undertake a review of the purposes and use of The Forum building with a view to reducing the subsidy the Council currently provides towards the running costs of the facility (Minute No. 37 refers).

Following that decision, Officers, Forum staff and Members have met on several occasions to discuss the review and agreed the following proposals:-

1. That a booking fee should be charged on all ticket sales.
2. That the discount on room bookings should be reviewed alongside expenditure reductions, concessionary subsidies, recoverable charges and budgeted income from shows.

1 and 2 above are included in the 2018/19 budget proposals set out elsewhere in your agenda.

3. Following Councils decision to in-source its Revenues and Benefits Service, it is proposed, subject to technical studies, to operate this service from The Forum. My initial assessment is that this will require The Gateway Room, The Green Room, Rydal Room and ancillary storage and facilities. The estimated contribution to The Forum from General Fund for use of this space is £60,000. This income will be offset by reduced income from room bookings.

It is also proposed to convert the exhibition space on the ground floor of The Forum to lettable space and undertake changes to the layout of The Studio to maximise room hire income.

4. The current catering contract expired in June, 2017 and has been extended on a monthly basis following your resolution at the Executive Committee of 28th June, 2017. The current contractor has agreed to extend their contract for the period until 31st March, 2019. This period will allow the catering contract to be re-tendered.

Subject to advice on the specification of the contract, it is proposed to pass more of the operational costs to the contractor, including NNDR, utilities and rent.

To tender this service Council will need to engage consultants to advise upon:-

- i) The form, term and scope of the tender.
- ii) The minimum level of rent payable.
- iii) The evaluation process.
- iv) Viability of an income share trigger.

(i) Legal Implications

Legal implications will be dealt with under contract documents for services and works.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

Savings on booking fees, room hire and other operational savings are estimated at £142,000. Additional costs will arise from conversions to offices and rooms for hire. These will be subject to tender or competitive quotations.

(iv) Health and Safety Implications

These will be dealt with under tender documentation or contracts for works.

(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