**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:-

1. Strong support for the inclusion of a public health priority within the plan.
2. Support for a local economic/community development plan for a specific area of the Borough, including support from Cumbria LEP.
3. Pre-early intervention and support to children and families from the most deprived wards.
4. Strong support for increasing the skills and aspirations of the working age population and school and college students.
5. The need to build strong alliances and partnerships to promote the area at a regional and national level.
6. 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.