

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 19th October, 2011
at 2.00 p.m. (Committee Room No. 4)

NOTE: Group Meetings at 1.15 p.m.

A G E N D A

PART ONE

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

3. Admission of Public and Press

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

4. Disclosure of Interests.

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

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

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

5. To confirm the Minutes of the meeting held on 21st September, 2011 (copy attached).
6. Apologies for Absence/Attendance of Substitute Members.

FOR DECISION

- (D) 7. To note the Minutes of the Grants Sub-Committee held on 14th September, 2011 (copy attached)
- (R) 8. Budget Strategy – Deficit Reduction.
- (D) 9. Publication of Initial Proposals for New Parliamentary Constituency Boundaries.

- (D) 10. Barrow Borough Polling District Review.
- (D) 11. Employer of the Year Award.
- (D) 12. Sale of Land Adjacent to 10 Storey Square, Dalton.
- (D) 13. The Draft National Planning Policy Framework.

PART TWO

- (D) 14. Homelink Establishment.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 1 & 2 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 15. Proposed Sale of Land at The Dock Museum Car Park.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (R) 16. Budget Strategy Establishment Changes.

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPHS 1 & 2 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006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

Pidduck (Chairman)
Sweeney (Vice-Chairman)
Barlow
Bell
Cassidy
Doughty
Garnett
Graham
Guselli
Richardson
Seward
Wall

For queries regarding this agenda, please contact:

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Published: 11th October, 2011.

EXECUTIVE COMMITTEE

Meeting: 21st September, 2011
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Bell, Cassidy, Doughty, Garnett, Graham, Pemberton, Richardson and Wall.

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

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

<u>Item</u>	<u>Reason</u>
Application for Voluntary Redundancy (Minute No. 53)	To enable Postholder CSD 010 to facilitate termination of employment with effect from 31st December, 2011.

42 – 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 (Minute No. 53) in Paragraph 3 (Minute No. 51) and Paragraph 7 (Minute No. 52) of Part One of Schedule 12A of the said Act.

43 – Minutes

The Minutes of the meeting held on 20th July, 2011 were agreed as a correct record.

44 – Apologies for Absence

Apologies for absence were received from Councillors Guselli and Seward.

Councillor Pemberton substituted for Councillor Guselli.

45 – Housing Management Forum: Recommendations

The recommendations of the Housing Management Forum held on 25th August, 2011 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:-

Implementing Self-Financing for Council Housing

- (i) To note the content of the report; and
- (ii) To agree in the first instance that the Tenant Participation Compact Working Party considered:-
 - A check on the robustness and undertaking a sensitivity analysis on the content of the 30 year business plan; and
 - Reviewing the current service standards and delivery in preparation for self-financing.

Equality Impact Assessments

- (i) To note the information in respect of Equality Impact Assessments; and
- (ii) To approve the EIAs appended to the Housing Manager's report for publication in line with the Council's Single Equality Scheme Action Plan.

2012 Disabled Adaptation Framework

- (i) To agree to re-tender the 2012 Disabled Adaptation Framework on the basis of the existing framework;
- (ii) To agree to award the framework for a period of two years, with the option to extend by a further two years, subject to acceptable performance and service delivery by the Contractor; and
- (iii) To agree that the Tenant Participation Compact Working Party reviewed the Contract documentation and procurement process.

Tendering of Supporting People Services

- (i) To agree the Housing Service does not submit Tenders to provide Support Services to Homelink Clients or to maintain the Tenancy Support Scheme in its current format;
- (ii) To note that the Housing Service, in recognising the importance of Support Services, would adopt the approach of being the enabler, making Tenants aware of Support Services, where appropriate, and providing assistance to access them;
- (iii) To agree that the Housing Manager, in consultation with the Tenant Participation Compact Working Party would:-
 - Agree a process of consultation to advise current Tenants of the pending changes to Homelink services under the new Contract arrangements; and
 - Consider how the Service would respond to the management of equipment, communal services and liaison with any new service provider and report to the next meeting; and
- (iv) To note that notice would be given to the Private Sector Clients at the appropriate time and not seek to recover any loaned equipment and provide assistance where it was practical to do so to enable them to access an alternative service provider.
- (v) To agree that if anything changed during the Tendering process then the Housing Manager should report back to the Forum with proposals for the re-tendering.

46 – Annual Treasury Report 2010-11

The Borough Treasurer reported that the Council's Treasury Strategy and Policy required the annual reporting of treasury activities for the previous financial year. He informed the Committee that the Council had complied with all the agreed limits and indicators for the year ended 31st March 2011.

The Committee considered the full details of all treasury activities for the year.

RESOLVED:- (i) To approve the actual 2010-11 prudential indicators within the report; and

(ii) To note the Treasury Management Stewardship Report for 2010-11.

47 – Former Presbyterian Church, School Street, Barrow

The Director of Regeneration and Community Services informed the Committee that Listed Building Consent to demolish the Former Presbyterian Church had been granted on 1st July, 2011.

Until July 2009, when the company had been dissolved, the building was in the ownership of J. E. Blackshaw Ltd. On dissolution of the company, the building had been vested in the Crown as 'bona vacantia' (ownerless property) and was now administered through the solicitor for the Duchy of Lancaster.

The fact that the property was 'bona vacantia', in effect meant the former Directors of J. E. Blackshaw Ltd. had absolved themselves from all responsibility for the buildings upkeep and the Duchy of Lancaster would also accept no responsibility for maintenance. It also meant the Council could not serve notices to secure improvements to the building under the Building Regulations, Planning Acts or Miscellaneous Provisions Acts as they could not be enforced against property in Crown ownership.

Two options were open to the Council to secure demolition of the building. Firstly, to persuade the (or a) former Directors of J. E. Blackshaw Ltd. to re-form the company and request the property was returned to it or, secondly, seek to persuade the Duchy of Lancaster to 'disclaim' the property. Having discussed the matter with a former Director of J. E. Blackshaw Ltd., only the second option was realistic. The process by which the Crown disclaimed property vested in it was long and complex and could take up to 12 months, though he was confident that the property would eventually be disclaimed with the freehold passing to the Crown Estate.

A quotation for the cost of demolishing the building of £60,000 had been received and he estimated the costs of securing the site post demolition to be £10,000.

The Borough had paid for the scaffolding costs for three years and there was every incentive to demolish the property which was an eyesore and occupied a highly prominent position within the town centre. Following demolition the site could be used for a small residential development subject to planning consent.

RESOLVED:- (i) To agree that the property should be acquired through either the Crown disclaiming the property in favour of the Council or by acquisition at market valuation;

(ii) That subject to (i) above, to agree to allocate £70,000 of capital resources for demolition of the former church and securing the site; and

(iii) To agree that following demolition the site could be used for a small residential development, subject to planning consent.

48 – Land Fronting 11 Biggar Bank Road, Barrow-in-Furness

The Director of Corporate Services informed the Committee that the Council owned much of the land at Biggar Bank, Walney including Biggar Bank Road.

The council-owned land extended beyond the adopted highway that was Biggar Bank Road and beyond the physical boundaries of those dwellings on Biggar Bank Road, numbers 8-24.

Over the years, and to rectify the situation concerning the boundary line, the Council had sold various plots of land to various property owners, at a nominal fee and subject to the payment of all Council legal costs. The Council had also lost one or two plots of land to successful adverse possession claims.

The current owners of 11 Biggar Bank Road had requested that the land fronting their property be transferred to them from the Council thus giving them unfettered access and egress to and from their property. They had requested that the transfer shall be for a nominal sum plus the payment of all Council incurred costs in the matter.

The Chief Executive reported that Officers would write to other owners fronting 8-24 Biggar Bank Road asking whether they wished to purchase land fronting their property on Biggar Bank, Walney.

RESOLVED:- To agree that the land, as detailed in the report fronting 11 Biggar Bank Road be transferred to the current owners of 11 Biggar Bank Road, Walney.

49 – Performance Management – Key Priorities 2011-2015

The Chief Executive informed the Committee that the Council's existing Key Priorities had served it well in providing a structured management and direction of its efforts and resources. In the new economic reality, faced with massive withdrawal of central government grant, the Council must reorganise itself into a leaner organisation unable to offer the same level of support and subsidy to its residents, partners and customers and concentrating on fewer and only the most significant strategic issues.

The Council's overall strategic driver in the coming four years would be retrenchment, that was the need to become smaller and withdraw from services and functions which it decided were less important and relevant given the resources available.

It was important that the Council continued to have a strategic view of what was important and to guide Members and Officers in identifying those issues where any spare capacity would be directed.

The Council's main objective must be to achieve a balanced budget and the overall priority must be to establish an effective and responsible deficit reduction strategy.

Revising the Council's Key Priorities must give recognition to this, but it must also give scope to direct any surplus capacity, including capital resources which remain relatively strong, to the most urgent and important issues in the Borough. The key issues had been identified as: Efficiency, Housing, The built environment and The local economy.

The scale of resources the Council could bring directly to some of these issues may be reducing, but there was still much the Council could achieve through partnership and influence.

It was recommended that the Council adopted four new Key Priorities as follows:

1. Provide good quality, efficient and cost effective services while reducing overall expenditure.
2. Continue to support housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing.
3. Work to mitigate the effects of the recession and cuts in public expenditure and their impact on the local economy and secure a sustainable and long term economic recovery for our community.
4. Continue to improve and enhance the built environment and public realm, working with key partners to secure regeneration of derelict and underused land and buildings in the Borough.

Once adopted by Council the four Key Priorities would be used as the basis for all future business planning and to direct the activity of any spare capacity and resources.

At the present time there was no formal action plan although there were a number of improvement activities being implemented and these included:-

Undertake a comprehensive service delivery review;
Transfer management of waste collection, building cleaning and dog warden services to the street care team to reduce management costs;
Undertake a business improvement review of the Development Control Service and develop framework for setting local planning fees;
Introduce self-financing of Council housing services;
Re-let the responsive repair contract;
Review housing support services;

Update Information Technology and introduce Customer Relations Management service in the Housing department;
Demolish the agreed areas of Marsh Street;
Demolish 100 Abbey Road and carry out external improvements to 102 Abbey Road; and
Completion of the all weather soccer centre.

An action plan would be developed once the priorities had been adopted.

RESOLVED:- (i) To agree to accept the under-mentioned Key Priorities for 2011-2015:-

- Provide good quality efficient and cost effective services whilst reducing overall expenditure;
- Continue to support housing market renewal including an increase in the choice and quality of housing stock and the regeneration of our oldest and poorest housing;
- Work to mitigate the effects of the recession and cuts in public expenditure and their impact on the local economy and secure a sustainable and long term economic recovery for our community;
- Continue to improve and enhance the built environment and public realm, working with key partners to secure regeneration of derelict and underused land and buildings in the Borough; and

(ii) To agree that the new priorities be published in draft inviting public comment prior to their adoption by Council.

50 – Heart Town Initiative

The Director of Regeneration and Community Services informed the Committee that the British Heart Foundation had identified a number of towns in the Country where early death from heart disease was worse than the average. They were launching an initiative called "Heart Town", which aimed to raise awareness of heart disease and how it could be dealt with among communities. Recent published research from the Department of Health had showed that residents of the Borough had a significantly worse risk of early death through heart disease than the national average.

The Borough and its residents would receive support from the British Heart Foundation by signing up to be a "Heart Town". Heart Town branding would deliver awareness raising among residents through a number of events which would be run by the British Heart Foundation. The Councils main role would be supportive and to ensure that adequate publicity and branding was adopted.

RESOLVED:- To agree that the Borough signs up to become a Heart Town for a period of five years (undertaking a yearly review), partnering the British Heart Foundation to stimulate wider community engagement in the fight against heart disease.

51 – Site of the Island Tavern, Mill Lane, Walney

The Committee considered a report which detailed the proposed surrender of a ground lease held by Punch Partnerships (PML) Limited in respect of land on Mill Lane, Walney, Barrow-in-Furness.

RESOLVED:- (i) To note the report;

(ii) To authorise the Commercial Estate Manager to document the surrender of the ground lease as detailed and then proceed with the demolition of The Island Tavern; and

(iii) To authorise the Commercial Estate Manager to dispose of the site on the open market at best consideration.

52 – Benefit Overpayment

The Committee were reminded that at its last meeting the Borough Treasurer reported the benefits overpayment case. The report informed Members of the outcome of the court hearing held on 15th August 2011.

The District Judge initial remarks indicated that the other party may be willing to make some, without prejudice offer of payment. The judge advised both parties to discuss a settlement before going ahead with the case.

In all previous actions taken by the Council, there was no mention of any possibility of recovering any of the overpayment.

After taken all the factors of the case into consideration he agreed to accept an offer in full and final settlement of all the Council's claims.

RESOLVED:- To note the report.

53 – Application for Voluntary Redundancy

The Committee considered a report from the Chief Executive regarding an application for voluntary redundancy received from Postholder CSD 010.

RESOLVED:- To agree that the severance terms outlined in the report be approved for payment to facilitate a termination of employment for Postholder CSD 010 with effect from 31st December, 2011.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

54 – Housing Management Forum: Recommendations

Consideration was given to the recommendations of the Housing Management Forum held on 25th August, 2011 on the Housing Maintenance Contract 2011/15 and the Housing Establishment.

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

Housing Maintenance Contract 2011/15

RECOMMENDED:- To recommend the Council to appoint Vinci Facilities Ltd to deliver the Housing Maintenance Contract from 5th November, 2011 for a period of four years.

Housing Establishment

RECOMMENDED:- To recommend the Council:-

- (i) To agree that Post No. OHS 097 be continued on a revised job description, as outlined in the report and that Post No. OHS 330 be deleted;
- (ii) To consider further the implications of TUPE as information becomes available and the staff to which it may apply; and
- (iii) To agree to issue all staff indicated in the Housing Manager's report, notice that their posts had been identified as 'at risk' and that the Council's redundancy policy would apply.

55 – Reviewing the Member Development Strategy

The Director of Corporate Services informed the Committee that in order to ensure that Member training and development was prioritised, planned and co-ordinated effectively it was important that the Council had a Member Development Strategy. This Committee had agreed to adopt the Strategy in July 2004.

The Member Development Strategy sets out that it would be reviewed on an annual basis in conjunction with the Democratic Services Manager and the Member Training Working Group.

The Member Training Working Group had revised the Strategy document and referred it to this Committee for approval. A copy of the revised Strategy was considered by the Committee.

RECOMMENDED:- To recommend the Council to approve the revised Member Development Strategy.

The meeting closed at 2.45 p.m.

BOROUGH OF BARROW-IN-FURNESS

GRANTS SUB-COMMITTEE

Meeting, 14th September, 2011
at 2.00 p.m.

PRESENT:- Councillors Barlow, Cassidy, Derbyshire, Garnett, Guselli, Husband, Maddox, Richardson and Seward.

1 – Appointment of Chairman for the Year 2011/2012

Nominations were requested for the Appointment of Chairman for the year 2011/2012.

The nomination of Councillor Barlow was moved by Councillor Garnett and seconded by Councillor Maddox.

There being no further nominations Councillor Barlow was appointed Chairman for the year 2011/2012.

COUNCILLOR BARLOW IN THE CHAIR

2 – Disclosures of Interests

Councillor Barlow declared a personal and prejudicial interest in Agenda Item No. 9 – Award of NDR Relief for the year 2011/12 (Minute No. 5) with regards to Barrow and District Disability Association as he was the Treasurer and the Pit Stop Project as he was a Trustee. Since none of these items were discussed as individual items Councillor Barlow remained in the meeting.

Councillor Garnett declared a personal and prejudicial interest in Agenda Item No. 9 – Award of NDR Relief for the year 2011/12 (Minute No. 5) with regards to the application for CAB as he was the Chairman of CAB. Since this matter was not discussed as an individual item Councillor Garnett remained in the meeting.

Councillor Guselli declared a personal interest in Agenda Item No. 8 – Award of General Grants for the year 2011/12 (Minute No. 4) with regards to the application made by Barrow Male Voice Choir. They had made an application to Cumbria County Council and Councillor Guselli was a County Councillor.

Councillor Husband declared a personal interest in Agenda Item No. 8 – Award of General Grants for the year 2011/12 (Minute No. 4) with regards to the application made by Dean Kelly as he was known to her.

Councillor Maddox declared a personal and prejudicial interest in Agenda Item No. 9 – Award of NDR Relief for the year 2011/12 (Minute No. 5) with regards to the application from the Dalton Old Peoples Welfare Centre as she was Trustee/Secretary of the

Centre. As this item was not discussed as an individual item Councillor Maddox remained in the meeting.

Councillor Richardson declared a personal interest in Agenda Item No. 9 – Award of NDR Relief for the year 2011/12 (Minute No. 5) with regards to the Sea and Air Cadets applications as he was a member of the Civilian Committees.

Councillor Seward declared a personal interest in Agenda Item No. 9 – Award of NDR Relief for the year 2011/12 (Minute No. 5) with regards to the Mill Lane Parent/Carers Association as she worked with service users who also attended Mill Lane.

3 – Minutes

The Minutes of the meeting held on 21st March, 2011 were taken as read and confirmed.

4 – Award of General Grants for the Year 2011/12

The Borough Treasurer reported that the General Grants Budget for 2011/12 was £15,360. Seven applications totalling £6,045 had been received. He also informed Members that a report had been approved at Executive Committee limiting the amount of grant awarded to each individual/association to £1,000.

The grant applications received were as follows:-

FRIENDS OF THE ADVENTURERS YOUTH CLUB - £673.00 had been requested

Friends of the Adventurers Youth Club was established in February 2006. It met at Burlington House every Wednesday and Thursday evening and presently had 62 members aged 11-25 years all of whom resided within the Borough.

The Youth Club was aimed specifically at young people with disabilities and aimed to encourage them to develop their social and personal skills and involve them in the community.

The club was funded purely by donations and fundraising activities organised by the club.

The Club required funding to take 28 of its members plus 5 adult helpers to the International Festival of Fools during the May half term. The Club was applying for £673.00 itemised below:-

	£
33 Seater Coach	300.00
Food @ £5 per head	165.00
Entrance	<u>208.00</u>
TOTAL	<u>673.00</u>

The Club had not received funding from any other organisation.

VULCAN RESIDENTS' AND TENANTS' ASSOCIATION - £1,000 had been requested

The Vulcan Residents' and Tenants' Association was established in September 2007. It met at Salthouse Bowling Club once every three months and presently had 12 members between the ages of 30-50 years.

The Association was hoping to arrange its 4th Annual Fun Day and was looking for £1,300 to fund the hire of bouncy castles which was the total amount of its expected costs.

The Association received £200.00 funding from Barrow Borough Council during 2010-11.

The Association had applied for £1,300, but the application was limited to £1,000.

VITALISE - £372.00 had been requested

Vitalise was a charity providing quality breaks for disabled people based on individual need who also offered respite for their carers. It had centres all around the UK and was founded in 1963.

Vitalise was hoping to secure £372.00, which was 25% of their expected costs, to offer four people respite care breaks for four of the Borough's residents for one week each. The remaining 75% of the funding was to be obtained from fundraising activities.

Vitalise did apply for funding from other organisations, usually from other Local Authorities whose residents were to benefit.

JOHN PEARCE - £1,000 had been requested

Last year John Pearce had been invited to participate in the Bobsleigh Training Programme at Bath University with a view to selection for the Great Britain Bobsleigh Team. The Council awarded him with a grant of £1,000 towards the cost of his trials in June 2010.

John had passed the first selection phase last year but had not been selected for the team. John wished to train at Bath again this year to enable him to improve and hopefully gain selection for the team. John was therefore, applying for a further £1,900 of funding; but the application was limited to £1,000. He again intended to use this to pay for his train travel, accommodation and equipment costs in the hope he would be selected to represent his country in the Great Britain Bobsleigh Team. A breakdown of costs were as follows:-

Return train fare Barrow to Bath twice per month for 5 months	£ 1,400.00
Accommodation for 10 nights @ £40.00 a night	400.00
Equipment costs, e.g. Spikes and Helmet	<u>100.00</u>
TOTAL	<u>1,900.00</u>

It was moved by Councillor Guselli and seconded by Councillor Garnett that £1,000 be granted for this year but Mr Pearce be informed that if he did not make the Great Britain Team this year there would be no further funding from the Borough Council Grants Sub-Committee.

This was voted upon and agreed.

The Committee also wished Mr Pearce the best of luck in his trials.

DEAN KELLY - £1,000 had been requested

Last year Dean Kelly had applied for funding from the Borough Council to train at Birmingham once a month and represent the England Athletics Team in the National Games. The Council awarded Dean £300.00 and he went on to win one gold and three silver medals.

Dean was again requesting funding from the Council to help him to represent his country in the National Games.

Dean was requesting £1,500.00 of funding; but the application was limited to £1,000.00. This would go towards his travel and accommodation costs and was the full amount of these costs.

Dean had not applied anywhere else for funding.

Mr Kelly attended the meeting and made representations to the Sub-Committee. The Sub-Committee congratulated Mr Kelly on his achievement of winning one gold and three silver medals last year and also wished him luck in his next National Games.

BARROW MALE VOICE CHOIR - £1,000 had been requested

Barrow Male Voice Choir was founded in around 1935. It presently had 51 members ranging from 18-85 years. Approx 36 of its members resided within the Borough. They met every Monday evening at Holy Family Church in Newbarns.

The Choir was requesting £5,030.50 of funding; but the application was limited to £1,000.00, to supply them with a new uniform. This was part of the cost of the uniforms as the members intended to purchase the trousers themselves, the total cost of which was £1,737.

The costs were as follows:

	£
50 Blazers	3,597.50
50 Light Blue Shirts	1,009.00
50 Ties	<u>424.00</u>
TOTAL	<u>5,030.50</u>

The Choir received £1,500 of funding from the Borough Council in 2009 for a trip to the Royal Albert Hall. They had also made a claim this year to Cumbria County Council to fund the new uniforms for £5,030.50.

SAMARITANS - £1,000 had been requested

The Samaritans provided confidential and non-judgmental emotional support, 24 hours per day, for people who were experiencing feelings of distress or despair, including those which could lead to suicide.

Their service, totally voluntary, was offered by telephone, email, letter and face to face. Last year they responded to 17,500 calls for help.

Their receipts and payments account for the period ended 31st March, 2010 showed annual running costs of £28,202 and a deficit for the year of £7,734.

This application was for £1,000.00 of funding to assist with their annual telephone costs of £1,736. The Samaritans had not applied for funding from other sources to meet these costs. The remainder of their annual costs was to be raised through various fund raising events and future applications to other organisations within the area.

RESOLVED:- (i) To agree that grants totalling £6,045 be awarded from the budget for 2011/2012 as follows:-

Friends of the Adventurers Youth Club - £673.00
Vulcan Residents' and Tenants' Association - £1,000
Vitalise - £372.00
John Pearce - £1,000
Dean Kelly - £1,000
Barrow Male Voice Choir - £1,000
Samaritans - £1,000

(ii) That Mr John Pearce be informed that future grants would not be given if he did not make the Great Britain Bobsleigh Team this year; and

(iii) To note that £9,315 remained in the budget for 2011/12.

5 – Award of NDR Relief for the Year 2011/2012

The Borough Treasurer reported that the budget for the award of relief on Non Domestic Rates for charitable and non profit making organisations was £80,000 for 2011/12. Applications totalling £180,878.49 had been received. If all applications were approved the cost to the Council would be £85,781.75. Applications were attached as appendices to the report. The Borough Treasurer tabled an amended Appendix 1.

In arriving at a decision, Members were referred to the following approved terms of reference which were intended to give guidance to Members however, it should be noted that the award of grants was at the discretion of the Sub-Committee within the limit of the available approved budget for the financial year:-

1. Only local organisations should be considered for discretionary relief;
2. The percentage of the discretionary relief awarded should reflect the levels of bank balances and other resources available to the organisation; and
3. The percentage of the discretionary relief awarded should reflect the levels of bar takings generated by the organisation.

The applications for the NDR Relief were as follows:-

Appendix 2 listed applications from charitable organisations. The total amount applied for was £60,365.24 of which £45,274.05 (75%) would be covered by the revenue budget.

Appendix 3 listed applications from non-profit making organisations. The total amount applied for was £77,339.07 of which £19,334.79 (25%) would be covered by the revenue budget.

Appendix 4 listed applications from village organisations. The total amount applied for was £649.50 of which £487.13 would be met by the revenue budget.

Appendix 5 listed applications from sports clubs. The total amount applied for was £19,659.15 of which £14,744.36 (75%) would be met by the revenue budget.

Appendix 6 listed backdated applications. The total amount applied for was £7,307.87 of which £1,931.50 would be covered by the revenue budget.

Appendix 7 listed applications for non-profit making organisations with a rateable value of over £6,000 (under new regulations). The total amount applied for under new regulations was £3,084.52 of which £771.13 would be paid by the revenue budget.

Following discussions the Sub-Committee;

RESOLVED:- (i) That all applications for discretionary relief be approved with the exception of all national organisations and all Community Amateur Sports Clubs listed in Appendix 5 with bar takings of over £30,000; and

(ii) To note that there was £5,864.80 left in the NDR Revenue Budget for 2011/12.

6 – Future Meetings

Councillor Barlow moved that a further meeting of the Sub-Committee be held in February/March 2012 to consider further applications which may have been received following the last meeting.

RESOLVED:- That a further meeting of the Grants Sub-Committee be held in February/March 2012.

The meeting closed at 2.35 p.m.

EXECUTIVE COMMITTEE	(D) Agenda Item 8
Date of Meeting: 19th October, 2011	
Reporting Officer: Chief Executive	
<p>Title: Budget Strategy – Deficit Reduction</p> <p>Summary and Conclusions:</p> <p>The Councils budget strategy identifies the deficit reduction target for 2015-16 to be £5.01 million.</p> <p>This report sets out how the Council will achieve this.</p> <p>Recommendations:</p> <p>Members are invited to recommend this budget strategy to Council.</p>	

Report

Summary and recommendation

This report sets out a detailed strategy to balance the Council's General Fund Budget by 2015/16. Members are invited to endorse this strategy and instruct officers to take appropriate action to seek public and partner comment and feedback with a view to recommending the adoption of the strategy to full Council on 1st February 2012.

1. Introduction

1.1 The National Comprehensive Spending Review (CSR) has placed an unprecedented burden on the finances of the Borough Council. The Council is facing a reduction of **£4.23 million** in annual Formula Grant which is being phased in over 4 years between 2011-12 and 2014-15 (Table 1):

Table 1

Year	Formula Grant	Reduction
2010-11	£9,084,171	
2011-12	£7,016,946	£2,067,225
2012-13	£6,205,053	£2,879,118
2013-14	£5,487,128	£3,597,043
2014-15	£4,852,267	£4,231,904
Total Reduction		£12,775,290

In setting the 2011-12 budget, reductions of **£1.19 million** were identified and the items (Table 2) were removed to achieve a balanced budget against the estimated Formula Grant settlement. Consequently the settlement was lower than anticipated, meaning that in addition to cutting **£1.19 million** from the budget, there remained a deficit of **£395,869** which was funded from the restructuring reserve.

Table 2

Description	£	£	£
Staff turnover and establishment review			(300,000)
Reduce training and conferences budget:			(50,560)
Management training		(12,210)	
IT training		(1,450)	
Continuing and new essential professional training		(17,860)	
Members training		(12,500)	
Conferences and seminars		(6,540)	
Reduction in transport costs			(50,000)
Reduce repairs and maintenance budget			(125,500)
Supplies and services			(330,450)
Bad debt provision reviewed		(115,000)	
Reduction in other supplies and services headings		(67,190)	
Reduce subscriptions budget:		(34,020)	
Local Government Information Unit	(1,700)		
North West Region Leaders Board	(1,300)		
Nuclear Energy Advisory Forum	(750)		
Arts MailOut	(40)		
Arts - Children & Young People Now	(90)		
Museum Association	(560)		
Cumbria Playing Fields Association	(170)		
Fitness Industry Association	(500)		
Register of Exercise Professionals	(150)		
Cumbria tourist board	(4,170)		
Association of Port Health Authorities	(890)		
Environment Protection UK	(550)		
Keep Britain tidy	(5,000)		
Recycling subscription	(600)		
Development control information services	(2,360)		
AWAZ/Outreach Cumbria/Cumbria Disability	(6,000)		
Association of Town Centre Managers	(450)		
National Association of British Market Authorities	(530)		
Park Mark Subscription	(480)		
Unipol student homes network	(70)		
CIPFA Benchmarking	(430)		
Finance Advisory Network	(3,340)		
Oracle User Group	(870)		
Statistical Information Service online	(2,200)		
CIPFA benchmarking	(600)		
Inhouse User Group	(220)		
Equipment purchases budget		(27,960)	
Reduce public consultation budget		(25,000)	
Remove URC contribution		(25,000)	
Remove Gov-TV budget		(15,000)	

Remove Park Vale grant		(8,880)	
Remove corporate advertising budget		(7,400)	
Remove Locate in Barrow budget		(5,000)	
Increase in car parking income - already agreed at Executive Committee			(166,660)
Movement in treasury items			(169,930)
Savings and reductions included in 2011-12 budget:			(1,193,100)

Combined with the effects of the recession, inflation and the shortfall in income from the recycling credits not reaching 40% in 2010-11, the Borough Treasurer is forecasting a deficit of **£5.01 million** in the financial year 2015-16 unless corrective action is taken (see Appendices 6 and 7).

1.2 This paper proposes a broad strategy to eliminate this deficit using a combination of prudent allocation of reserves, increases in discretionary income streams and efficiency / cost cutting measures to reduce expenditure across all services. Whilst every effort is made to protect front line services it is impossible to address the financial crisis we are facing without some impact on customer facing services.

2. Use of Reserves

2.1 The Council's latest reserves position is set out in Table 3.

Table 3

Committed Reserves	Balance	Description
Public buildings	£500,000	Set aside to fund major repairs for the period 2011-12 to 2014-15, years which have a reduced revenue budget.
VAT & insurance reserve	£1,144,264	Set aside to cover the claw back of standard rated VAT should the net VAT on exempt services exceed the HMRC limit, settlement of the car parking Isle of Wight claim, insurance excesses and any potential uninsured loss.
Industrial units income	£341,830	Ring-fenced for use on specific sites.
Pay review reserve	£175,625	Set aside to cover the costs of the pay and grading review.
Committed reserves	£2,161,719	
Earmarked reserves		
Festival fund	£27,772	Description
Festival fund	£27,772	Set aside for festivals and events.
Park Vale	£56,290	Set aside for use at Park Vale.
Market refurbishment	£50,650	Set aside for use on the Market.
Earmarked reserves	£134,712	

Uncommitted Reserves	Balance	Description
Restructuring reserve includes 2011-12 and 2012-13 transition grant	£3,263,142	Grant to enable transition to future formula grant levels. Net of agreed use for 2011-12.
General reserve	£1,367,735	Set aside for future one-off expenditure on projects with no revenue implications.
Uncommitted reserves	£4,630,877	

The general reserve has been increased from the General Fund balance now that the 2010-11 accounts are finalised. The risks associated with the future level of the General Fund balance will be assessed as funding and the responsibility for Benefits are known.

2.2 In recognition of the loss of spending power to the Borough Council the government has allocated us a special grant of **£4.63 million** phased over 2011-12 and 2012-13 to help offset and adjust to the impact of our reduced Formula Grant. The grant will be needed for a range of purposes including redundancy costs and phased reduction in service provision / funding to outside bodies and charities. However it is not imprudent for the Council to set aside sufficient funds to delay and offset the impact of service reduction at least into the period of the next Council.

The Council can therefore afford to operate a deficit account of **£600,000** into and including the financial year 2015-16 at which time the position can be further reviewed by the next elected Council. This policy would be equivalent to protecting 25 jobs in the Council or keeping the Council tax 12% lower than it would need to be to balance the account.

2.3 Agreement to this policy would reduce the projected deficit reduction target to **£4.41 million** and the transition grant available in the restructuring reserve to **£0.86 million**.

3. Increasing Discretionary Income

3.1 The Council's income from discretionary charges currently stands at **£2.77 million**. To have any significant impact in reducing the deficit our income needs to increase by around **£1.5 million** in 2015. On the face of it this appears a substantial increase required in the level of charges however 2 factors mitigate:

- i) The government has awarded us additional annual windfall income of £157,870 until 2017-18 through the new homes bonus.

- ii) Some of our key services are significantly cheaper than our nearest neighbours allowing us to boost income by simply adopting their prices.

3.2 Table 4 sets out proposals to increase income by **£1.49 million** by 2015-16 and it would be best to implement these increases as soon as practicable.

Table 4

Item	Effective	Income
New Homes grant (6 years)	Immediately	£157,870
Additional 1% Council Tax increase (2.5% in original plan)	Additional 1% on every year from 2012-13	£190,210
Council Tax Freeze Fund (continuation)	Immediately	£108,800
Cemetery and Crematorium (SLDC and Lancaster prices)*	From April 2012	£215,380
Park Leisure Centre (Dalton Leisure Centre prices) net of reduced opening hours review*	From April 2012	£131,460
Car Parking (£1.50 per hour by 2015)	£0.10 on every year from February 2012	£279,000
Introduce pay and display parking at the Dock Museum	From April 2012	£12,490
Increase household bulky waste removal charge to £10.00	From April 2012	£30,000
Allotment rents set to recover costs of provision*	From April 2012	£35,750
Miscellaneous*	From April 2012	£328,690
Total		£1,489,650

The budget projection for *these items includes a 2.5% increase for 2013-14 and the following years.

4. Cost reductions

4.1 Taking these first 2 measures into account the deficit target reduces from **£5.01 million** to **£2.92 million**.

4.2 Applications for VR have been received from 34 employees (this number will hopefully continue to increase) and this together with deletion of vacancies and staff involved in services with restructuring proposals, will generate annual savings of **£1.72 million** equivalent to 28% of the 2010-11 manpower budget.

4.2. This substantial reduction in staff costs assumes a saving of £95,000 (including on-costs) through the voluntary redundancy of the Chief Executive in June 2012 and his replacement by the re-designation of the Director of

Regeneration and Community Services as Executive Director. It is proposed to reduce the number of Senior Managers from 10 to 5 in total generating annual savings of £312,685. Details of this and all staffing changes consequential to the voluntary redundancy programme and further redundancies generated by changes to services are set out in a separate Part 2 report on your agenda.

4.2.2 Additional efficiencies of **£468,610** (Table 5) leaves a balance of **£0.73 million** to be met by further reducing services and employment costs.

Table 5

Item	Saving £
Review of Town Hall customer opening hours*	69,460
Remove service expenditure funded by grant	57,020
Remove elections from the annual budget	53,410
Review of building cleaning contract	50,440
Remove insurance excesses from the annual budget	40,000
Review of grounds maintenance specification	31,150
Review of corporate solicitors fees	20,000
Remove recycling publicity budget	16,000
Review of environmental health professional fees	30,340
Review of coast protection professional fees	15,000
Review Market and Festivals running costs	15,000
Christmas illuminations budget requirement reduced	15,000
Remove work in default from the annual budget	10,300
Review of bank and brokerage charges	10,000
Review of cost of collection professional fees	10,000
End of Govmetric subscription	8,000
Review of occupational health service	7,500
Remove constituency expenses from the annual budget	7,200
Review of Christmas illumination electricity costs	4,050
Amendment to GIS licence requirements	4,000
Remove annual planning school	3,000
Rationalisation of bottled and filtered water	2,000
Emergency planning professional fees	1,000
Requirement for IT consultancy	(5,000)
Review Payroll service provision (plus 1 VR application)	(6,260)
Efficiency savings achieved	468,610

*To achieve these savings, from October 2011 the Town Hall building will be open to staff from 8am to 6pm and open to the public, with a review of Central Reception, from 9am to 4pm.

4.3 Table 6 sets out proposals for service reductions which will generate further savings of **£527,470** leaving further savings of **£0.2 million** to be identified to achieve a balanced budget in 2015-16.

Table 6

Item	Reduction
Remove discretionary rate relief from April 2012	£80,000
Remove ring and ride grant from April 2012	£23,500
Reduce grant funding to external organisations by 50% from April 2012	£71,710
Remove Arts service & programme support from April 2012 Note 1	£57,920
Remove Furness Enterprise grant funding from April 2012	£40,490
Remove Forum programme support and reduce venue costs from April 2012	£30,000
Dock Museum review of opening from April 2012 Note 2	£24,280
Park Leisure Centre review of opening times and shifts from April 2012 Note 3	£16,550
Community centres to move to self-management from April 2012 Note 4	£11,030
Transfer Leisure Centre, Dock Museum and Forum to trust in 2015	£171,990
Service reductions	£527,470

Note 1: the saving is this reduction plus 1 VR.

Note 2: the saving is this reduction plus changes in staff costs and income from introducing parking charges.

Note 3: the saving is this reduction plus 3 VR, deletion of vacant posts, changes in opening hours and shift pattern as well as changes in the income generated.

Note 4: the saving is this reduction plus 2 part time posts for redeployment.

Appendices 1 to 5 provide more details on these service and income changes.

In recognition of the impact on third sector organisations the Council will establish a special fund of £400,000 from the restructuring reserve to allow the provision of transitional support for regularly funded bodies between 2012 and 2015 to help them also adjust to the new economic reality and seek alternative sponsors.

4.4 At this time £317,000 of reductions in staff costs remain as yet unidentified. On endorsement of this strategy officers will initiate discussions with staff and trade unions and bring forward detailed proposals to achieve this through compulsory redundancies where necessary.

4.5 Projecting the budget into 2015-16 a number of assumptions have to be made. In particular there is an assumption that during the period of this strategy, there will be a degree of growth and economic recovery. Such growth will potentially increase the Council's income and this strategy assumes a 2% growth in 2014-15 and 2015-16; **£0.2 million**. Should the assumed growth from the economic recovery not occur, then potentially additional staff savings will be required.

5. Summary of Strategy and key decisions required

5.1 This paper proposes the Council adopts a strategy to bring the general fund deficit under control by a blend of prudent use of balances, significant but justified increases in discretionary prices and reductions in costs through efficiencies, voluntary and compulsory redundancies and service reductions:

Target deficit reduction	£5.01 million
Annual use of reserve	(£0.60 million)
Additional efficiency savings	(£0.47 million)
Savings in staff costs	(£1.72 million)
Increased income	(£1.49 million)
Service reductions	(£0.53 million)
Growth from economic recovery	(£0.20 million)
Balanced budget for 2015-16	£0

5.2 The effect of these policies on the restructuring reserve is shown in Table 7:

Table 7

Description	Current estimates
Transition grant due for 2011-12	£2,544,279
Transition grant provisionally due for 2012-13	£2,085,778
Total transition grant	£4,630,057
Formula grant adjustment for 2011-12	£48,504
Committed for deficit funding in 2011-12	(£395,869)
Committed for Neighbourhood Management Note 1	(£50,000)
Committed for CCTV Note 1	(£262,550)
One-off costs of service restructure	(£48,100)
One-off costs of redundancies	(£808,900)
Grants to voluntary bodies & arts organisations	(£400,000)
Sub total	£2,713,142
Set aside for deficit funding 2012-12 to 2015-16	(£2,400,000)
Balance remaining	£313,142

Note 1: The current plan assumes these services cease to exist from April 2013.

5.3 The net revenue budget for the years 2011-12 to 2015-16 after implementing all of these policies is shown in Table 8:

Table 8

£ millions	2011-12	2012-13	2013-14	2014-15	2015-16
Current projected budget deficit	0.00	2.19	3.46	4.61	5.01
Net budget with this policy	11.97	9.96	10.17	10.54	10.81
Budget funds with this policy*	11.97	11.58	11.02	10.54	10.81
Deficit or (surplus) with policy	0.00	(1.61)	(0.85)	0.00	0.00
Restructuring reserve**	3.26	4.14	4.10	3.37	2.77

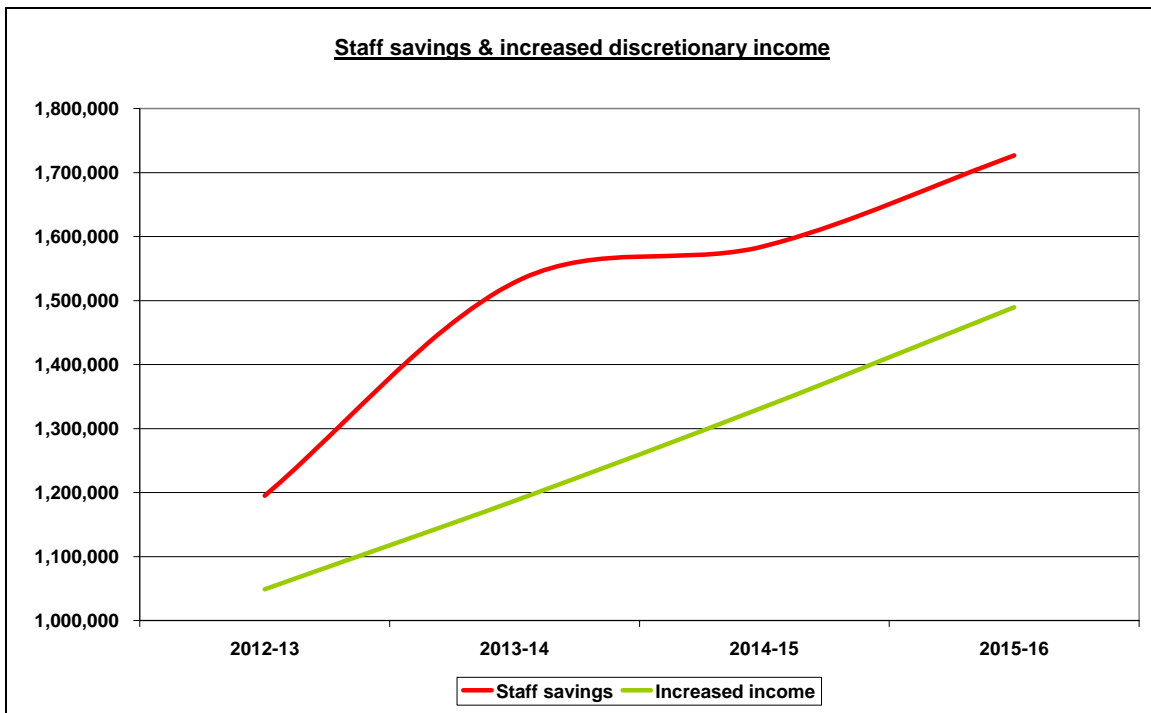
*These funds include the **£2.4 million** deficit funding which is excluded from the restructuring reserve line.

**Restructuring reserve:

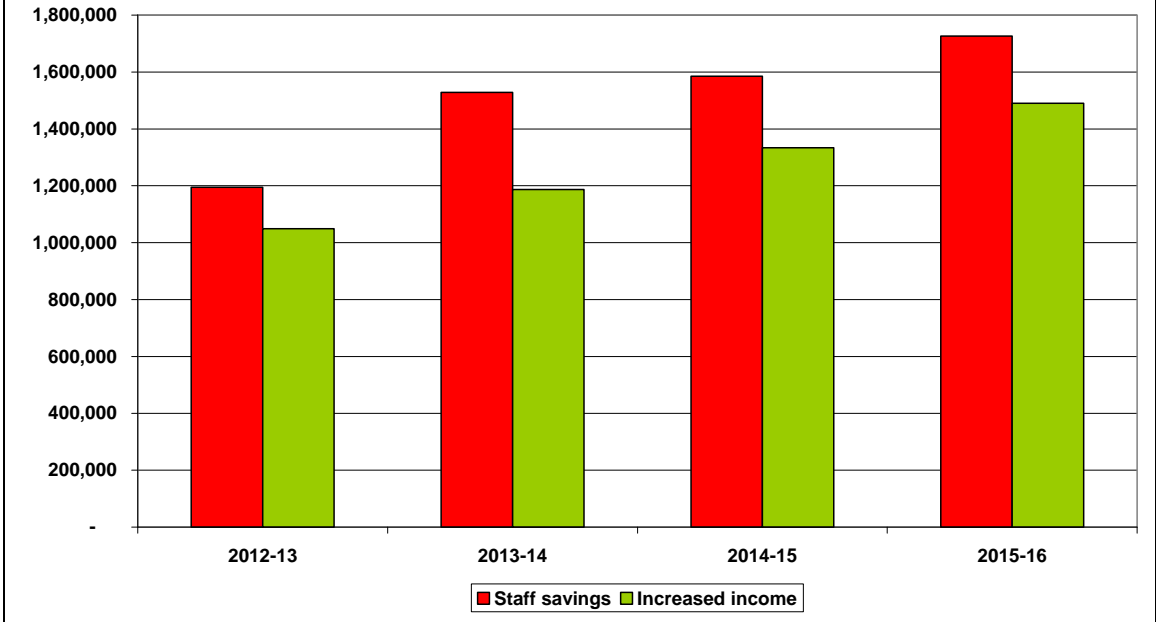
£ millions	2011-12	2012-13	2013-14	2014-15	2015-16
Transition grant remaining	3.26	2.52	1.64	0.91	0.31
Movement in revenue	0.00	1.61	2.46	2.46	2.46
Restructuring reserve	3.26	4.13	4.10	3.37	2.77

The current projected budget deficit before this strategy is shown in **Appendix 6**. The projected budget incorporating the key decisions in this strategy is shown in **Appendix 7**.

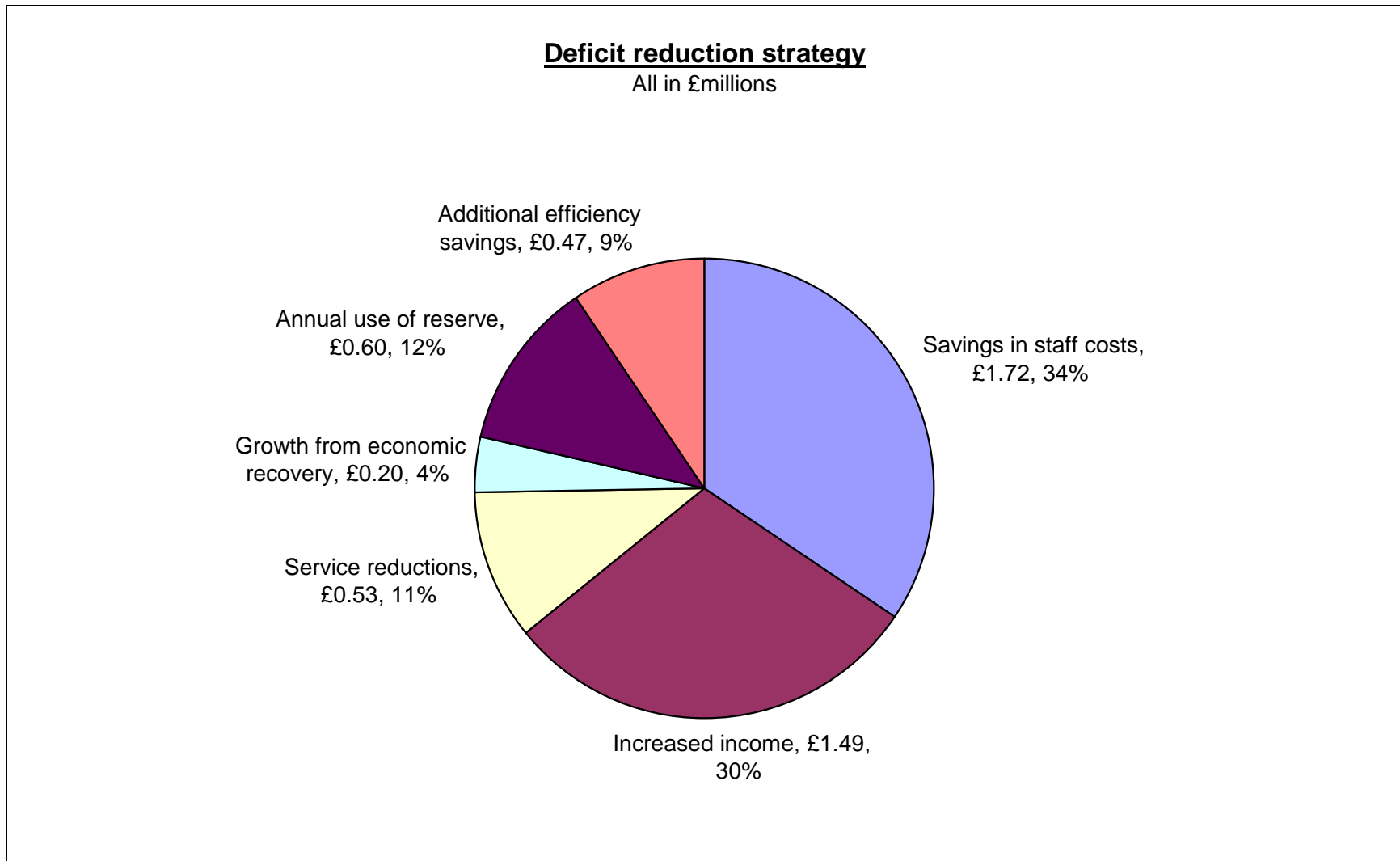
5.5 The following graphs illustrate the staff savings and increased discretionary income from this strategy:



Staff savings & increased discretionary income



5.6 This pie chart illustrates the value of the components of the deficit reduction strategy summarised in paragraph 5.1:



(i) Legal Implications

Various aspects of employment law need to be adhered to.

(ii) Risk Assessment

Failure to implement changes to the Council's establishment will compromise the Council's budget Strategy. The Council's redundancy procedures have recently been reviewed amended and agreed. Management Team will meet frequently to ensure effective implementation of the strategy. Regular briefing session for senior members will be scheduled.

Formal consultation procedures are in place and have been initiated.

(iii) Financial Implications

Savings of £5.01m are required for the budget Deficit Reduction Strategy and the proposals in this report will achieve this target.

(iv) Health and Safety Implications

The Council needs to take due care to minimise stress to its employees during a difficult change process.

(vi) Key Priorities or Corporate Aims

The Deficit Reduction Strategy which aims to balance the revenue budget by 2015/16.

(vii) Equality and Diversity

No aspect of this strategy will discriminate against any person with protected characteristics.

(viii) Health and Well-being Implications

These changes will clearly affect the well being of a number of employees. Managers will monitor staff closely and a range of counselling and support and advice services will be made available.

Background Papers

Budget Reduction Strategy and associated papers.

Appendix 1

Increasing discretionary income

The strategy includes the following items to meet the proposed income increase of £1.49 million by 2015-16:

1. New Homes grant: awarded from 2011-12 for 6 years.
2. Council tax increase: 3.5% increase every year within the strategy, beginning with 2012-13:

Band A	2.5% increase	Further 1% increase	Tax for the year	Total increase	Per week
2011-12 (this year)			£134.58		
2012-13	£3.36	£1.35	£139.29	£4.71	£0.09
2013-14	£3.48	£1.39	£144.16	£4.87	£0.09
2014-15	£3.60	£1.44	£149.20	£5.04	£0.10
2015-16	£3.73	£1.49	£154.42	£5.22	£0.10

Band D	2.5% increase	Further 1% increase	Tax for the year	Total increase	Per week
2011-12 (this year)			£201.87		
2012-13	£5.05	£2.02	£208.94	£7.07	£0.14
2013-14	£5.22	£2.09	£216.25	£7.31	£0.14
2014-15	£5.41	£2.16	£223.82	£7.57	£0.15
2015-16	£5.60	£2.24	£231.66	£7.84	£0.15

3. Council Tax Freeze fund: awarded from 2011-12 until the next spending review.
4. Car parking income: £0.10 increase every year within the strategy, beginning at February 2012:

	Per hour	Additional income
2011-12 (this year)	£1.10	-
2012-13	£1.20	£68,000
2013-14	£1.30	£65,000
2014-15	£1.40	£70,000
2015-16	£1.50	£76,000

5. Increase household bulky waste removal charge from £5.00 to £10.00 from April 2012, generating £30,000 per year.
6. Increase allotment rents to recover the costs of providing allotments from £43.00 (300 square yards) to around £86.00.
7. Other headings include fees and charges for building control & planning and income from licensing & hire of halls. These have not been subject to a full review for a number of years and will be reset from April 2012 with the intention of full cost recovery. The strategy includes a 2.5% increase on the reviewed income level from 2013-14 onwards.
8. Other income within the strategy is set out in the individual services in the following appendices: Cemetery and crematorium, Park Leisure Centre and Dock Museum.

Appendix 2

Cemetery and crematorium pricing

The strategy proposes that burial charges be increased to the same level as South Lakeland District Council and cremation charges to be the same as at Lancaster Crematorium. The number of burials and cremations carried out are reasonably consistent year on year and the estimated additional income has been based on 2010-11 events.

The Council makes a 25% surcharge for non-resident cremations, making the charge £499.00 rather than £399.00: the Lancaster Crematorium charge is a flat £620.00.

The Council makes a 40% surcharge for non-resident burials compared to South Lakeland District Council which makes a 100% surcharge for non-resident burials.

The pricing to achieve £200,000 additional income in 2012-13 and then be subject to an annual 2.5% increase, would become:

Activity	Current price	Proposed price from April 2012
Cost of new grave	£362.00	£440.00
Excavate new grave by hand for 1	£304.00	£420.00
Excavate new grave by hand for 2	£414.00	£420.00
Excavate new grave by hand for 3	£521.00	£450.00
Reopen grave by hand for 1	£304.00	£420.00
Reopen grave by hand for 2	£414.00	£450.00
Mechanical dig grave for 1	£304.00	£420.00
Mechanical dig grave for 2	£414.00	£420.00
Mechanical dig grave for 3	£521.00	£450.00
Internment of casket	£96.00	£160.00
Cremation fee: resident	£359.00	£620.00
Cremation fee: non-resident	£499.00	£620.00

Appendix 3

Park Leisure Centre

This strategy proposes a series of measures to change the staffing levels, operational hours and pricing policy of the Park Leisure Centre. Implementing these changes from April 2012 would achieve an estimated saving of £265,250 by 2015-16.

The Centre's operational opening hours would become:

Day	Opening times
Monday to Thursday	7:30 am to 8:30 pm
Friday	7:30 am to 7:30 pm
Saturday & Sunday	9:00 am to 4:30 pm

The swimming pool would be closed every Friday for public sessions and the Centre would be closed on bank holidays. These changes are necessary to achieve the staff savings to change from 3 shifts to 2.

Staffing

Post	Status	Saving
Duty officer	Voluntary redundancy*	£31,140
Receptionist (part time)	Voluntary redundancy*	£13,720
Cleaner (part time)	Voluntary redundancy*	£7,490
Fitness instructor (part time) x2	Vacancies deleted	£13,860
Recreation assistant (part time) x2	Vacancies deleted	£14,260
Recreation assistant casual man hours	Hours reduced	£8,660
Change shifts from 3 to 2	Revised shift pattern	£28,140
Saving in staff costs		£117,240

* Previously agreed by VR Panel.

Other savings

It is estimated that the changes to the opening hours will result in a 5% reduction in energy, £6,550. There will also be a £10,000 budget reduction from general efficiency savings. **£16,550**

Income and pricing

Changing the opening times has an impact on the income generated from the activities provided by the Centre, which is offset by the savings in staff and other items. However, the pricing for the activities offered has been reviewed and has been increased to be the same as Dalton Leisure Centre within this strategy. In addition, the charge made to schools is considerably lower than other authorities in the county.

The key activity pricing is proposed to be:

Activity	Current price	Proposed price from April 2012
Adult swim	£3.20	£4.65
Junior swim	£1.70	£3.15
OAP swim	£1.70	£3.15
Adult swim lesson	£4.50	£6.85
Junior swim lesson	£3.50	£5.35
Aquarobics	£3.20	£4.95
Pool party – up to 30 people	£53.20	£75.00
Adult gym	£4.10	£5.50
Aerobics	£3.20	£4.95
Step class	£3.20	£5.10
Spinning	£3.20	£5.25
*Badminton peak time	£5.70	£7.00
*Badminton off peak	£3.70	£5.00
Loyalty card	£18.10	£21.00
Adult swim with loyalty card	£2.20	£3.70
Aquarobics with loyalty card	£2.20	£4.20
Aerobics with loyalty card	£2.20	£4.20
Step class with loyalty card	£2.20	£4.20
*Badminton peak time with loyalty card	£4.00	£5.30
*Badminton off peak with loyalty card	£2.50	£3.80
School swimming session – up to 30 children	£31.50	£50.00

*Amended to court prices as per the Park Leisure Centre manager.

The effects of all of the income changes are shown in the table below:

Item	Income increase/(loss)
Swimming pool – reduce swimming club water time	(£20,000)
Swimming pool – closed on Fridays for public sessions	(£24,800)
Swimming pool - school income increased	£30,430
Centre – closed on bank holidays	(£2,250)
Centre – prices to be the same as Dalton Leisure Centre*	£148,080
Net increase in Centre income	£131,460

* Increased by 2.5% per year from 2013-14 onwards.

Saving from the Centre

The overall saving from the Park Leisure Centre, included in the strategy is:

Item	Saving
Savings in staff costs	£117,240
Increased income	£131,460
Efficiencies and service reductions	£16,550
Saving for the Centre	£265,250

Appendix 4

Dock Museum

The strategy incorporates proposed changes to the opening times of the Museum. It is proposed that the Museum will close from October to March and retain the current summer hours for April to September:

Day	Opening times
Tuesday to Friday	10:00 am to 5:00 pm
Saturday & Sunday	11:00 am to 5:00 pm

Staffing

The change in opening times generates savings in staff costs, with only the Collections and Exhibitions Manager retained as a full time member of staff. The staffing required for the summer opening times are included in the table to show the net saving, below:

Post	Status	Saving/ (cost)
Visitor Services Manager (part time)	Post deleted	£26,980
Collections & Exhibitions Assistant (part time)	Post deleted	£13,350
Duty Manager (part time) x3	Posts deleted	£24,390
Education & Access Officer (part time)	Post deleted	£7,980
Museum Assistant (part time)	Voluntary redundancy*	£11,750
Museum Assistant (part time) x4	Posts deleted	£42,950
Premises Manager (full time April to October)	New post	(£16,880)
Museum Assistant x3 (full time April to October)	New posts	(£40,180)
Saving in staff costs		£70,340

* Previously agreed by VR Panel.

Other savings

It is estimated that the reduction in opening hours will result in a 40% reduction in energy, £16,280. There will also be an £8,000 budget reduction from general efficiency savings. **£24,280**

Income

The strategy includes the introduction of car parking charges to visitors at the Museum. This would be a short stay only car park charging £0.50 an hour.

It is difficult to estimate the potential income from introducing these parking charges, so rather than use the number of visitors as a base, a conservative estimate of £10,000 for the first year has been included, increasing to **£12,490** by 2015-16.

Saving from the Museum

The overall saving from the Dock Museum, included in the strategy is:

Item	Saving
Savings in staff costs	£70,340
Increased income	£12,490
Efficiencies and service reductions	£24,280
Saving for the Museum	£107,110

Appendix 5

Forum 28

The strategy incorporates proposed changes to the Forum, Arts service and Tourist Information service. It is proposed that the Arts & Tourist Information service cease from April 2012.

This will generate savings in staff costs, shown in the table below:

Post	Status	Saving/ (cost)
Arts Officer	Voluntary redundancy*	£34,280
Senior Tourism Officer	Voluntary redundancy*	£27,200
Tourism Officer (part time) x2	Posts deleted	£12,100
Tourism casuals & overtime	Deleted	£13,520
Forum Marketing Officer	Voluntary redundancy*	£29,950
Forum Duty Officer (part time)	Retiring in 2011	£7,420
Forum casuals & overtime	Hours reduced	£2,950
Forum Programme Officer (part time)	Increased 5 hours	(£4,190)
Saving in staff costs		£123,230

* Previously agreed by VR Panel.

Other savings

The Council provides a subsidy of £68,000 each year for programme support relating to the Forum & the Arts. This strategy proposes that it is removed from the budget. The allocation from the restructuring reserve identified at **4.3** would allow some subsidy to continue to any regularly funded bodies. There will also be a £19,500 budget reduction from general efficiency savings and the deletion of the Arts and Tourism budget headings. **£87,500**

Income

The Forum has a series of rates for room hire and occupancy. These are based on subsidised, non-profit making and commercial rates, differentiated into daily and hourly rates. It is proposed that these rates be rationalised into a clear scale with the underlying principle that costs be recovered. The additional income is estimated to be around **£20,000** by 2015-16.

Saving from the Forum

The overall saving from the Forum, included in the strategy is:

Item	Saving
Savings in staff costs	£123,230
Increased income	£20,000
Efficiencies and service reductions	£87,500
Saving for the Forum	£230,730

Appendix 6

Current projected medium term budget deficit before this strategy

	2011-12	2012-13	2013-14	2014-15	2015-16
		£	£	£	£
Item					
Staff pay	5,940,820	6,100,140	6,272,820	6,448,940	6,595,330
Indirect staff costs	110,050	110,050	110,050	110,050	110,050
Transport costs	147,310	111,980	111,980	111,980	111,980
Property costs	2,019,000	2,019,230	2,018,860	2,019,100	2,019,100
Supplies and services	3,084,120	3,084,030	3,085,620	3,086,640	3,086,640
Contract services	6,380,590	6,699,410	6,980,660	7,274,940	7,581,810
HB&CTB benefits	25,440,250	25,440,250	25,440,250	25,440,250	25,440,250
HB&CTB benefits grants	(25,317,920)	(25,317,920)	(25,317,920)	(25,317,920)	(25,317,920)
External income	(7,175,780)	(7,201,200)	(7,201,200)	(7,201,200)	(7,201,200)
Direct costs	10,328,440	11,045,970	11,501,120	11,972,780	12,426,040
Support services recharged to HRA&capital	(984,540)	(988,240)	(991,820)	(991,600)	(991,600)
Net expenditure	9,343,900	10,057,730	10,509,300	10,981,180	11,434,440
External interest earned	(19,540)	(65,630)	(65,630)	(69,210)	(69,210)
External interest paid on borrowing	621,250	719,760	829,690	916,840	916,840
Provision for repayment of borrowing	1,085,680	954,530	988,290	1,000,600	1,096,700
Cost of pensions for previous employees	1,084,970	1,144,640	1,207,600	1,274,020	1,340,440
Reserves - industrial unit income	46,370	46,370	46,370	46,370	46,370
Net revenue budget	12,007,630	12,857,400	13,515,620	14,149,800	14,765,580
<u>Budget funded by</u>					
Government support grant	6,968,442	6,205,053	5,487,128	4,852,267	4,949,312
Council tax	4,341,185	4,460,600	4,572,120	4,686,420	4,803,580
Total revenue financing	11,418,441	10,665,653	10,059,248	9,538,687	9,752,892
Deficit on the year	589,189	2,191,747	3,456,372	4,611,113	5,012,688
Funded from restructuring reserve	(589,189)				
Net deficit	0				

Appendix 7

Proposed medium term budget projection incorporating this strategy

	2011-12	2012-13	2013-14	2014-15	2015-16
		£	£	£	£
Item					
Staff pay	5,940,820	4,905,120	4,744,390	4,863,827	4,868,372
Indirect staff costs	110,050	109,750	109,750	109,750	109,750
Transport costs	147,310	111,560	111,560	111,560	111,560
Property costs	2,019,000	1,756,480	1,756,110	1,756,350	1,756,350
Supplies and services	3,084,120	2,477,190	2,478,780	2,479,800	2,479,800
Contract services	6,380,590	6,584,190	6,836,850	7,127,600	7,430,760
HB&CTB benefits	25,440,250	25,440,250	25,440,250	25,440,250	25,440,250
HB&CTB benefits grants	(25,317,920)	(25,317,920)	(25,317,920)	(25,317,920)	(25,317,920)
External income	(7,175,780)	(7,914,750)	(8,006,740)	(8,204,380)	(8,408,690)
Direct costs	10,292,990	8,151,870	8,153,030	8,366,837	8,470,232
Support services recharged to HRA&capital	(984,540)	(988,240)	(991,820)	(991,600)	(991,600)
Net expenditure	9,308,450	7,163,630	7,161,210	7,375,237	7,478,632
External interest earned	(19,540)	(65,630)	(65,630)	(69,210)	(69,210)
External interest paid on borrowing	621,250	719,760	829,690	916,840	916,840
Provision for repayment of borrowing	1,085,680	954,530	988,290	1,000,600	1,096,700
Cost of pensions for previous employees	1,084,970	1,144,640	1,207,600	1,274,020	1,340,440
Reserves - industrial unit income	46,370	46,370	46,370	46,370	46,370
Net revenue budget	11,972,180	9,963,300	10,167,530	10,543,857	10,809,772
<u>Budget funded by</u>					
Government support grant	6,968,442	6,205,053	5,487,128	4,852,267	4,949,312
Council tax freeze grant	108,814	108,800	108,800	108,800	108,800
New Homes grant	157,870	157,870	157,870	157,870	157,870
Council tax	4,341,185	4,504,120	4,661,760	4,824,920	4,993,790
Total revenue financing	11,576,311	10,975,843	10,415,558	9,943,857	10,209,772
Deficit on the year	395,869	(1,012,543)	(248,028)	600,000	600,000
Use of restructuring reserve	(395,869)	(600,000)	(600,000)	(600,000)	(600,000)
Net of deficit funding	0	(1,612,543)	(848,028)	0	0

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 9
Date of Meeting:	19th October, 2011	
Reporting Officer:	Chief Executive	
<p>Title: Publication of Initial Proposals for New Parliamentary Constituency Boundaries</p> <p>Summary and Conclusions:</p> <p>To consider the initial proposals for new parliamentary constituency boundaries.</p> <p>Recommendation:</p> <p>The Committee's instructions will be requested.</p>		

Report

The Boundary Commission has published initial proposals for new constituency boundaries in England on Tuesday 13th September 2011. The publication will mark the start of a 12 week period of consultation on their initial proposals, ending on Monday 5th December 2011

The Barrow and Furness Constituency size under the proposals would increase and extend eastwards beyond Ulverston to include Grange-over-Sands. The Commission consider that combining these communities, all of which are linked by their proximity to Morecambe Bay and are connected by the Cumbrian Coast Line railway, is preferable to proposing an extension inland beyond the Furness Fells. They also propose that the Constituency is renamed Barrow-in-Furness, to reflect the name of the major town within the Constituency.

A copy of the proposal is attached at **Appendix 8**.

The Committee are therefore asked to consider the initial proposals for the new Parliamentary Constituency boundaries in order that the Borough's submission can be made to The Boundary Committee for England.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Cost of Parliamentary Elections reclaimed from the Government.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

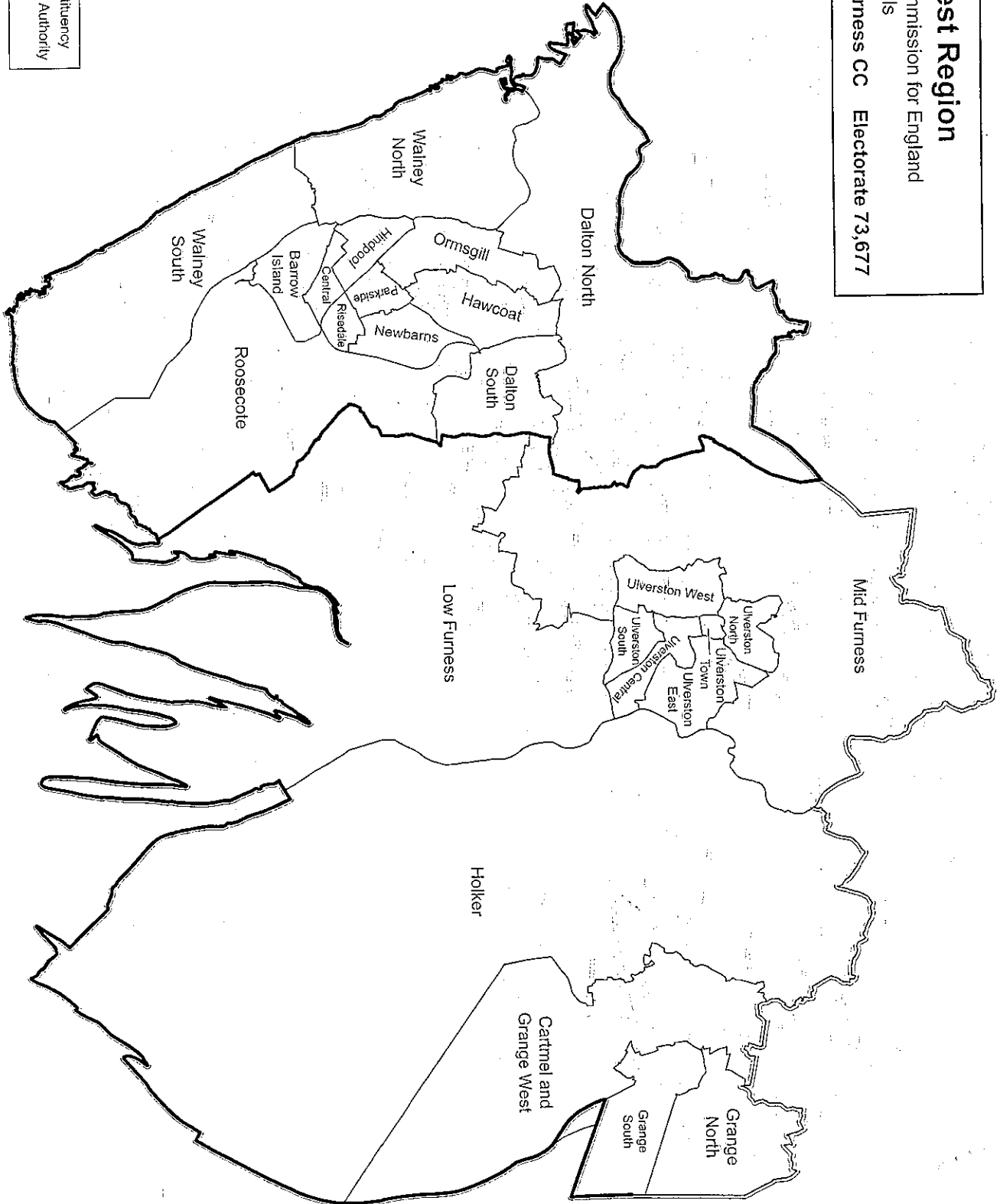
Not Applicable.

Background Papers

Not Applicable.

North West Region
Boundary Commission for England
Initial Proposals
Barrow-in-Furness CC Electorate 73,677

Constituency
Local Authority
Ward



This mapping extract has been produced from Ordnance Survey's mapping data on behalf of the Boundary Commission for England © Crown copyright 2011.

EXECUTIVE COMMITTEE	(D) Agenda Item 10
Date of Meeting: 19th October, 2011	
Reporting Officer: Chief Executive	
Title: Barrow Borough Polling District Review	
Summary and Conclusions:	
Section 16 of the Electoral Administration Act 2006, which came into force on 1 st January 2007, introduced a number of changes to the Representation of the People Act 1983 in respect of the way in which reviews of polling districts and polling places must be undertaken.	
Recommendation:	
To note the report.	

Report

In compliance with the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, every Council in England and Wales must have undertaken and completed a review of all of the polling districts and polling places in its area every four years.

The last Polling District Review was undertaken in 2008. It was proposed to carry out a Polling District Review in June 2012 after the Police Commissionaires elections in May 2012. However, due to the amendment in Parliament that the elections will now take place on 15th November 2012 it is recommended that the Polling District Review commences on 31st October 2011.

A polling district is the geographical sub-division of an electoral area, e.g. UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division.

The Council is responsible for dividing its area into polling districts for UK Parliamentary elections and for keeping the polling districts under review.

Although there is no requirement to sub-divide local government electoral wards into polling districts, it is recognised good practice to do so. When doing so, every effort must be made to ensure that the polling district scheme for local government elections mirrors as closely as possible that agreed for parliamentary elections.

When designating polling districts, the Council must seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances.

In addition, and unless there are special circumstances that lead the Council to determine otherwise, each parish must be in a separate polling district.

A polling place is a geographical area in which a polling station is located. However, as there is no legal definition of what a polling place is and the geographical area could be defined as tightly as a particular building or as widely as the entire polling district.

The Council must designate a polling place for every polling district in the Borough, unless the size or other circumstances of the polling district are such that the situation of the polling stations does not materially affect the convenience of the electorate.

The Council must also keep the polling places under review.

The Council must:

a) Seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;

b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons.

In addition, the polling place for a polling district must be within the area of the district unless special circumstances make it desirable to designate an area either wholly or partly outside of the polling district. The polling place must also be small enough to indicate to electors in different parts of the polling district how they will be able to reach their designated polling station.

A polling station is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district. This function is the responsibility of the Returning Officer.

The review process

The Council is required to publish notice of the holding of a review.

Whilst the law does not specify in what manner the Council is required to publish this notice, it is intended that this will be by way of a Notice posted outside of the Town Hall, on the Council's website and a Press Release.

The role of the Returning Officer

The Council is required to consult the Returning Officer for every parliamentary constituency that is wholly or partly within its area. This means that South Lakeland District Council must consult this Council's Returning Officer in respect of the Ulverston and Low Furness wards within the Barrow and Furness Constituency.

The Returning Officer is required to make representations to the relevant Council, which must include information as to the location of polling stations (both existing and proposed) within polling places (both existing and proposed).

Within thirty calendar days of their receipt, the relevant Council is required to publish the Returning Officer's representations, as a minimum at the relevant Council's office; at least one other conspicuous place in the area; and on the relevant Council's website.

Other representations

In reviewing polling districts and polling places, the Council is required to actively seek representations from such persons as it thinks have particular expertise in relation to: access to premises; or facilities for persons who have different forms of disability.

Such persons must be given the opportunity to make representations and to comment on the representations made by the returning officer.

A key factor the Council will have to consider at the outset of the review is the identification of those persons/organisations it feels has particular expertise in accessibility issues.

In addition, any elector in the constituency may make representations on the designation of polling places to the Council.

Completion of the review

On completion of a review, the Council is required to give reasons for its decisions in respect of the designation of both polling districts and polling places.

In addition, the Council must publish:

all correspondence sent to a Returning Officer in connection with the review, and all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability;

all representations made by any person in connection with the review;

the minutes of any meetings held by the authority where details of the review have been considered;

details of the actual designations of polling districts and polling places agreed as a result of the review; and

details of where the results of the review have been published.

Challenge of review

Although the Electoral Commission has no initial role in the review process itself, it has an extremely important role in respect of considering representations and observations made that a Council has not conducted a review so as to:

meet the reasonable requirements of the electors in the constituency, or a body of them (i.e. the reasonable requirements of a particular area of the authority have not been satisfactorily met); or

take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.

Who may make a representation to the Electoral Commission?

Section 18D (1) of the Representation of the People Act 1983, sets out who may make representations to the Electoral Commission, namely:

in England, any parish Council which is wholly or partly situated within the constituency (or parish meeting where there is no such Council);

not less than thirty registered electors in the constituency (although electors registered anonymously cannot make such a representation);

any person (except the Returning Officer) who made representations to the authority when the review was being undertaken; and

any person who is not an elector in a constituency in the authority's area who the Commission feels has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons.

Also, the Returning Officer may make observations on any representations made to the Commission.

Review by the Electoral Commission

The Electoral Commission is required to consider any such representations and observations, and after doing so, may direct the relevant authority to make any alterations it sees necessary to the polling places designated by the review.

Should a Council fail to make the alterations within two months of the direction being given, the Commission may make the alterations itself.

What happens now?

Each Member will receive by 31st October 2011, a schedule of the polling districts and polling places as they currently exist. A copy the ward map, showing the polling districts will be available on request. Responses from Members and any representations from Parish Councils and access groups are to be received by 2nd December 2011.

Final proposals will be submitted to Council on 24th January 2012 and publication of the result of the review to be published on 25th January 2012.

(i) Legal Implications

In compliance with the Review of Polling Districts and Polling Places (Parliamentary Elections) regulations 2006, every Council in England and Wales must have undertaken and completed a review of all of the polling districts and polling places in its area every four years.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 11
Date of Meeting: 19th October, 2011	
Reporting Officer: Director of Personnel and Performance	
Title: Employer of the Year Award	
Summary and Conclusions:	
The Council has received an Employer of the Year Award in the 2011 Education and Learning Awards sponsored by CN Group.	
Recommendation:	
To note receipt of the award and congratulations are given to the Council's learning representatives and to all employees who have benefitted from the learning opportunities offered as a result of our partnership agreement with Furness College.	

Report

The Council received the CN Group Employer of the Year Award for 2011 at an awards ceremony in Workington on 6th October. This was one of a range of awards presented on the night for Education and Learning in Cumbria.

The judges were particularly impressed with the work our Learning Representatives who role in helping employees identify suitable learning opportunities was commended.

Since Summer 2010 a total of 98 employees have received accredited skills training across a wide range of service areas. Part-time staff who would otherwise struggle to access courses have benefitted from the flexible approach to learning offered by our partners Furness College.

A further 39 employees have enrolled on apprenticeship courses for 2011/12. In all, a total of 143 qualifications have been delivered all funded by Government grant. We estimate over £100,000 worth of training and development has been accessed over the last 12 months.

(i) **Legal Implications**

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 12
Date of Meeting: 19th October, 2011	
Reporting Officer: Housing Manager	
Title: Sale of Land Adjacent to 10 Storey Square, Dalton	
Summary and Conclusions:	
The purpose of this Report is to request approval to affirm the sale of land adjacent to the above property to the occupier. This matter was originally considered by the Environmental Health and Housing Committee on 10 th August 1999, and whilst agreed at that time it appears the formal legal transfer of the land never occurred.	
Recommendation:	
To agree that the land be sold to the current occupier at nominal value as previously agreed by Environmental Health and Housing Committee on 10 th August 1999.	

Report

The purpose of this Report is to request approval to affirm the sale of land adjacent to the above property to the occupier. This matter was originally considered by the Environmental Health and Housing Committee on 10th August 1999, and whilst agreed at that time it appears the formal legal transfer of the land never occurred.

The Environmental Health and Housing Committee on 10th August 1999, Minute 31 reads as follows:

"The Housing Manager reported on an application from the occupiers of the above property to purchase a triangular area of land adjacent to their property. The land was of nominal value and he recommended that it be transferred to the occupiers for inclusion within the curtilage of their property.

RESOLVED: that such recommendation be agreed."

The occupier is now wishing to sell the property and it has come to light that, whilst the decision was made, the formal transfer of the land did not take place. The occupier's solicitor has therefore contacted me and asked that the transfer be now formalised.

It is the case that the Council does received requests to purchase ad hoc pieces of land from time to time and the Housing Manager has delegated authority to

agree such sales. It would involve the purchaser covering both legal costs and paying an amount agreed by the Council's Valuation Officer to formally purchase the land.

However, agreement to sell this piece of land was made prior to the above arrangements being put in place and at the time all such land was sold for a nominal amount, with each party meeting their own legal fees.

In view of the time that has elapsed, I would ask Members whether they wish to reaffirm the decision of the Environmental Health and Housing Committee to dispose of the land on the basis previously agreed.

In considering the matter, I would add that the land in question is of nominal value and relates to a small section land bordering the garden of the property and a public footpath. The occupier has in fact already fenced off the area previously following the above decision.

Whilst I cannot provide an explanation as to why the formal transfer did not occur at the time, I would suggest to Members that they reaffirm the decision of the Environmental Health and Housing Committee.

(i) Legal Implications

The Council will complete a formal transfer of land to convey the freehold interest to the applicant.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

I have not gone to the expense of instructing the Council's Valuation Service to value the land. In discussion with the Council's Estate Manager, it is my view that the land is of nominal value and helps reduce expenditure in maintaining the land in question.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Correspondence held by the Housing Manager.

EXECUTIVE COMMITTEE	(D) Agenda Item 13
Date of Meeting: 19th October, 2011	
Reporting Officer: Director of Regeneration and Community Services	
Title: The Draft National Planning Policy Framework	
Summary and Conclusions:	
The purpose of this report is to present to Members the Officer comments submitted in response to the Government's consultation on the National Planning Policy Framework.	
Recommendation:	
To endorse the submitted Officer response to the consultation on the National Planning Policy Framework.	

Report

The Consultation

The Government published the Draft National Planning Policy Framework for consultation on 25th July 2011. The deadline for responses was 17th October 2011.

The Framework, which is accompanied by an Impact Assessment and a Consultation guide are available in the Members' Room or on the DCLG website.

<http://www.communities.gov.uk/publications/planningandbuilding/draftframeworkconsultation>

As the deadline for responses was before the date of this meeting, it was proposed that an Officer response be made, taking account of any comments generated from the Planning Policy Working Group, and that this Committee be recommended to endorse the comments submitted.

The Planning Policy Working Group considered the consultation response at its meeting on 29th September 2011. The Working Group considered it was important that the Council respond to the Government's consultation and endorsed the proposed response.

The Draft Framework

The Government have indicated that it is the intention that the Framework will replace most, although not all, current national planning policy guidance in the form of Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPGs). A list of what it will replace is included in the accompanying Consultation guide and the Government states that that the Framework will form a key part of what it describes as, “reforms to make the planning system less complex and more accessible, and to promote sustainable growth.”

Whilst we welcome the attempt to try to consolidate the rather lengthy PPS's and PPG's, and have no objection in principle for it to be through a single framework document, this should not be at the expense of helpful and clear guidance for local planning authorities and developers.

Your Officers have serious concerns about the fitness for purpose of the Framework as currently drafted, which we consider to be, at best, sketchy, inconsistent and unclear; and in so far as it can be interpreted, to include some very worrying and detrimental changes in policy.

It has been very difficult to respond to the draft Framework, as when read as a whole and in specific parts, we have found it incomprehensible.

A lack of clarity will ultimately frustrate and delay development, both at the application and the plan-making level. A lack of control will lead to poorer quality development, an inability to secure wider benefits, be it securing affordable housing or providing and protecting key infrastructure and facilities, and will cause wholly unnecessary environmental damage. The Borough's current regeneration strategy (and the extensive evidence that underpins it) is clear that poor quality development will not bring about the economic or social regeneration of the Borough or tackle issues such as health inequalities. Whilst some developers will no doubt see a lack of clarity or control as an opportunity to push forward with schemes, for others, such a climate provides uncertainty for investment.

Whilst it appears that comprehensive redrafting of the Framework document will be undertaken in view of what we consider to be its clear lack of quality and the concerns being raised by a number of individuals and stakeholders; it was considered important that the Council took the opportunity to respond within the deadline as there are some issues, such as housing market renewal, urban regeneration and viability, which may not be raised or focussed upon by other respondents. The response, although lengthy, does not attempt to address all Officer concerns in detail, anticipating that some important issues e.g. countryside protection will be responded to in more detail by others.

The response

The submitted consultation response can be seen at **Appendix 9**.

The Officer response sets out a number of issues of concern which include the negative tone of the entire exercise and failure to seize on the opportunity to update, consolidate and streamline planning policy and address the shortcomings of the LDF system and its onerous evidence base requirements.

The response does not address in any detail, issues of principle relating to the introduction of neighbourhood planning and abolition of the Regional Strategy, as these are provisions of the Localism Bill rather than the Framework itself. It does however briefly raise concerns relating to these proposed legislative changes and how these issues are addressed in the Framework.

The response also draws attention to the wholly unnecessary 'cull' of existing guidance e.g. on flood risk assessment and the application of sequential testing. This is compounded by the lack of clarity and inconsistency of terminology, and the inconsistency and incomprehensibility of the general and specific advice. This is most evident at paragraphs 14 and 110 of the Framework, but can also be seen elsewhere e.g. where advice effectively precluding the preparation of SPD's is included at paragraph 21 whereas paragraph 41 appears to contradict this.

The response also points out that the Framework refers to documents and concepts that don't currently exist and will require changes to primary legislation (including but also going beyond the Localism Bill) e.g. neighbourhood plans and their precedence over 'Local Plans' presumably even when much older (paragraph 51 of the Framework) and an apparent change to the nature of plan led-system of decision making (paragraph 62 of the Framework)?

The response discusses the Framework's failure to provide effective support and the tools necessary to secure its stated ambitions, and for this Council's to progress its regeneration strategy. This includes the lack of a requirement for an overall sequential approach to development and prioritising of the reuse of brownfield land; the lack of protection for the countryside, and the lack of effective support for town centres including the removal of 'town centre first' approach to office development.

(i) Legal Implications

Not Applicable.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

Not Applicable.

(iv) Health and Safety Implications

Not Applicable.

(v) Key Priorities or Corporate Aims

KP1: Create a safer, cleaner, greener Borough and reduce the gaps between the priority wards and the average.

KP2: Meet the Housing needs of the Borough and make decent housing more accessible

KP4: Support economic regeneration

KP6: Expand facilities and activities for young people

(vi) Equal Opportunities

Not Applicable.

vii) Health and Wellbeing Implications

The Framework does not provide effective support for and tools to secure economic or social regeneration of the Borough and tackle issues such as health inequalities.

Background Papers

Draft National Planning Policy Framework. 25 July 2011.

Draft National Planning Policy Framework Impact Assessment 25 July 2011.

Draft National Planning Policy Framework Consultation guide 25 July 2011.

The Draft National Planning Policy Framework:

Barrow-in-Furness Borough Council Response

The overall tone and quality of the guidance and its general thrust

1. Whilst we welcome the attempt to streamline planning policy guidance and generally support the production of a single document as opposed to separate subject Planning Policy Statements, this must not be at the expense of helpful and clear guidance for local planning authorities, developers and communities. The over-emphasis on reducing the number of words has resulted in a wholly unnecessary 'cull' of important existing guidance e.g. on flood risk assessment and the application of sequential testing; whilst the document still contains a lot of unnecessary repetition.
2. The Ministerial Statement in the foreword claims that "By replacing over a thousand pages of national policy with around fifty, written simply and clearly, we are allowing people and communities back into planning." We would question and dispute this statement. It has been very difficult to respond to the Framework as when read as a whole, and in specific parts, we have found it incomprehensible. We are not sure if the advice in some parts is meant to say what it does or is just poorly expressed?
3. Overall, we have serious concerns about the fitness for purpose of the Framework as currently drafted, which we consider to be sketchy, inconsistent and unclear; and in so far as it can be interpreted, to include some very worrying and detrimental changes in planning policy.
4. We are also disappointed with the negative tone of the entire exercise. The opportunity should be taken to confirm the importance of the planning system in that it is, and can continue to be, a powerful tool for local authorities, organisations and communities to take forward a vision for their area and influence how they want their areas to develop.
5. The Framework repeatedly refers to documents and concepts that don't exist and will require changes to primary legislation (including but also going beyond the Localism Bill) e.g. neighbourhood plans and their precedence over 'Local Plans' (Paragraph 51) and an apparent change to the nature of plan led-system of decision making? (Paragraph 62) The Framework cannot therefore be finalised until the Localism Bill is enacted; and these inconsistencies and inaccuracies must be removed or be addressed with further legislative changes.
6. There is a lack of clarity of definition and an inconsistency in the use of key concepts and terms. A lack of clarity will ultimately frustrate and delay development, both at the application and the plan-making level. A lack of

control will lead to poorer quality development, an inability to secure wider benefits, be it securing affordable housing or providing and protecting key infrastructure and facilities, and will cause wholly unnecessary environmental damage. Barrow Borough's current regeneration strategy (and the extensive evidence that underpins it) is clear that poor quality development will not bring about the economic or social regeneration of the Borough or tackle issues such as health inequalities. Whilst some developers will no doubt see a lack of clarity or control as an opportunity to push forward with schemes, for others, such a climate provides uncertainty for investment.

Delivering Sustainable Development

7. The Council would be happy to support a 'presumption in favour of sustainable development' both in plan-making and in development control, providing it is clearly and consistently defined and applied. There is then no need to obfuscate and dilute this concept with further and yet different presumptions such as the default answer to development being 'yes' (paragraph 19) or simply to disregard it, if say an local planning authority does not demonstrate a 5 year supply of land for housing (paragraph 110). In paragraph 19, in the second bullet, the assumption is entirely artificial given the content of the Framework. The ministerial foreword also attempts to define sustainable development, although unhelpfully this is not consistent with the definitions set out later in the document.
8. The definition of sustainable development should clearly set out the three recognised strands – economic, social and environmental, and these should be considered and pursued in an integrated way. Indeed they are indivisible and interdependent and the basis of a successful planning system. Whilst paragraphs 9-12 do attempt to set this out, the later guidance then dilutes and departs from this approach to such an extent that it is in our view completely undermined.
9. The Council would also have no objection to the Framework highlighting the importance of 'sustainable economic growth', but it must be made clear that this is not the same as, nor should it presuppose automatic support for physical growth and development proposals that compromise other sustainability principles. We also do not feel that this strand is effectively carried through the document or that it provides the tools for the Council to further this important aim. Local planning authorities have limited tools to influence and shape development; proactive advice, plan-making and helping to secure funding and CPO can only go so far; ultimately it is through control and the ability to refuse poor quality and inappropriate schemes, or schemes that do not deliver the locally agreed objectives that local planning authorities and communities can shape

development. Housing development, be it new build, replacement or improving of existing stock, whilst essential to support and sustain the economy and whilst providing jobs, is not economic growth per se. There should also be no automatic assumption that an increased supply of housing is appropriate or will create strong, vibrant and healthy communities (see our response in the housing section). The aim should be to provide sufficient and appropriate levels of housing to meet the requirements identified based on evidence, but also informed by local priorities and consensus, rather than through 'top-down' national targets. Housing development of the wrong scale, type, quality and in the wrong location, can damage economic growth and/or regeneration.

10. Either we have a plan led system or we do not. The Framework is contradictory on this point. The current plan-led system, though imperfect, has served us well, despite the complicated traditional phase most local planning authorities are still in. Delays in plan preparation are however a concern and this Council would urge the Government to take the opportunity to address the shortcoming of the current LDF system (see our further comments on plan-making).
11. The 'core planning principles' in paragraph 19 should be combined with what appear to be core planning principles in paragraphs 14 and 15. Paragraph 14, as currently drafted, is incomprehensible. Given the 'presumption', there is no need for the phrase "approve all individual proposals wherever possible". The first bullet point largely repeats the guidance in bullet point 2 of paragraph 19, although we prefer the term 'requirements' to 'need' (see later explanation of our reasoning here); the second bullet point is surely not planning policy but simply good practice? All applications should be dealt with in a timely fashion - or should some 'queue jump'? The final bullet point does not reflect the current statutory duty in relation to the development plan. The development plan cannot be ignored (see our later comments at our paragraphs 18 and 38). The final part of the paragraph we struggle to make sense of in terms of it only applying to the above three 'policies'. As neither 'significant' nor 'demonstrable' is defined there is also difficulty with assessing when significant and demonstrable adverse impacts outweigh benefits. Arguments over the legal definitions of these terms are likely to draw out both the plan-making and decision making processes.
12. Should not paragraph 16 refer to 'adverse effect on integrity' rather than 'significant effect' which can be positive and is simply the trigger for an Appropriate Assessment?
13. The 'core planning principles' do not give adequate emphasis to the social or environmental strands of sustainability, and in our view should clearly

set out the requirements for an overall sequential approach to development, prioritise the reuse of brownfield sites and support the protection of the countryside for its own sake.

14. Our comments on paragraph 17 regarding neighbourhood plans are set out later in our response.

Plan-making

Local plans

15. The Framework uses the term 'Local Plan' throughout. This is confusing as it is not defined in the Framework glossary and there is no such phrase in current legislation other than in respect of 'saved' local plans. Paragraph 21 then uses the legally defined term of 'development plan documents', although it refers to them as 'additional' which suggests that the 'Local Plan', as discussed in the Framework, is something different to the current umbrella term of 'Local Development Framework'. Clarity is sought on the definition of 'Local Plan'.
16. Paragraph 20 of the Framework states that "plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole". Paragraph 14 also discusses this. The implication is that local planning authorities can refuse to meet objectively assessed development needs at a plan-making level. Is this because the Government expect any unmet requirements to be accommodated in adjoining areas, or just not met? Without the strategic framework of the Regional Strategy, the former, though desirable, could prove very difficult in practice (see our later comments).
17. Paragraph 22 states that "Local Plans should ... address the spatial implications of economic, social and environmental change". However, it also states that "Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan." This conflicts with the earlier part of the paragraph and advice elsewhere in the document and it appears to signal a move away from spatial planning?
18. Paragraph 26 and the advice in paragraph 14 (see our earlier comments) need to reflect the statutory duty in relation to the development plan. These paragraphs also refer to the up to datedness of development plans and their consistency with the Framework. This issue should be further explained and it should be consistency of policy rather than age which is

important. However, as the Framework as currently drafted, proposes sweeping changes, the implication is that most plans (if not all) would be rendered 'out of date'. The result would be 'planning by appeal' and an attempt by developers to bypass locally distinctive policies underpinned by an objectively assessed evidence base. The financial implications and physical cost of such an approach is likely to be significant. We would also be concerned about those stakeholders and communities who have been active in helping shape current plans only to see an attempt to have them swept aside.

Supplementary Planning Documents (SPDs)

19. Paragraph 21 of the Framework refers to supplementary planning documents (SPDs), stating that these "should only be necessary where their production can help to bring forward sustainable development at an accelerated rate, and must not be used to add to the financial burdens on development." Whilst it can be argued that guidance of the type contained within SPDs can help accelerate development i.e. if people follow the guidance they are more likely to be granted planning permission, avoid problems with the Equality Act and/or building regulations etc, others could seek to use this paragraph to challenge the production of all SPDs. SPDs and their predecessors SPGs have a proven record of improving understanding and standards. The Government clearly recognise this in their letter of 12 August 2011 pointing to the usefulness of shopfront SPDs.
20. SPDs quite rightly do not have the full weight of development plan documents and are open to legal challenge following adoption and appeal with costs if misused. Restricting the production of SPDs will mean additional policy guidance and text in development plan documents, which runs counter to the core planning principle of paragraph 19 that local plans should be "succinct".

Using a proportionate evidence base

21. Whilst the importance of evidence to underpin policies is recognised, current evidence base requirements are disproportionate. In our experience, evidence base requirements, in terms of their implications for soundness, are a significant barrier to progressing plans in a timely fashion. We welcome the emphasis on a proportionate evidence base but recognise that evidence base burdens will no doubt be exacerbated by the abolition of Regional Strategies and the loss of the regional evidence base produced by the former Regional Assemblies and Development Agencies. We would expect there to continue to be 'best practice guides' for key evidence base studies but these will all need to be updated. We would

urge however that they remain just that and do not become 'policy' to be slavishly adhered to to avoid unsoundness and that they reflect local differences and resource constraints. We also feel that planners, in consultation, and in a manner consistent with national policy, should be allowed to use their experience and judgement in policy making.

Housing requirements

22. Paragraph 28 addresses Strategic Housing Market Assessments (SHMAs). Our comments in paragraph 27 would apply and we would hate to see delay and repetition of previous work result from trying to redefine housing market areas following the abolition of regional planning.
23. The terminology here is not consistent with that elsewhere in the Framework. Most concerning, is the third bullet point in paragraph 28, which refers to "housing demand and the scale of housing supply necessary to meet this demand". It is not clear whether this relates to numerical demand or type and location. It is important to recognise the distinction between objectively assessed 'requirements and need' and 'demand'. What happens if demand cannot be met in a sustainable way and without compromising other policies?

Environmental assessment

24. Presumably the existing Sustainability Appraisal (SA) guidance will be updated? We would urge that process of SA be simplified. Most SAs are longer than the plans they assess and are impenetrable to the public. They are often confused with policy documents as the guidance encourages them to set objectives. SAs should assess and inform the economic, social and environmental effects of policies in a structured and sensible way, and any monitoring should be of the plan policies not the SAs.
25. Paragraph 36 states that 'Assessments' (presumably SAs, SEAs and AAs) should be proportionate to the plan. We support this and would urge the Government, both at the plan-making and the decision making level, to simplify the procedures for and processes of Assessments, to avoid unnecessary and costly assessment of detailed matters which could be satisfactorily addressed at a later stage e.g. at planning application rather than plan-making stage, at reserved matters rather than at outline planning application stage or through the discharge of conditions. We would also not wish to see the advice of paragraph 34 that "Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area" be used to seek or require information that is not necessary for decision making.

Historic environment

26. We are not clear what is being asked here and how local planning authorities will be able to do this in practice, particularly in two-tier areas?

Ensuring viability and deliverability

27. Paragraphs 39 to 43 briefly addresses viability and deliverability. Whilst we agree that plans should not include policies that effectively prevent planned schemes from coming forward because these are not viable, the advice here also needs to recognise firstly, that plan-making looks beyond the short term and short term difficulties/market fluctuations should not signal or justify an abandonment of standards or infrastructure requirements; and secondly, that some schemes require public sector support and should not be precluded because they are not independently viable or do not have funding committed. Without these important caveats, planning authorities cannot be aspirational and will never be successful in tackling underlying problems in their areas.
28. In Barrow, the transformational Waterfront Barrow project as set out in the adopted Area Action Plan requires public sector gap funding. Comprehensive regeneration schemes such as this, which aim to tackle deprivation, including worklessness and health inequalities, require the continued support of the Framework.

Planning strategically across local boundaries

29. Paragraphs 44 refers to the 'duty to cooperate'. Is this referring to that contained within the Localism Bill or a separate duty under the Framework?
30. The Regional Strategy currently provides an agreed strategic approach across a region to which development plans need to generally conform, in a similar way to how structure plans operated at a sub-regional level. Whilst authorities should continue to cooperate and seek to address cross-boundary issues, this will be much more difficult to achieve following the abolition of the Regional Strategy. Given that even under the Regional Strategy, authorities could not always reach agreement, it will not realistic to require them to "demonstrate evidence of having successfully cooperated" if successful cooperation is intended to mean 'agreement'. Would plans be found unsound if agreement is not reached?

Examining Local Plans

31. Paragraph 48 sets out revised tests of soundness. The newly added test of soundness requires that the plan is “positively prepared”, to meet “objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities, where it is practical to do so consistently with the presumption in favour of sustainable development”. The ‘effectiveness’ test has also been changed to add reference to “effective joint working on cross-boundary strategic priorities”. We have concerns that these tests could effectively veto plans (see our comments above).
32. The ‘Effective’ test of soundness, which requires plans to be deliverable, continues to prevent true aspiration (as required by paragraph 22), and is likely to be even more difficult to meet given the withdrawal and uncertainties of public funding and resources.
33. In our view, the single biggest hurdle to progressing plan-making is the concept of and resulting tests of ‘soundness’. It is unlikely that a single submitted plan has been found sound to date (i.e. without an inspector making significant changes to ensure soundness) with many plans being comprehensively rewritten post submission which is contrary to the fundamental principles of the LDF system (See recent judgement in *Barrow Borough Council v Cumbria EWHC 2051(Admin)*). We would urge a move away from this concept and the return of a formal post-examination modification procedure.

Neighbourhood Plans

34. This section of the Framework and paragraph 17 sets out what neighbourhood plans should do. Whilst the basis of neighbourhood planning is a provision of the Localism Bill rather than the Framework, we still remain fundamentally concerned about the ability of non-planners to prepare statutory development plans, the interface with Council’s plan-making and ongoing development control responsibilities, including for enforcement, and the financial and resource burdens on Councils of their preparation. The advice in the second and third bullet points of paragraph 17 conflicts with the first bullet point. Are policies to be based on the objectively assessments established through the evidence base or not?
35. Paragraph 51 conflicts with the current provisions of the 2004 Act (Section 38(5)), which gives the most recent plan precedence not a neighbourhood plan. A neighbourhood plan could be much older than a local plan or exist long after a qualifying body may have disbanded?

Development Management

36. This section should focus on the practicalities of development control only, rather than try to repeat in an inconsistent way subject based policies elsewhere in the Framework e.g. on housing development.
37. Paragraph 59 considers application validation requirements. No mention is made of the current national validation requirements. If these are to change or be superseded as a result of the Framework, this should be clearly stated. (See also our earlier comments on environmental assessment at our paragraph 25.)
38. Paragraph 62 does not accurately describe the current nature of the current plan-led system. Section 38(6) of the Planning & Compensation Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".
39. Paragraph 66 relates to 'Community Right to Build Orders'. The practical application of these and the interface with the Borough Council's responsibilities e.g. for enforcement is not clear. Resource implications here could be significant.

Communications Infrastructure

40. Paragraph 97 requires local planning authorities to ensure that each new building or structure does not cause interference with broadcast or telecommunications services. No exceptions are made for small scale or householder development. This implies a further information burden on applications including those for house extensions.

Planning for Prosperity

Business and economic development

41. Paragraph 71 states that there is "an urgent need to restructure the economy" and "build on the country's inherent strengths". These statements are not explained and further guidance and clarification is sought if these are to be meaningfully applied.
42. We are not clear as to the intent and purpose of the first sentence of paragraph 73. Whilst we fully support the second sentence and bullet points, planning can only address these issues if the Framework provides national policy support, and if funding is available to tackle poor

environments or lack of infrastructure. As we set out in our paragraph 9, we do not feel that support for sustainable economic growth is effectively carried through the Framework or that it provides the tools for the Council to address its identified regeneration issues. We would also be concerned about how 'priority areas for economy regeneration' (penultimate bullet point) could be agreed following the abolition of the Regional Strategy.

43. Paragraph 74 is an unnecessary repetition of the 'presumption'.
44. Paragraph 75 states that, "Planning policies should avoid the long term protection of employment land or floorspace, and applications for alternative uses of designated land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses." This statement fundamentally undermines the basic principle of plan-making. Employment allocations, like all allocations, are the result of extensive evidence base research coupled with local knowledge; and short term difficulties/market fluctuations should not signal or justify an abandonment of policies. The advice here conflicts with that in paragraph 73 and the core planning principles and paragraph 92 promoting 'mixed use developments'.

Promoting the vitality and viability of town centres

45. Whilst we fully support the second bullet point of paragraph 72 and indeed this is a key strand of this Council's regeneration strategy; there is insufficient clarity and support in this section for this to be effectively achieved.
46. This section requires that local planning authorities define a network and hierarchy of centres that are resilient to future economic trends. In order to effectively do this it is important to take account of competing centres that lie outside the local authority boundary. Currently, Regional Strategies do this, and the lack of agreed strategy could lead to inappropriate and potentially damaging growth/decline in competing centres across local authority boundaries.
47. Paragraph 77 and 78 maintains the sequential approach to retail and leisure uses. This is welcomed. However, paragraph 78 states that this preference for a town centre location should be "where practical". This requires clarification in order to avoid a weakening of the current 'town centre first' policy. The term 'existing centre' in paragraph 77 should be clarified – it presumably means existing town centre?
48. There is particular concern raised regarding the fact that offices no longer appear to be subject to the sequential test. The loss of offices from the town centre to more remote locations would be extremely damaging to the

town centre economy, negatively impacting upon its vitality and viability. This should be addressed.

Planning for People

Housing

Increasing supply

49. The Housing section sets out the Government's objective of increasing (significantly) the supply and delivery of new homes. In Barrow Borough the current Regional Strategy targets are set higher than previous Local and Structure Plan targets, but these RS targets are to be revoked through the Localism Bill. Assuming new targets are to be set in development plan documents, are these to be informed by the evidence base (as Paragraph 109 suggests) and developed through consultation, or is the expectation that they simply be higher than existing RS targets or higher than existing delivery rates regardless of what the evidence shows, and if so, over what period and by how much? In Barrow Borough, housing market renewal and improving quality and choice through the improvement and renewal of the existing stock is key to the economic and social regeneration of the Borough. Current targets only provide for a 0.45% growth of stock per annum. The provision of new units on greenfield sites outside settlements whether in the Borough or in the adjoining district of South Lakeland on a 'significantly increased' scale, could lead to the collapse of the housing market in some areas of central Barrow and would prevent the Council from achieving its corporate regeneration strategy and delivering the transformational Barrow Waterfront project as set out in its recently adopted Area Action Plan which was developed after extensive consultation.

The 5 and 15 year supply

50. Paragraph 109 attempts to set out what local planning authorities should be doing to boost the supply of housing, but the guidance here is incomprehensible. Whilst it is fully accepted that the existing guidance on this issue in PPS3 is unclear (an issue we have raised with DCLG previously), the guidance should take the opportunity to make this matter clear so that local planning authorities can concentrate their scarce resources on bringing forward appropriate sites through development plans rather than academic and esoteric arguments over statistics which distract from plan-making and from delivering timely decisions on planning applications, and most certainly do not reflect the spirit of localism.
51. The guidance should make clear the distinction between the expectations for development plans in terms of policies and allocations, particularly as

this matter is to be further complicated by potential new and additional allocations and policies in a neighbourhood plans; and the expectations for ongoing monitoring and analysis through AMRs or SHLAAs.

52. The overall targets (and the range of sites to meet the requirements allowing for quality and choice) set in development plans, should be informed by the evidence base and developed through consultation. Development plans could include an allowance for non-delivery as this happened historically in Cumbria (whether set at 20% or determined locally by evidence), but this would mean a switch back to permissions targets rather than net additional dwelling targets as we have at present.
53. The AMR or SHLAA cannot alter development plan policy or allocate new sites, only monitor delivery and signal the need for plan review. Therefore, once a plan is adopted, undersupply against its targets (if these are set) can only be managed by a) bringing forward allocated sites to earlier plan phases (and a policy to allow this would need to be set out in the plan) or b) by granting windfall consents. Is this what is meant "rolling forward" the supply of 'deliverable' sites? If it is, the footnote (5) doesn't make sense as it states that only sites that are judged as deliverable within 5 years of the adoption of the plan can be counted?
54. Bullet point 4 states that windfalls should not be counted in the first ten years - presumably this relates to development plans, as, if it related to a 'rolling supply' they could never be counted? As set out below, we consider it nonsensical not to include a windfall allowance, but would be happy with amended guidance that made it clear that plans should aim to allocate as many sites possible and practicable, and not rely on windfalls, particularly in the early years.
55. Windfall sites will continue to come forward and once completed will contribute to net additional dwelling figures whether they were included in the 5 year supply and/or trajectory or not. In Cumbria, windfalls have historically contributed significantly to supply and it would be impractical to allocate small sites e.g. subdivisions of properties, flats over shops, barn conversions, agricultural workers dwellings etc.
56. The guidance therefore firstly need to clarify that extant planning permissions on windfall sites (including those granted on appeal perhaps because an LPA is not considered to have a 5 year supply?) are counted in the 5 or 15 year supply, and should then indicate whether these should be subject to tests of deliverability in line with current practice? (Currently allocated sites and sites with planning permission not considered 'deliverable' are removed from the annual 5 year supply assessment in the AMR. The calculation therefore already effectively includes an allowance for non delivery, market fluctuations etc and this matter is kept under

annual review). Secondly, we do not consider it sensible to exclude an allowance for future windfalls in the 5, 10 or 15 year supply as this would be to ignore an element of future supply that **will** come forward. Ignoring future windfalls could lead to an oversupply of sites and permissions and the unnecessary allocation of less favourable sites, particularly if an over-provision of 20% is to be built into plans. Allowances for future windfalls can (and do in our case) take account of non-delivery.

57. The term 'windfall' should be defined and we would also urge the return to its original meaning of 'unallocated sites' rather than the bizarre definitions in the current PPS3 and the PAS guidance on SHLAAs. The original meaning of this term is easily understood by developers and the community, and windfalls can then be subdivided into brownfield windfalls, greenfield windfalls and SHLAA windfalls.
58. Bullet point five indicates that the SHLAA guidance is to remain. This will need updating to ensure consistency on housing supply issues.
59. Consistency of terminology is again urged ("requirements for market and affordable housing paragraph 109 as opposed to "objectively assessed development needs" paragraph 110). 'Requirement' is the preferred expression as it is a wider than just housing need (which has a specific meaning), and includes a reasonable element of demand and choice as determined by evidence and in consultation; and it is this that plans should meet.
60. Paragraph 110 is incomprehensible and conflicts with advice elsewhere in the Framework e.g. paragraph 14. Is the government really saying that if relevant policies are out of date or a LPA cannot demonstrate a 5 year supply they should grant planning permission regardless of any other considerations, including guidance elsewhere in the Framework? What about statutory duties? From our current experience with the guidance in PPS3, this is the way developers are likely to interpret it and they are already interpreting the Framework in this way.

Design

61. Paragraph 114 states that the "Government attaches great importance to the design of the built environment" and that good design "is indivisible from good planning". Paragraph 116 directs that development plans develop "robust and comprehensive policies that set out the quality of development that will be expected for the area". It's not clear how this apparent commitment to design sits with the general thrust of the Framework as currently drafted?

62. The design section of the Framework uses a number of subjective terms such as 'good design', 'high standards of design', 'high quality and inclusive design', 'high quality outcomes' and 'truly outstanding and innovative design'. Usually guidance as to the meaning of these terms can be taken from the detail of the supporting text. Some information is provided as to the level of focus of policies in relation to design and that is that they should concentrate on guiding overall scale, density, massing, height, landscape, layout and access issues. However, the lack of detail in the Framework means that the meaning of the aforementioned terms remains loose and open to interpretation. This is of most concern in paragraph 121 where it states "Permission should be refused for development of obviously poor design". The term 'obviously poor design' is not expanded or defined and is therefore open to interpretation and debate. Debate about design can form a useful and important part of policy development and decision making. However, debate arising from lack of guidance and clarity is not helpful as it simply serves to delay decisions and draw on precious resources.
63. Paragraph 121 appears to encourage the preparation of 'design codes' providing these avoid "unnecessary prescription or detail". Does the Government see these being included in Local Plans or produced as SPDs? (See our earlier comments on SPDs). Whilst generalised design codes guiding overall scale, density, massing, etc can be a useful starting point; the quality, character and distinctiveness of a places is also dependent on design detail and local planning authorities do and should continue to have a role here in setting out policy and providing advice.

Transport & Sustainable communities

64. It is difficult to see how the objectives set out in these sections (reducing the need to travel, facilitating social interaction and inclusive communities, delivering community facilities and local services and ensuring access to open space and recreational facilities) can be effectively carried through given the lack of an overall sequential approach to development in the Framework. There is a critical flaw here.

Open space and Local Green Space

65. The advice is very muddled here. Paragraph 129 allows for protection of open space in local plans, which would of course be prepared in consultation; whereas paragraph 130 refers to a specific new 'Local Green Space' designation by local communities. Is this designation power to sit outside the neighbourhood plan process and if so, how does this sit with local planning authorities own policies, allocations (including any under paragraph 129), and with neighbourhood plans? How will communities be

able to rule out development? This is entirely contrary to the general thrust and content of the Framework?

Natural Environment

66. This section, together with the previous section on Green Belt and the paragraph discussed above, affords some protection to designated sites. Barrow Borough does not have any Green Belt and therefore currently relies on the long standing policy of protection of the countryside for its own sake supplemented by the additional protection of locally recognised landscapes, the undeveloped coast and allocations in the Local Plan (green wedge urban/village open space etc).
67. The Framework is deafeningly silent on the protection of the countryside for its own sake. This is a longstanding, easily understood and crucial strand of national planning policy. This, coupled with the fact that the Framework no longer includes a policy preference for previously-developed land or a sequential approach to development, means it will be impossible to protect undesignated open countryside or to prioritise brownfield sites over greenfield sites. This is completely unnecessary and wholly contrary to the principles of sustainable development.

Glossary

68. The definition of "Previously-developed land" excludes "Land in built-up areas such as private residential gardens" This should be amended to include gardens in the countryside.