

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

Meeting, Wednesday, 26th June, 2013
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. Questions on Notice

The Chairman to answer questions on any matter in relation to which the Council has powers or duties which affect the Borough and which fall within the terms of reference of the Executive Committee where due notice has been given in accordance with Council Procedure Rules 10.3 and 10.4.

3. 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.

4. 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.

5. Declarations of Interest

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

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

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

6. To confirm the Minutes of the meeting held on 15th May, 2013 (copy attached) (Pages1-10).

7. Apologies for Absence/Attendance of Substitute Members.

- (D/R) 8. Recommendations of the Housing Management Forum, 13th June, 2013 (Pages 11-21).

FOR DECISION

- (D) 9. Local Government Association Peer Challenge on Encouraging Channel Shift (Pages 22-24).
- (D) 10. Efficiency Support Grant (Pages 25-27).
- (R) 11. Barrow and District Credit Union (Pages 28-30).
- (R) 12. Council Tax Reduction Scheme 2014-2015 (Pages 31-33).
- (D) 13. Municipal Mutual Insurance Scheme of Arrangement (Pages 34-39).
- (D) 14. Capital Programme (Pages 40-52).
- (R) 15. Amendment to the Provisions of the Constitution Concerning Questions on Notice at Committees and Sub-Committees (Pages 53-54).
- (D) 16. 166 Rawlinson Street, Barrow-in-Furness (Pages 55-56).
- (R) 17. Risk Management Policy (Pages 57-58).
- (D) 18. Executive Director – Performance Appraisal 2013-14 (Pages 59-61).
- (D) 19. Re-use of Graves – Ireleth Churchyard (Pages 62-63).

PART TWO

- (D) 20. Town Hall – External Works (Roof and Stonework) (Pages 64-68).

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 3 OF PART ONE OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND ACCESS TO INFORMATION (VARIATION) ORDER 2006

- (D) 21. Barrow Cemetery NW Extension – Proposed New Grave Section (Pages 69-72).

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

- (D) 22. Catering and Events Management and Associated Cleaning Services within Barrow Borough Council (Pages 73-74).

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

**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: 17th June, 2013.

EXECUTIVE COMMITTEE

Meeting: Wednesday 15th May, 2013
at 2.00 p.m.

PRESENT:- Councillors Pidduck (Chairman), Sweeney (Vice-Chairman), Barlow, Bell, Biggins, Garnett, Hamilton, Richardson, Seward, Wall and Williams.

1 – 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>
Question on Notice at Committees (Minute No. 2)	To enable the question to be raised by the Member in the interests of accountability.

2 – Questions on Notice at Committees

A Member asked a question under 10.3 of the Council Constitution regarding why the Union Flag was not flown for the funeral of Baroness Thatcher.

The Chairman responded to the questions raised by the Member.

The Executive Director commented that the Constitution allowed for questions on notice to be asked at Committees and Sub-Committees as well as Council. That had never formed part of the agenda since the Executive Committee had been formed some eight or nine years ago.

RESOLVED:- To request the Executive Director and Monitoring Officer to investigate the implications of allowing questions on notice at Committees and Sub-Committees for the conduct of Council business and report back to a future meeting.

3 – Minutes

The Minutes of the meeting held on 20th March, 2013 were agreed as a correct record.

4 – Declarations of Interest

Councillor Hamilton declared an Other Registrable Interest in Agenda Item 9 – Cumbria County Council's Minerals and Waste Local Plan (Minute No. 8). He was a Member of Cumbria County Council.

Councillor Wall declared an Other Registrable Interest in Agenda Item 9 – Cumbria County Council’s Minerals and Waste Local Plan (Minute No. 8). She was a Member of Cumbria County Council.

5 – Apologies for Absence

Apologies for absence were received from Councillors Guselli and Irwin.

Councillor Williams and Wall substituted for Councillors Guselli and Irwin respectively.

6 – Appointments on Outside Bodies, Panels, Working Groups etc.

The Executive Director reminded the Committee that at the Annual meeting on 14th May, 2013 the allocation of seats in respect of Forums, Panels, Working Groups etc. and certain Outside Bodies had been considered by Council.

Council was asked to recommend with the exception of the Housing Management Forum the allocation of seats on Outside Bodies, Forums, Panels, Working Groups etc. be delegated to the appropriate Committees to make the necessary appointments.

Group Leaders had supplied details of the recommended appointments for confirmation by the Committee.

It was also reported that appointments were required to be made to the Cumbria Health and Wellbeing Scrutiny Committee and the Equality Member Champions Group.

RESOLVED:- (i) To approve the under-mentioned Outside Bodies in accordance with Notional Seat Allocations;

(ii) To agree the under-mentioned appointments to Outside Bodies, Forums, Panels and Working Groups; and

(iii) To agree to delete the Cumbria Waste Partnership’s Enhanced Partnership Working Project.

REPRESENTATIVES ON OUTSIDE BODIES, ETC. 2013/2014

- (1) AIR TRAINING CORPS (NO. 128 SQUADRON)
The Mayor
- (2) ASKAM AND IRELETH COMMUNITY CENTRE MANAGEMENT COMMITTEE
Councillors Bell, Doughty, Murray and Thurlow
- (3) ASKAM COMMUNITY CENTRE LIMITED
Director: Councillor Bell

- (4) BAE SYSTEMS MARINE LTD LOCAL LIAISON COMMITTEE
Councillors Cassidy, Pointer and Sweeney
- (5) BARROW AND DISTRICT COUNCIL FOR VOLUNTARY SERVICE
The Mayor
- (6) BARROW AND DISTRICT COMMUNITY ACTION SAFETY GROUP
Councillors Biggins and Pointer
- (7) BARROW BOROUGH DISABILITY SPORT AND LEISURE FORUM:
GENERAL COMMITTEE
Councillor Callister
- (8) BARROW CHILDREN'S CENTRES ADVISORY GROUP
Councillor Preston
- (9) BARROW EARLY INTERVENTION DOMESTIC VIOLENCE PROJECT:
MANAGEMENT COMMITTEE
Councillor Burns
- (10) BARROW COMMUNITY SAFETY PARTNERSHIP
Councillors Hamilton and Pidduck
- (11) BARROW-IN-FURNESS SEA CADET CORPS COMMITTEE
The Mayor
- (12) BARROW WASTEWATER TREATMENT WORKS LOCAL FORUM
Councillors Graham, Guselli and Wall
- (13) BILLINCOAT CHARITY TRUST
Councillors Bell, Doughty, Maddox, Murray, Thurlow and Wilson
- (14) BRITISH NUCLEAR FUELS LIMITED: RAMSDEN DOCK TERMINAL
STAKEHOLDER GROUP
Councillors Biggins, Irwin and Johnston
- (15) BUCCLEUCH HALL MANAGEMENT COMMITTEE
Councillor Doughty
- (16) CENTRAL AND HINDPOOL NEIGHBOURHOOD MANAGEMENT
BOARD
Leader (Councillor Pidduck) plus Councillors Irwin and M. A. Thomson
- (17) CENTRICA
Councillors Irwin, Johnston and Pointer
- (18) CHILDREN'S AND YOUNG PEOPLE'S WORKING GROUP
Councillor McKenna

- (19) CITIZENS' ADVICE BUREAU
Councillors Murray and Pointer
- (20) CUMBRIA ALCOHOL AND DRUG ADVISORY SERVICE
The Mayor
- (21) CUMBRIA COMMUNITY LEGAL SERVICES PARTNERSHIP
Councillor Sweeney
- (22) CUMBRIA HOUSING EXECUTIVE GROUP
Councillor Pointer
- (23) CUMBRIA PENSIONS FORUM
Councillor Wilson
- (24) CUMBRIA PLAYING FIELDS ASSOCIATION
Councillor Callister
- (25) CUMBRIA STRATEGIC WASTE PARTNERSHIP
Councillor M. A. Thomson
- (26) CUMBRIA SUPPORTING PEOPLE COMMISSIONING BOARD
Councillor Pointer
- (27) DALTON COMMUNITY ASSOCIATION
Councillor Wilson
- (28) DUDDON ESTUARY PARTNERSHIP
Councillor Murphy and Councillor Doughty
- (29) EQUALITY MEMBER CHAMPIONS GROUP
Councillor Sweeney
Substitute: Councillor Doughty
- (30) FAIRTRADE WORKING GROUP
Councillors Barlow and M. A. Thomson
- (31) FRIENDS OF WALNEY
Councillor Callister
- (32) FURNESS DRUG REFERENCE GROUP
Councillor M. A. Thomson
- (33) FURNESS ENTERPRISE: SUPERVISORY BOARD
The Leader – Councillor Pidduck
- (34) FURNESS LOCAL PARTNERSHIP GROUP – SCHOOLS
ORGANISATION
Councillors McKenna and Sweeney

- (35) FURNESS MARITIME TRUST
Council of Trustees: - Councillors Cassidy, Irwin, Murphy and Pointer plus the Executive Director and Borough Treasurer
- (36) HEALTH AND WELLBEING LOCALITY FORUM
Councillors Graham, Sweeney and Williams
- (37) HEALTH AND WELLBEING SCRUTINY COMMITTEE
Councillor Wall
Substitute: Councillor Cassidy
- (38) KEEPING OUR FUTURE AFLOAT
Councillor Pidduck
- (39) LAKES WORLD HERITAGE SITE STEERING GROUP
Councillor Murphy
- (40) LIBERATA PARTNERSHIP BOARD
Councillors Barlow, Guselli and Sweeney
- (41) LOCAL GOVERNMENT ASSOCIATION: GENERAL ASSEMBLY
Councillor Pidduck
- (42) LOCAL GOVERNMENT ASSOCIATION NUCLEAR ISSUES SPECIAL INTEREST GROUP
Councillor Pidduck
Substitute: Councillor Sweeney
- (43) NORTH WEST COUNCILS AGAINST FLUORIDATION
Councillor Thurlow
- (44) NORTH WEST OF ENGLAND AND THE ISLE OF MAN RESERVE FORCES CADETS ASSOCIATION
Councillor Husband
- (45) NORTH WESTERN LOCAL AUTHORITIES' EMPLOYERS' ORGANISATION
Councillor Sweeney
- (46) NORTH WEST RAIL STEERING GROUP
Councillor Murphy
- (47) RURAL JOINT COMMITTEE
Councillors Doughty and Murray
- (48) SCRUTINY OF LOCAL HEALTH
Councillor Wall
- (49) SENIOR CITIZENS' CLUBS: EXECUTIVE COMMITTEE
Councillor Irwin

- (50) THE PATROL (Parking and Traffic Regulations Outside London)
Adjudication Joint Committee
Councillor Callister

OUTSIDE BODIES AGREED BY COUNCIL

Allotments Liaison Committee (9 seats – 7:2)

Councillors Barlow, Doughty, Johnston, Husband, Irwin, Thurlow and Wilson plus two Conservative representatives.

Barrow Local Committee – Highways Advisory Group (3 seats – 2:1)

Councillors Barlow, W. McClure and Sweeney

Barrow Borough Sports Council (3 seats – 2:1)

Councillors Biggins, Callister and Pemberton

Wildlife and Heritage Advisory Committee (9 seats – 7:2)

Councillors Husband, Johnston, Murphy, Seward, M. A. Thomson, Thurlow and Wall plus two Conservative representatives.

MEMBERSHIP OF FORUMS, PANELS, WORKING GROUPS ETC. 2013/2014

EXECUTIVE COMMITTEE

Medical Assessment/Housing Applications Appeals Panel

3 Members selected by Executive Director in accordance with proportionality rules

Review Board – Housing Register/Homeless Applicants

3 Members selected by Executive Director in accordance with proportionality rules

Private Rented Accommodation Group (Accredited Letting Scheme and Proposed Licensing)

3 Members selected by Executive Director in accordance with proportionality rules

Planning Policy Working Group (5:1)

(Two Members Executive Committee and four Members Planning Committee)

Labour – Councillors Murray, Pidduck, Sweeney, C. Thomson and M. A. Thomson
Conservative – Councillor R. McClure

Member Training Working Group (3:1)

Councillors Doughty, Pidduck, M. A. Thomson and Williams

Early Retirement/Voluntary Redundancy Panel (3:1)

Councillors Pidduck, Sweeney, M. A. Thomson and Williams

Grading Appeals Panel (3:1)

Councillors Pidduck, Sweeney, M. A. Thomson and Williams

Renovation Grants Panel (3:1)

Councillors Doughty, Pidduck, Richardson and M. A. Thomson

Local Government Working Group (7:2)

Councillors Barlow, Doughty, Garnett, Pemberton, Pidduck, Preston, Richardson Sweeney and M. A. Thomson

Health and Safety Management Board

Councillors Barlow, Pidduck, Pointer, Richardson and C. Thomson

7 – Planning Policy – Annual Monitoring Report (AMR)

The Executive Director reported that the eighth Annual Monitoring Report had been published and a full colour copy was available to view in the Member's Room or on the Council's website.

The AMR was required by legislation and regulations to demonstrate progress in producing the planning policy documents set out in the Council's Local Development Scheme (LDS). It also provided details of development plan policies which were not being implemented and how they were to be reviewed, and the number of dwellings delivered against any targets. The AMR contained a 'housing trajectory' showing the actual and predicted performance against any housing targets in the development plan (currently those set out in the Regional Strategy).

The Council's current Local Development Scheme (January 2013) had reflected the requirements of the National Planning Policy Framework (NPPF) introduced in March 2012, and the Council's decision to produce a single Local Plan document instead of the proposed documents under the former Local Development Framework system. As the production of a single Local Plan required the review of all saved policy that would be progressed over the coming monitoring period.

The Department for Communities and Local Government had cancelled the AMR's non-statutory 'Core Indicators' on 30th March, 2011, however where available data had been presented on the same basis as previously, to enable comparison with previous years and with other Cumbrian Authorities.

RESOLVED:- To note the submission and content of the Annual Monitoring Report.

8 – Cumbria County Council’s Mineral and Waste Local Plan (Regulation 19 Consultation)

The Executive Director reminded the Committee that on 19th February, 2013 Cumbria County Council had published their Draft Local Plan (the Draft Plan) for consultation. The Draft Plan was a single document that had included strategic policies, development control policies and site allocations policies together with a policies map.

The deadline for comments on the Draft Plan had been 8th April, 2013. The short consultation period meant that it was not possible to prepare a report for Committee before the deadline for comments. Officer comments had been submitted and Committee endorsement of these comments was now sought.

The Draft Plan sets out the Mineral and Waste requirements for Cumbria, including the number and type of facilities needed up to 2028.

The Draft Plan allowed for the identification of more than the minimum number of sites, in order to provide flexibility. Assuming that the Draft Plan was underpinned by accurate and up to date evidence of Mineral and Waste requirements for the County, that approach provided the clarity of clearly identified sites whilst still providing the flexibility needed to plan within, what the County Council had described in the past as, the rapidly changing context of planning for waste management.

Paragraph 19.3 of the Draft Plan made it clear that identified sites should not be considered as “this number and no more”. That appeared to conflict with the strategic approach outlined and it had been requested that paragraph 19.3 be removed.

Clarity had been sought regarding the sequential approach although it appeared that existing established waste management sites would be explored first followed by existing buildings and previously developed land within settlements and land allocated for employment use in District Local Plans and Local Development Frameworks.

The Draft Plan sought to enable the increased use of marine dredged aggregates. As Barrow was one of the permitted landing points along the North West coastline, Officers had commented that any increase in the landing of marine dredged aggregates should be accomplished in such a way as not to affect the Barrow Port Regeneration proposals by, for example, transporting aggregate through proposed residential areas.

The Council had consistently objected to the inclusion of Goldmire Quarry as a Mineral and Waste landfill site, objecting to its inclusion on the basis that, in the absence of appropriate technical and feasibility studies, the allocation of Goldmire Quarry for non-inert landfill would be premature. There remained an absence of appropriate technical and feasibility studies and, without such studies, the suitability of the site, its capacity and its deliverability cannot be adequately

demonstrated. Officers therefore objected to the inclusion of Goldmire Quarry as a strategic non inert landfill site.

Officers had asked the County Council to consider Bennett Bank as a possible alternative strategic Mineral and Waste Landfill site. Allocation of Bennett Bank would be sequentially preferable and would provide greater certainty, as a deliverable site, than Goldmire Quarry.

The Council had consistently objected to the inclusion of Site M12 as an identified Mineral and Waste site on the basis of the unacceptable visual impact upon the area.

The Council had also previously expressed concern at the inclusion of a blanket presumption of approval of waste management facilities on planned or existing industrial estates. In the Borough, for example, such facilities would not be appropriate if located within the Waterfront Business Park as it would run counter to the intended purpose of a higher quality business park with higher value employment areas. Officers had requested that the Draft Plan takes account of such circumstances.

RESOLVED:- To agree to endorse the comments in the report.

9 – Boating Licence – Barrow Park

The Executive Director reminded the Committee that in April 2008, a licence to operate pleasure boats on Barrow Park Lake had been awarded to Blyth's Boats. That licence had been granted for five years with an option to extend for a further five years.

The licence required the operator to, as a minimum, offer boat hires to the public every weekend from Easter to Michaelmas and to provide a warden service at those times at the water edge.

In 2008, Blyth's Boats were the only interested party and the Council considered that to be a limited commercial opportunity, which had the main function of adding to Barrow Parks offer.

The arrangement had been satisfactory, the operator had invested in different types of craft and attractions during the last three years and that activity enhanced the visitor experience.

RESOLVED:- To approve the five year extension to the existing boating licence, in line with the terms of the agreement.

10 – Local Validation Criteria

The Executive Director informed the Committee that the Council was required to ensure that submitted planning applications meet the requirements of related national validation criteria these national criteria were supplemented by a local set of criteria.

The local criteria should be reviewed and updated on a regular basis. As part of that process the Council were required to consult for a period of 28 days with principal users of the service on any changes to the criteria. The consultation period ran from 19th March 2013 till 14th May 2013, the new criteria had been placed on the Council's web site, and all principal users of the service had been emailed. A news item had been placed on the Councils website as well as the development services facebook account. The documents could be found at <http://www.barrowbc.gov.uk/default.aspx?page=5259>. No comments had been received during the consultation period.

RESOLVED:- To approve the local validation criteria for planning applications.

REFERRED ITEMS

THE FOLLOWING MATTERS ARE REFERRED TO COUNCIL FOR DECISION

11 – Consolidation of Temporary Ex-Gratia Payments to Staff Dealing with Housing Benefit Complaints

The Deputy Executive Director reminded the Committee that temporary ex-gratia payments had been made to Postholders OHS 010 and OHS 264 in recognition of the additional responsibilities associated with handling Housing Benefit complaints should now be confirmed as permanent.

RECOMMENDED:-To recommend the Council:-

- (i) To agree that the sum of £3,500 per annum be added to the salary of Postholder OHS 010 with immediate effect, taking the total annual salary of the post to £45,953; and
- (ii) To agree that Postholder OHS 264 be re-graded to Scale 6 (£22,221 - £23,708 per annum) with immediate effect.

The meeting ended at 2.30 p.m.

BOROUGH OF BARROW-IN-FURNESS

EXECUTIVE COMMITTEE

26th June, 2013

(D) AGENDA ITEM NO. 8

RECOMMENDATIONS

OF THE

HOUSING MANAGEMENT FORUM

13th June, 2013

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

The recommendations of the meeting of the Housing Management Forum held on 13th June, 2013 are attached.

COPIES OF THE DETAILED REPORTS ON THESE ITEMS HAVE BEEN CIRCULATED PREVIOUSLY TO ALL MEMBERS OF THE COUNCIL.

The Council has agreed that the following protocol should operate:-

- The Executive Committee shall automatically agree any such recommendation or refer it back for further consideration.
- If on re-submission the Executive Committee is still unwilling to approve the recommendation, it is automatically referred to full Council for decision.

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(i)
Reporting Officer: Executive Director	
<p>Title: Appointment of Representatives to Working Groups</p> <p>Summary and Conclusion:</p> <p>The report requested that Members make appointments to the following Outside bodies, Working Groups etc:-</p> <p>Tenant Compact Working Group:- Three Members (2:1) and three Tenant Representatives.</p> <p>Homelessness Funding Working Party:- Two Members (2:0) and two Tenant Representatives</p> <p>Recommendation:</p> <p>That the Members for 2013/2014 be as follows:-</p> <p><u>Tenant Compact Working Group</u></p> <p>Council Representatives (2:1) Councillors Barlow, Hamilton and Williams. Tenant Representatives – Mrs P. Charnley, Mr W. McEwan and Mr A. McIntosh.</p> <p><u>Homelessness Funding Working Party</u></p> <p>Council Representatives (2:0) Councillors Hamilton and Pointer. Tenant Representatives – Mrs P. Charnley and Mr A. McIntosh.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(ii)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: Housing Services Delivery Plan 2013/14</p> <p>Summary and Conclusion:</p> <p>The purpose of the Housing Manager's report was to ask Members to agree the Housing Service's Key Tasks for 2013/14.</p> <p>Recommendations:</p> <p>To agree the Key Tasks and Service Delivery Plan for 2013/14 as follows:-</p> <ol style="list-style-type: none"> 1. Establish scrutiny role for Tenant Participation Compact Working Party and progress the service reviews. Possible options: Anti-Social Behaviour (STAR), Tenancy Agreement and Tenant's Handbook; 2. Consider approach to engaging with under-represented tenants; 3. Review and update 30-year Business Plan; 4. Continue to develop approach to mitigate risks of Welfare Reform; and 5. Review of rents and service charges for supported and furnished tenancies and dispersed accommodation with particular reference to changes in Housing Benefit arrangements. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(iii)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: Housing Complaints – ‘Designated Person’</p> <p>Summary and Conclusion:</p> <p>The purpose of this report was to consider the Council’s approach to the future handling of complaints with regard the provision of housing management services. It proposed the establishment of a designated Tenant Panel, based on the sample terms of reference as developed by the National Tenant Organisation.</p> <p>Recommendation:</p> <ol style="list-style-type: none"> 1. Agree the establishment of a Tenants’ Complaints Panel to act as the ‘designated person’ using the terms of reference developed by the National Tenant Organisation. 2. Agree that the membership of the Tenants’ Complaints Panel consists of the Chair of the Housing Management Forum and two tenants who represent tenants on the HMF. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(iv)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: Changes to Tenant Participation Arrangements</p> <p>Summary and Conclusion:</p> <p>The purpose of the Housing Manager's report was to consider and progress initial changes to the tenant participation arrangements following the agreement of the Overview and Scrutiny Committee reviewing the arrangements and subsequent decision of the Executive Committee on 20th March 2013.</p> <p>The Housing Service's approach to tenant participation was contained within the Community Involvement Strategy 2011-13, which would be reviewed and updated by the next Housing Management Forum meeting. His report suggested changes that were necessary with regard to the Tenants' Forum Constitution and with regard to the arrangements for the Tenant Participation Compact Working Party as a result of the Overview and Scrutiny Committee review.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. That the contents of the report be noted. 2. Agree amended Tenants' Forum Constitution. 3. Agree amended Terms of Reference for the Tenant Participation Compact Working Party and it be renamed Tenant Scrutiny Working Party. 	

HOUSING MANAGEMENT FORUM	(D)								
Date of Meeting: 13th June, 2013	(v)								
Reporting Officer: Colin Garnett, Housing Manager									
<p>Title: Housing Maintenance Investment Programme</p> <p>Summary and Conclusion:</p> <p>The purpose of the report was to inform Member's that the introduction of 'Self-Financing' had resulted in the Housing Revenue Account (HRA) generating additional funding for investment in the housing stock which would be on-going. The Housing Manager asked Member's to agree in principle how these resources should be incorporated within existing plans.</p> <p>Recommendations:</p> <p>(i) That Option 2 be agreed as follows:-</p> <p style="padding-left: 40px;">Use a proportion of the c.£360K to accelerate to component programme but also a proportion to carry out investment in areas of the service it has not been practical to do so previously; and</p> <p>(ii) That the resources be invested as follows:-</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 40px;">Accelerate component replacement, kitchen, bathroom, and rewire programme by:</td> <td style="text-align: right; vertical-align: bottom;">£150K</td> </tr> <tr> <td style="padding-left: 40px;">Commence a programme of upgrading garages</td> <td style="text-align: right; vertical-align: bottom;">£75K</td> </tr> <tr> <td style="padding-left: 40px;">Increase resources for fencing</td> <td style="text-align: right; vertical-align: bottom;">£60K</td> </tr> <tr> <td style="padding-left: 40px;">Public realm investment, in particular communal door security and access paths on estates</td> <td style="text-align: right; vertical-align: bottom;">£80K</td> </tr> </table>		Accelerate component replacement, kitchen, bathroom, and rewire programme by:	£150K	Commence a programme of upgrading garages	£75K	Increase resources for fencing	£60K	Public realm investment, in particular communal door security and access paths on estates	£80K
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HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(vi)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: Welfare Reform Action Plan</p> <p>Summary and Conclusion:</p> <p>The purpose of the Housing Manager's report was to update Members on the delivery of the agreed Action Plan including details of the Housing Service's engagement with tenants and proposals for targeting resources as it moves forward.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. That the information contained in the report be noted. 2. Agree the approach of identifying tenants at greatest risk of tenancy failure due to the reforms and amend procedures for new tenancy visits to take the opportunity to mitigate risks of tenancy failure as far as is practical. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(vii)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: Barrow & District Credit Union</p> <p>Summary and Conclusion:</p> <p>The purpose of the report was to consider offering an opportunity to encourage new tenants to become members of the recently established Barrow & District Credit Union (BDCU).</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. Agree that the Housing Service offer a contribution of £5 to all tenants to become a member of BDCU. 2. Subject to the tenant becoming a regular saver, after 10 weeks of membership a further contribution of £5 be made. 	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(viii)
Reporting Officer: Colin Garnett, Housing Manager	
<p>Title: 6-24 Middleton Avenue, Barrow – Vehicle Crossing</p> <p>Summary and Conclusion:</p> <p>The purpose of this report was to ask Members to consider a request from a resident to construct a vehicle crossing over land owned by the Council.</p> <p>Recommendations:</p> <p>That the request to construct a vehicle crossing over the land be refused due to the preservation of green areas.</p>	

HOUSING MANAGEMENT FORUM	(D)
Date of Meeting: 13th June, 2013	(ix)
Reporting Officer: Jane Coles, Business Support Manager	
<p>Title: Housing Management Performance 2012/13</p> <p>Summary and Conclusion:</p> <p>The end of year performance information was attached to the Business Support Manager's report together with a brief commentary to assist members in their understanding of the key trends.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. That Members agree to see through the current sanctions with the repair contractor VINCI and closely monitor their performance; and 2. Note the information outlined in the report. 	

EXECUTIVE COMMITTEE	(D) Agenda Item 9
Date of Meeting: 26th June, 2013	
Reporting Officer: Executive Director	
<p>Title: Local Government Association Peer Challenge on Encouraging Channel Shift</p> <p>Summary and Conclusions:</p> <p>To ensure on-going savings and efficiencies, the Borough Council needs to encourage more customers to contact services online or by telephone rather than through face to face contact. The Local Government Association Peer Challenge process would allow an external review of how channel shift might be encouraged.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. That you support a Peer Challenge review on encouraging Channel Shift; and 2. That you nominate 3 Councillors to oversee planning and implementation of the Peer Challenge. 	

Report

The Borough Council monitors the channels through which its services are delivered to customers, either face to face contact, by telephone or through the website. The recorded systems show that in 2012/13 there were 102,000 contacts with the Council, 16% were face to face, 79% were by telephone and 5% were through the website. Historically face to face contact has remained the same over the last two recorded years and averaged 16% over the last 4 years. Telephone contact has reduced by 1.0% and web traffic has grown by 1% over the last two years, though web traffic has grown by 3% over the last 4 years.

The latest benchmarking figures for costs of transactions are:

Face to face	£8.62
Telephone	£2.83
Web	£0.15

Clearly, these are industry average, not necessarily the cost per transaction for Barrow, but the differentials between these costs are likely to apply to the Borough.

Given the on-going need for cost savings and to drive efficiencies in a reduced establishment 'channel shift' – moving customers towards online services and away from face to face and telephone contact, is a key issue for the Council.

Officers are already working on a range of proposals to encourage channel shift, including website design, availability of kiosks and self-serve forms. However, the opportunity has arisen through the Local Government Association Corporate Peer Challenge process to externally review the actions we have taken and begin to set out a strategy to increase 'channel shift' for our customer contacts.

Peer Challenge is a sector-led improvement process where the LGA appoint peers to challenge a particular issue identified by an authority. A small team (4 or 5) peers visit the authority, gather evidence for both the Council and customers, and present a report and an improvement plan to the authority. Peer teams normally include a Chief Executive and Senior Member drawn from outside the local authorities region, together with specialists in the subject for review. Each challenge is voluntary, tailored to each authority and free. Over 100 Councils have either had, or are planning, peer challenges. The Barrow Borough Peer Challenge would be likely to start in September 2013.

Senior Officers have met LGA representatives and indicated the Borough Council would support a Corporate Peer Challenge dealing specifically with the technical and cultural issues of encouraging channel shift and setting medium term targets for each channel.

Engagement with Elected Members will be a key part of the Peer Challenge process, and I am seeking your support to progress a Peer Challenge on encouraging channel shift. It would be helpful to identify a small number of Members, I suggest 3, Members who would be engaged in the planning and improvement planning phases of the process.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no, minor or significant implications.

(iii) Financial Implications

The recommendation has no financial implications

(iv) Health and Safety Implications

The recommendation has no, minor or significant implications.

(v) Equality and Diversity

Recommendations arising from the Peer Challenge will take Equality and Diversity issues into account, therefore, the recommendation has no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 10
Date of Meeting: 26th June, 2013	
Reporting Officer: Executive Director	
<p>Title: Efficiency Support Grant</p> <p>Summary and Conclusions:</p> <p>The Borough Council has been successful in bidding for Efficiency Support Grant of £1,175,118 and is eligible for a further allocation of £293,779 based upon first year performance. The report sets out the broad areas for expenditure of the grant to reduce the Council's revenue budget.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. The report is noted; 2. The broad areas for expenditure of Efficiency Support Grant are approved. 	

Report

The Borough Council was formally notified on 14th May that its bid for Efficiency Support Grant (ESG) of £1,175,118 had been approved by the Department for Communities and Local Government. Members agreed to submit a bid in February 2013 (Minute 105). The purpose of the Grant is to provide an incentive 'to make the reforms (proper shared management structures; shared back office and front line services; and outsourcing) necessary to reduce costs effectively and to put them on a sustainable footing going forward'.

The Grant Determination notes no conditions relating to clawback of the Grant. The Council have also been notified of an additional allocation of ESG equivalent to 25% of their original allocation as a reward for going "faster and further" with our plans for implementing the ESG measures. For the Borough this would be an additional grant of £293,779.

DCLG have subsequently confirmed that the additional 25% will be paid so long as at the six month review point, local authorities can identify tangible progress on delivering their plan and show evidence of the savings to be made by the end of the financial year. For this reason, the Borough Council included a year 1 action plan in its ESG submission and this is attached as **Appendix A**. Progress on achieving the targets in the action plan are well advanced.

Funding for Year 2 of ESG will be conditional on performance in year 1.

Grant has been offered to help the Borough Council reduce its net expenditure to levels the Government considers sustainable in the longer term. It should, therefore, be allocated to broad areas of expenditure to achieve this as follows:-

1. Capital Investment to reduce costs and increase revenue – The Borough Council has already agreed to fund re-roofing Craven House and making contribution to internal capital improvements required by a tenant. These actions would secure an additional net revenue benefit of £100,000 pa to the Borough Council for 15 years from 2015. Total cost £600,000.
2. Invest to Save – investment to reduce Council costs, particularly in utilities and property costs - £100,000.
3. Investment in Efficiency Savings – largely drawn by the Business Improvement Team and other transformational initiatives. Current plans are for virtual desktops and software and website improvements to encourage customers to use electronic rather than face to face communication with the Council - £275,000.
4. Contract negotiations – the Council is in discussions about all its major GRF contracts and finance may be required for contract renegotiation - £200,000.

Item 1 above was agreed by Executive Committee in March 2013 and your approval to fund this from ESG is sought in Agenda Item 14 before you today. Expenditure on other cost saving initiatives including predicted savings will be brought to future meetings for your approval as required.

I have only included proposals for expenditure of the agreed allocation, if the Borough Council is successful in obtaining the additional 25% allocation a further report will be brought to Members.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no, minor or significant implications.

(iii) Financial Implications

The Borough Council has been offered an unringfenced grant of £1,175,118 to help to reduce its GRF revenue expenditure

(iv) Health and Safety Implications

The recommendation has no, minor or significant implications.

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Report to Executive Committee Feb 2013 (Min. No. 105)

Reports to Executive Committee March 2013 (Min. Nos. 120, 121)

9. Action plan for 2013/14

9.1: The Council aims to deliver at least £590k of savings and £120k of increased income in 2013/14 and has developed action plan to demonstrate how this will be achieved. This represents at least 28% of the total savings being made in the first year.

Proposed annual saving	Action required	Value of saving
Savings from reduction in staff costs	These cost reductions will be implemented and the savings will be delivered in 2013/14.	£190k
Rationalisation of building cleaning contract	The new contract has been signed and the savings will be achieved in 2013/14.	£25k
Savings from prudent treasury management	Review of capital programme by July 2013. Savings from zero borrowing requirement.	£375k
Increased income from additional rent and reduction in NNDR from Council commercial assets	Refurbishment complete by December 2013. Start of tenancy by March 2014.	£60k
Increased income from catering and soccer centre	Contracts will be signed by May 2013. Additional savings will be generated by March 2014.	£40k
Additional income from management of non-health related services for UHMBT	Contract signed by July 2013. Service delivery to commence September 2013.	£20k
Shared CEO and senior management	The evaluation will be complete by mid-2013.	
Performance review of facilities management of outsourced commercial properties.	The review will be undertaken in July and the savings will be evaluated.	
Channel shift	Implement improved CRM system by September.	

EXECUTIVE COMMITTEE	(R) Agenda Item 11
Date of Meeting: 26th June, 2013	
Reporting Officer: Borough Treasurer	
Title: Barrow and District Credit Union	
Summary and Conclusions:	
The Council has been asked to consider supporting the Barrow and District Credit Union by applying to become a Corporate Member.	
Recommendations:	
Members are asked to recommend to Council that Corporate Membership of the Barrow and District Credit Union is approved and that £10,000 of the Restructuring Reserve be used to fund the deposit.	

Report

The Council has been asked to consider supporting the Barrow and District Credit Union by applying to become a Corporate Member. The Council would then deposit £10,000 into a Non-Deferred shareholding. A dividend would be paid based on the profit the Credit Union made; there is no set return for the deposit. The funds would be placed for one year initially and 3 months' notice would be required to withdraw the Council's deposit after that.

At the end of May, 2013 the Barrow and District Credit Union had 200 members.

The objectives of the Credit Union are (extracted from their Rules):

- The promotion of thrift among its Members of the society by the accumulation of their savings;
- The creation of sources of credit for the benefit of its Members at a fair and reasonable rate of interest;
- The use and control of Members' savings for their mutual benefit; and
- The training and education of Members in the wise use of money and in the management of their financial affairs.

The social goals of the Credit Union compliment the Council's Key Priority to 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 (extracted from their Rules):

- To contribute towards the alleviation of poverty within the community; and
- To contribute towards the economic regeneration of the community.

There is a maximum shareholding for Corporate Members:

“Corporate Members in total shall not have, nor claim an interest in, fully paid up Non-Deferred Shares of the Credit Union exceeding 25 per cent (or such other amount as may be prescribed by law) of the total fully paid up Non-Deferred Shares of the Credit Union. If this percentage is exceeded the Board of Directors shall repay Non-Deferred Shares held by Corporate Members using an agreed policy until a point where the percentage is no longer exceeded.”

The Council’s application for Corporate Membership is within the maximum shareholding limit at this time.

The £10,000 deposit would be funded by the Restructuring Reserve.

Members are asked to recommend to Council that Corporate Membership of the Barrow and District Credit Union is approved and that £10,000 of the Restructuring Reserve be used to fund the deposit.

(i) Legal Implications

The membership implications are identified in the report and will be kept under review as the membership of the Credit Union changes.

(ii) Risk Assessment

There is a risk of loss with the £10,000 deposit and that shall be reflected in the Council’s accounts.

(iii) Financial Implications

The financial implications are identified in the body of the report.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community.

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

(vi) Equality and Diversity

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

(vii) Health and Well-being Implications

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

Background Papers

Correspondence held by the Borough Treasurer

EXECUTIVE COMMITTEE	(R) Agenda Item 12
Date of Meeting: 26th June, 2013	
Reporting Officer: Borough Treasurer	
<p>Title: Council Tax Reduction Scheme 2014-2015</p> <p>Summary and Conclusions:</p> <p>The Council adopted the Prescribed Default Scheme for Council Tax support for 2013-2014. The decision was for one year. This report requests Members consideration of the Council Tax Reduction Scheme for 2014-2015.</p> <p>Recommendations:</p> <p>Members are asked to either agree to recommend to Council that the Prescribed Default Scheme be continued for 2014-2015, or to instruct the Borough Treasurer to model a scheme that will deliver savings by reducing the Council Tax support available to working age claimants.</p>	

Report

2013-2014

The Council Tax Reduction Scheme for 2013-2014 was agreed by Full Council on 12th December, 2012. The Prescribed Default Scheme was adopted and in terms of entitlement this meant that the Council maintained the benefits of all claimants and funded the shortfall from its resources. The estimated cost to the Council for 2013-2014 was £28,000.

It is not yet possible to review that estimate as it is based on items that will change during the year:

- The amount of Council Tax Reduction awarded.
- The additional income generated from the changes in Council Tax discounts and long term empty premiums.

2014-2015

The Council Tax Reduction Scheme was set for one year. A Scheme needs to be agreed for 2014-2015 – this may be a continuation of the current Prescribed Default Scheme. Should the Council wish to adopt an alternative Scheme, then consultation must be undertaken with the major preceptors and with the public. The public consultation would run for 12 weeks. Given the timescale involved I have written this report to seek Members view on the Council Tax Reduction Scheme for 2014-2015.

At this time I am not able produce an accurate cost for 2014-2015 however I have estimated it at around £132,000 gross and £83,000 with mitigation for Barrow Borough Council, but it will vary depending on the uptake and the impact of the Council Tax reforms implemented in 2013-2014. The £83,000 is quite a lot higher than the £28,000 net cost for 2013-2014 due to the reducing Government settlement and the Transition Grant that was only for 2013-2014.

Using the current Council Tax support awarded and caseload I can indicate the amount that would need to be recovered to make the Scheme neutral:

- Pension age caseload 3,345.
- Working age caseload 4,051.

- Total Council Tax Reduction awarded (as at April, 2013) £5,949,000.
- 10% saving to recover from working age caseload £594,900.
- Pension age claimants are protected.

- This equates to a 19% reduction in support to every 4,051 working age cases. These figures are for the whole award, of which Barrow Borough Council's share is the £132,000 gross cost.

The Council Tax reforms that the Council adopted from 2013-2014 will continue to mitigate some of the 10%; this was a top slice national saving in this funding. However, the cost of the Council Tax Reduction Scheme can be funded either partly or wholly from Scheme changes. The 19% illustrated is for a cost neutral scheme and does not take into account the additional income from Council Tax reforms.

Summary

Members are asked to either agree to recommend to Council that the Prescribed Default Scheme be continued for 2014-2015, or to instruct the Borough Treasurer to model a scheme that will deliver savings by reducing the Council Tax support available to working age recipients.

Risks

There are a number of risks associated with adopting the Prescribed Default Scheme; or any other scheme generally:

- 10% cut in funding for Council Tax support to be paid for.
- The scheme is adopted by the billing authority, but we need the major preceptors to be on board.
- The timeframe for consultation and feedback.
- Should the Council design its own local scheme in the future, transitional relief would have to be granted for a reasonable period.

There are also risks associated with **not** adopting the Prescribed Default Scheme and designing a local Scheme:

- The complications in designing a new scheme covering all of the groups of people with different factors to achieve the 10% reduction in overall funding (local caps for example).
- The impact on residents currently receiving Council Tax support if it is reduced.
- The impact of other benefit changes occurring in 2013.

(i) Legal Implications

The Council is required to have adopted a Council Tax Reduction Scheme by 31st January for the following financial year.

(ii) Risk Assessment

The risks are identified in the body of the report.

(iii) Financial Implications

The estimated financial implications are identified in the body of the report.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community.

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

(vi) Equality and Diversity

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

(vii) Health and Well-being Implications

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

Background Papers

Nil.

EXECUTIVE COMMITTEE	(D) Agenda Item 13
Date of Meeting: 26th June, 2013	
Reporting Officer: Borough Treasurer	
Title: Municipal Mutual Insurance Scheme of Arrangement	
Summary and Conclusions:	
<p>The Council is a member of the Municipal Mutual Insurance (MMI) Scheme of Arrangement. MMI ceased to write new or renew insurance business in 1992 and established a Scheme of Arrangement under provisions within the Companies Act 1985. The Scheme of Arrangement was set up to achieve a solvent run-off for MMI and for members' claims to continue to be settled. The Scheme is no longer projecting a solvent run-off so the members (Scheme Creditors) have been called on to make an Initial Levy. The Council has set up a provision to fund the potential liability.</p>	
Recommendations:	
<p>Members are recommended to note the report.</p>	

Report

Summary

Municipal Mutual Insurance (MMI) is an insurance company limited by guarantee and not having a share capital, which was established by a group of local authorities and incorporated under the Companies Acts 1862 to 1900 on 13 March, 1903. The Company suffered substantial losses between 1990 and 1992. These losses reduced MMI's net assets to a level below the minimum regulatory solvency requirement. In September 1992 MMI ceased to write new, or to renew, general insurance business.

Since going into run-off in September 1992 numerous business and corporate disposals have taken place including the right to seek renewal of the larger part of MMI's direct personal and commercial lines insurance business to Zurich Insurance Company along with a number of MMI's assets and many members of its staff.

The Company is subject to a contingent Scheme of Arrangement under section 425 of the Companies Act 1985 which became effective on 21 January, 1994. On 13 November 2012, the directors of the Company concluded that the terms of the Scheme of Arrangement should be triggered and served notice on the Scheme Administrator and the Company to that

effect. As a result, the Scheme of Arrangement was triggered and the Scheme Administrator has taken over the management of the business of the Company.

The Council's total liability in the Scheme at 31 March, 2013 is:

At 31 March, 2013	£
Previous claims settled	1,460,678.77
No Levy	(50,000.00)
Total liability for previous claims settled	1,410,678.77
Initial Levy 15%	(212,000.00)
Remaining liability for previous claims settled	1,198,867.77
Current claims (settlement value estimated by MMI)	128,538.00
Overall estimated liability after the Initial Levy	1,327,216.77

The Council's MMI provision at 31 March, 2013 is:

2012-2013	£
Provision added in the year	1,017,514.59
Initial Levy (in the accounts)	(212,000.00)
Provision at 31 March, 2013	805,514.59

The MMI provision at 31 March, 2013 represents almost 61% of the overall estimated liability after the Initial Levy.

Background to MMI

MMI is an insurance company limited by guarantee which was established in 1903 and which, until 1992, wrote commercial lines and personal lines insurance business mainly on a direct basis. MMI and its subsidiaries and associated companies (the 'MMI Group') together comprised a substantial general insurance and financial services group. In 1991, the MMI Group was the United Kingdom's ninth largest general insurer in terms of general insurance premium income. It is estimated that in 1989/90 MMI wrote some 90-95% of local government insurance.

MMI suffered substantial losses between 1990 and 1992 in its property holdings and the need to provide large increases in insurance reserves in respect of both public and employers' liability insurance. These losses reduced MMI's net assets to a level below the Department of Trade and Industry's minimum solvency requirement. The Directors attempted to dispose of all of MMI's undertaking and assets to a third party but, in the event, this did not prove to be possible. In September 1992, MMI ceased to write new, or to renew, general insurance business.

Since September 1992, a number of disposals have been made including the sale of the right to seek renewal of the larger part of MMI's direct personal and commercial lines insurance business to Zurich Insurance Company along with a number of MMI's assets.

When deciding upon the future of MMI and based on the available information and advice, the Directors believed that a solvent run-off of MMI's liabilities could be achieved. However, the solvency of MMI could be adversely affected by future fluctuations in the value of property and other investment assets, decreases in investment yields, increases in liabilities and adjustments in estimated future claims payments. The Directors obtained professional advice (from the insolvency practice Coopers and Lybrand) on options open to MMI. The advice was that a scheme of arrangement was more likely to be more beneficial to Scheme Creditors than provisional or full liquidation.

Scheme of Arrangement

A scheme of arrangement under section 425 of the Companies Act 1985 (now section 899 of the Companies Act 2006) is a compromise or arrangement between a company and its creditors or any class of its creditors which becomes legally binding on the company and all its creditors, or all the class of creditors, if a majority in number representing three-fourths in value of those creditors present and voting person or by proxy vote in favour of the scheme at a meeting convened to consider the scheme and the scheme is sanctioned by the Court.

The key effects of the Scheme for Scheme Creditors are principally as follows:

- During the Initial Scheme Period (before a Trigger Event), all liabilities of MMI will continue to be paid in full in the ordinary course of business as and when they fall due.
- A Trigger Event will occur if the Directors give written notice to MMI and the Scheme Administrator that either the Directors have concluded that there is no reasonable prospect that MMI will avoid going into insolvent liquidation, or the number of Directors has fallen, and remains for seven days, below two.

If a Trigger Event occurs, a Levy may be imposed on all those Scheme Creditors which since the Record Date have been paid an amount in respect of Established Scheme Liabilities paid by MMI since the Record Date, exceed £50,000 in aggregate.

After a levy had first been imposed, later payments in respect of Established Scheme Liabilities due to Scheme Creditors which have been paid an aggregate amount in excess of £50,000 since the Record Date will be made at a reduced rate (the 'Payment Percentage') to the extent that the aggregate of such payments since the Record Date exceeds £50,000.

The rate of Levy and the Payment Percentage will be determined by the Scheme Administrator acting in consultation with a Creditors' Committee.

If all of MMI's other liabilities have been paid in full then a commission of up to £30 million will be payable to the Scheme Creditors and the Policyholders Protection Board (PPB) as recompense for assuming under the Scheme the risk, in the case of Scheme Creditors, of having a Levy imposed on them and

of suffering a reduction in payment of Established Scheme Liabilities (and losing the time value of money as a consequence) or, in the case of the PPB, of having to make reimbursement to MMI. Commission payments will be made in proportion to the aggregate amount of Established Scheme Liabilities paid to each Scheme Creditor since the Record Date and of sums repaid to the PPB following reimbursement by the PPB (certain persons are eligible under the Policyholders Protection Act 1975).

Any surplus assets remaining after payment in full by MMI of all liabilities, including the commission referred to above, will be distributed among the members of MMI in accordance with its Articles of Association.

The Scheme will be terminated if:

- All of the liabilities of MMI have been discharged in full;
- MMI is ordered to be wound up by the Court;
- A voluntary winding-up of MMI is commenced under the Insolvency Act 1986;
- A receiver is appointed by the Court in relation to MMI's business and assets;
- A Creditor's Resolution that the Scheme shall be terminated and MMI wound up is passed at a meeting of the Voting Creditors, or;
- The Scheme Administrator, with the agreement of the Directors and the Creditors' Committee, gives notice in writing to MMI that, after due enquiry, he has concluded that the Scheme is no longer in the interests of the general body of Voting Creditors.

Supreme Court Judgement

Judgement was handed down on 28 March 2012 by the Supreme Court, against MMI in relation to mesothelioma claims. The judge ruled that the insurer who was on risk at the time of an employee's exposure to asbestos was liable to pay compensation for the employee's mesothelioma. This judgement provided the clarification sought in respect of the Company's liability for mesothelioma claims under Employee Liability policies written in the period up to 30 September, 1992, when the Company ceased writing insurance business and went into run-off.

At the MMI Annual General Meeting on 13 November, 2012, the decision was taken to trigger the Scheme of Arrangement. Control of the Company passed to the Scheme Administrator at Ernst and Young LLP who determined the levy imposed on Scheme Creditors.

Initial Levy

The Initial Levy has been set as 15% of the total claims payments. Based on the total claims payments carried forward at 31 March, 2013, exceeding £50,000; a payment of £212,000 is due. No Levy is raised on the first £50,000 of claims payments. The Levy has not been paid yet and will be raised later this year against updated claims payments.

MMI provision

When the Council set its 2013-2014 budgets, resources from 2012-2013 were identified to create an MMI provision to reflect this liability. The Initial Levy is included in the 2012-2013 accounts.

The Council's total liability in the Scheme at 31 March, 2013 is:

At 31 March, 2013	£
Previous claims settled	1,460,678.77
No Levy	(50,000.00)
Total liability for previous claims settled	1,410,678.77
Initial Levy 15%	(212,000.00)
Remaining liability for previous claims settled	1,198,867.77
Current claims (settlement value estimated by MMI)	128,538.00
Overall estimated liability after the Initial Levy	1,327,216.77

The Council's MMI provision at 31 March, 2013 is:

2012-2013	£
Provision added in the year	1,017,514.59
Initial Levy (in the accounts)	(212,000.00)
Provision at 31 March, 2013	805,514.59

The MMI provision at 31 March, 2013 represents almost 61% of the overall estimated liability after the Initial Levy.

Once the Payment Percentage has been set (expected to be 85%) this will be applied to claims when settled. The difference (say 15%) will be payable by the Council and will be funded from this provision.

(i) **Legal Implications**

The recommendation has no legal implications.

(ii) **Risk Assessment**

The risks are identified in the report and this risk is in the Corporate Risk Register.

(iii) **Financial Implications**

The financial implications are identified in the report.

(iv) **Health and Safety Implications**

The recommendation has no significant implications.

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

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Correspondence held by the Borough Treasurer.

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 14
Date of Meeting:	26th June, 2013	
Reporting Officer:	Borough Treasurer	
<p>Title: Capital Programme</p> <p>Summary and Conclusions:</p> <p>This report on the Capital Programme includes the variations since the last report of the 26th February, 2013 and the outturn for 2012-2013. The report highlights recommended re-programming which will result in budget savings for the Council.</p> <p>Recommendations:</p> <p>Members are asked to note the 2012-2013 outturn and approve the changes to the Capital Programme and financing.</p>		

Report

Summary

Management have reviewed the current Capital Programme that was approved by Council on the 26th February, 2013, to identify projects that will more likely occur in later years. Re-programming in this way removes the borrowing requirement that may not occur when originally programmed and means that the General Fund budget does not have to allow for the costs of capital.

Borrowing to finance the Capital Programme has a direct impact on the Council's revenue budgets.

This is a different approach to previous years; each project has been assessed and there are some specific projects where although they have been removed from the Capital Programme, should the opportunity arise the project will be brought online:

- The Marina Village: site assembly continues and as future purchases become available they will be funded, subject to valuations being agreed.
- Miscellaneous Properties: strategic acquisitions continue as purchases become available.

These projects remain key for regeneration, however as the timing of expenditure is not certain it is not prudent to include borrowing which has an impact on the General Fund budget.

The current costs of the Capital Programme included in the General Fund budget are:

	2012-2013 Outturn	2013-2014 Budget	2014-2015 Budget	2015-2016 Budget
	£	£	£	£
MRP*	935,370	955,660	1,044,270	1,061,600
Loan interest	584,650	659,050	766,010	829,890
Revenue cost	1,520,020	1,614,710	1,810,280	1,891,490

*Minimum Revenue Provision – set aside for future debt repayment

The proposed Capital Programme set out in this report would cost the General Fund:

	2012-2013 Outturn	2013-2014 Budget	2014-2015 Budget	2015-2016 Budget
	£	£	£	£
MRP	935,370	903,170	968,960	955,440
Loan interest	584,650	584,650	584,650	584,650
Revenue cost	1,520,020	1,487,820	1,553,610	1,540,090
Saving	-	126,890	256,670	351,400

The total saving over the 3 year programme is £734,960. In terms of the Medium Term Financial Plan, the £351,400 saving would reduce the projected net shortfall of £410,000 in 2015-2016.

Changes in financing have also been made to the anticipated level of usable capital receipts and the application of capital grants. No borrowing was used in financing the 2012-2013 outturn.

The following sections set out the Capital Programme and financing.

1. Capital Programme

The Capital Programme for 2012-2016 was last reported to the Executive Committee on the 23rd January, 2013.

This report includes the Capital Programme outturn for 2012-2013, Capital Programme variations and re-profiling.

The major (over £10,000) variations to the Capital Programme since the last report are as follows:

1.1 Outturn 2012-2013

- £1,522,253 re-profiled from 2012-2013 to 2013-2014.
- Disabled Facilities Grants £105,908 underspend.
- IT Equipment & Development £34,000 underspend.
- Retentions £15,685 underspend.
- Miscellaneous Projects £27,130 expenditure not meeting definition of capital transferred to revenue.

1.2 Re-profiling

- Town Hall roof works and stone repairs £200,000 re-profiled to 2013-2014 £100,000 from 2014-2015 and £100,000 from 2015-2016.

1.3 Revised Funding

- Craven House roof works £300,000 approved by Executive Committee 20th March, 2013 to be funded from Efficiency Support Grant.
- Craven House 4th Floor refurbishment works £300,000 approved by Executive Committee 20th March, 2013 to be funded from Efficiency Support Grant.
- Seaside Town Grant £200,000 replaces borrowing and usable capital receipts for Piel Island, Roa Island Jetty & Roa Island Car Park.
- James Freel Close Business Unit 9 roof works £130,000 funded from business units ring fenced reserves.
- Forge Close Business Units refurbishment works £30,000 funded from business units ring fenced reserves.
- Marina Village £35,000 demolition costs funded from ring fenced reserves.
- Town Hall roof works and stone repairs £225,000 funded from public buildings reserve.

1.4 Asset Investment Fund

- £50,000 allocated to CCTV 2013-2014 approved by Executive Committee 30th April, 2013.

1.5 New Capital Bids

- Market Hall £56,000 funded from earmarked reserves for refurbishment of toilets in fish hall and creation of additional toilet facilities within loading bay area.
- £35,000 Forum for refurbishment of ground floor ladies and gents toilets additional funding from Asset Investment fund.

1.6 Borrowing

Borrowing has been reduced by £2,697,319 and budgets reduced as follows:

- Marina Village 2014-2015 £600,000 and 2015-2016 £600,000. Funding to be made available as required for future purchases subject to valuations being agreed.
- Rawlinson Street Corridor 2013-2014 £190,750 and 2014-2015 £100,000.

- Miscellaneous Properties 2013-2014 £215,705, 2014-2015 £250,000, and 2015-2016 £250,000. Funding to be made available as required if strategic properties come onto the market.
- IT Equipment and Development £40,000 per annum
- Asset Investment Fund £240,864 2013-2014, £65,000 2014-2015 and £65,000 2015-2016.

1.7 Usable Capital Receipts

Projected usable capital receipts have been reduced as follows and the Asset Investment fund reduced accordingly

2013/2014 £125,000

2014/2015 £49,500

2015/2016 £50,000

The revised Capital Programme for 2012-2016 is set out in Section 5.

2. Capital Programme 2012-2013 to 2015-2016

The summarised Capital Programme is set out in table 1:

Table 1 Investment	2012-13 £	2013-14 £	2014-15 £	2015-16 £
Public Housing	1,902,973	2,334,332	1,834,000	1,878,000
Private Housing	499,592	618,967	600,000	600,000
Housing Market Renewal	163,550	1,673,873	184,500	-
Public Buildings	406,111	2,515,892	6,000	45,000
Other Public Assets	2,534,693	1,705,741	100,000	100,000
Community Initiatives	180,144	839,346	-	-
Retentions	-	25,000	25,000	25,000
Asset Investment Fund	-	248,641	250,000	250,000
Total Capital Programme	5,687,063	9,961,792	2,999,500	2,898,000

The proposed financing for the Capital Programme is set out in table 2:

Table 2 Financing	2012-13 £	2013-14 £	2014-15 £	2015-16 £
Borrowing	-	2,800,000	485,000	340,000
Government Grants	3,025,224	1,541,612	399,000	399,000
Private Contributions	109,467	150,000	-	-
Reserves	1,902,973	2,295,920	1,834,000	1,878,000
Earmarked Reserves	-	1,128,099	-	-
Revenue	117,513	-	-	-
Capital Receipts	531,886	2,046,161	281,500	281,000
Total Capital Programme	5,687,063	9,961,792	2,999,500	2,898,000

3. Capital projects

Capitalised Planned Maintenance: The planned maintenance programme aims to continue improvements to ensure the Council satisfies the Government's requirements for Decent Homes. Where there are planned major works to Council dwellings such as rewiring, heating, bathrooms and kitchens, this expenditure is capitalised and financed by the major repairs allowance. This is funded from the Major Repairs Reserve.

Housing IT: This project provides for the updating of the Housing computer system.

Disabled Facilities Grants: These are awarded for essential adaptations to give a disabled person better freedom of movement around the house. This work includes widening doors or installing ramps, providing a specially adapted room in which it is safe to leave a disabled person unattended and improving accessibility and facilities around the home. This project is supported by an annual grant from the DCLG.

Private Sector Housing Condition Survey: Every 5 years the Council collects information about owner occupied and privately rented properties to inform the Housing Strategy and prioritise actions and investment. The current survey is being carried out as a Cumbria-wide exercise.

Central Property Refurbishments: This project is for the refurbishment of Renewal Area properties to a condition fit for their sale on the open market.

North Central Renewal – Demolition: This project is for the demolition of Arthur Street and Marsh Street clearance properties.

Group Repair – Marsh Street, Central Area E & Central Area A and Rawlinson Street Corridor: These are part of the North Central Renewal Area where the Council is committed to a 10 year programme of works. Group repair schemes are major external renovation and refurbishment of whole streets or blocks.

Central Area A includes 107 properties on Thwaite Street, Brewery Street and Whitehead Street. Area E includes 135 properties within the Renewal Area boundary on Arnside Street, Lindal Street, Harrison Street, Lord Street and Silverdale Street. The proposed works would be similar in nature to those already carried out on Sutherland Street (evens) and Marsh Street (odds). The exact specification will be determined to maximise impact following property surveys and will depend on the condition of the property and the budget available.

The Rawlinson Street Corridor between Abbey Road and Greengate Street is on the boundary of the Renewal Area, and is currently a retail area secondary to the Town Centre core. It is also an important secondary thoroughfare. As such the appearance of the corridor is important to the general vibrancy of the Town Centre. The number of viable retail businesses on Rawlinson Street

has reduced in recent years, and it may be appropriate for a number of premises to change use from business to residential. The capital scheme proposed will enhance the Town Centre shop front grant scheme in this area, promote appropriate changes in use and provide discretionary grants for residential fabric improvements.

Hindpool Environmental Improvements: These are the Gateways and Key Streets projects which were part of the Hindpool Environmental Improvement Programme that commenced in 2006-2007.

Cemetery: This is the project for the new grave section at Barrow Cemetery.

Crematorium: This project is to replace the monitoring equipment during 2013-2014 and reline the cremators during 2015-2016.

Dock Museum: There are two projects within this heading. One is for the works to the building management system, chiller units and the Dock Gate. The other is for the works required to the land and car parking associated with the sale of the adjacent land.

Forum 28: This project comprises the works to the toilets and motorised lighting bars and sound system for the main theatre.

Leisure Centre: This is the project for the Soccer Centre.

Market Hall: There are two projects within this heading. Asbestos removal within the office area of the Market Hall and refurbishment of toilets in the fish hall and creation of additional toilet facilities within the loading bay

Public Conveniences: This project is for the demolition of the toilets blocks at the Amphitheatre and Duke Street, Askam

Roof Top Car Park: This is the project looking to resolve the waterproofing issues on the roof top car park. Completion of this project will remove the water ingress to the Market Hall and Offices.

Town Hall: This is a continuing project addressing the refurbishment of the building and fabric.

Craven House: This is two projects re-roofing Craven House and refurbishment of 4th floor.

Play Areas: This is the Dalton Multi Use Games Area project retentions

Barrow Park: This project is to resurface the roads and pathways not included in the Lottery funded works and renew sections of deteriorating fencing.

Forge Close & James Freel Business Units: There are three projects within this heading. The project for the sewer and highway remedial works to enable

the adoption by Cumbria County Council and United Utilities. Unit 9 roof works and refurbishment works to business units.

Waterside Business Park Access Road: This project constructed the access road from Waterside House to Ferry Road and removed the direct access onto Jubilee Bridge; retentions were paid in 2012-2013.

Phoenix Court Business Park: This is the project to expand the capacity of the building to provide extra units for small businesses.

77-79 Duke Street: This is the project to replace the timber ground floor with concrete and damp proofing works to the ground floor walls.

Town centre shop front grants: This scheme supports the creation of attractive and customer friendly town centres in Barrow and Dalton which enable shopkeepers to work effectively together to market their town centres in order that they can compete effectively with out of town shopping. The scheme is targeted at small retailers in Barrow Town Centre and Dalton Town Centre and is open to small independent businesses only with less than 50 employees. During the original phase of the scheme Council supported 76 applications, some of which are ongoing.

93 Dalton Road: This project is the purchase and demolition of the derelict property and making the site safe and secure.

Miscellaneous properties: This project is the demolition of two properties on Walney Island the James Dunn Centre and the Island Tavern. This project is to allow intervention in the commercial property market in the Borough. The property must be of strategic importance to the Council regeneration strategy (for example, adjoining an existing property in Council ownership, to facilitate development or a property in poor condition in a highly prominent position). The Executive Director, in consultation with the Chair and Vice Chair of the Executive Committee, has delegated authority to acquire such properties. The delegation will be exercised when urgent or confidential matters arise, subject to Financial Regulations. Any acquisitions will be reported for information to the next available meeting of the Executive Committee.

Abbey Road THI: Townscape Heritage Initiative Lottery grant programme for the repair and regeneration of eligible buildings of special architectural character

104 Abbey Road and 102 Abbey Road: For 104 Abbey Road the provision in the programme is for the final payment on the project. For 102 Abbey Road there will be work to the front elevation (masonry repairs, including re-pointing all stone and brick in lime and street frontage reinstatement), re-roofing pitched roofs, re-covering flat roofs and the provision of car parking.

School Street Former Presbyterian Church: This project is for the purchase and demolition of the property.

Link Road: This project was for the construction of the Link Road; retentions and minor outstanding works remain to be paid in 2013-2014.

Town Centre Public Realm Phase II; The Ginnell, Furness House Landscaping and The Mall: This project was for the works to enhance the public realm and general environment; retentions paid in 2012-2013.

Marina village: This long-term project is a continuation of the acquisition and demolition of properties in preparation for the Marina village development.

IT equipment & development: This project provides for the updating of the Councils computers and also for the development of systems and hardware to maintain a supportable and robust IT environment.

Refuse & recycling containers: This is a continuing project for the replenishment of the refuse & recycling containers in use throughout the Borough.

CCTV: This project is for the purchase of replacement CCTV cameras in Barrow and Dalton and new monitoring and recording equipment

Ormsgill Reservoir: This project is for repairs to the reservoir banking and the installation of a depth gauge.

Ireleth Road Watercourse: the Council is the owner of the land beneath Abbey Heights and is responsible for the replacement of collapsed pipes alongside A595 Ireleth Road.

Coastal Defence Work West Shore Park: This is the project for the installation of 20 year temporary sea defences at the West Shore Park. This project is due to commence in 2013-2014.

Rural Regeneration – Piel Island: This is the project for the Ship Inn refurbishment. The works relate to the south west elevation where the visitor centre will be. The visitor centre will house the furniture and exhibits from the Barrow by Design project which is managed by Art Gene.

Rural Regeneration – Roa Island Jetty: This is the project to replace the degrading precast reinforced concrete jetty with a new shorter timber jetty.

Rural Regeneration – Coastal Protection: The Council carried out a condition survey of all coastal defence assets in 2010 which is being used to prioritise capital works to Council maintained defences at three locations in the borough.

Rural Regeneration – Roa Island Car Park: This project is for the acquisition of land to be able to convert the grassed area to car parking spaces.

Retentions: This is a provision for payments that become due once the retention period of a contract has ended and the works are signed off.

Asset Investment Fund: This is the balance of capital resources available to finance the programme. It must be noted that the proposed programme contains a level of usable capital receipts which must be realised before all resources can be committed.

4. Capital Financing

Borrowing: The Councils borrowing is controlled by the Prudential Code which promotes effective financial planning which considers the range of options for revenue funding and capital investment by:

- Establishing whether the Council considers it affordable and prudent to bear additional future revenue costs associated with additional investment;
- Establishing whether the use of existing or new revenue resources to finance capital investment should have precedent over other competing needs for revenue expenditure; and
- Establishing the scope for capital investment to generate future revenue savings or income, taking into account the risks associated with such proposals.

The costs of the borrowing included in the proposed Capital Programme are included in the Medium Term Financial Plan for 2012-2013 to 2015-2016. Throughout the financial year, the variations to the Capital Programme mean that the amount of borrowing required varies as well. However, rather than amend the Prudential Indicator for borrowing with each revised Capital Programme, the outturn will be reported at the end of each year. Borrowing can be reprofiled by the Executive Committee but increases must be agreed by Full Council. The programme presented here has less borrowing over the four year programme. Should additional borrowing be required I will report this to Members along with revised Prudential Indicators.

Government Grants:

Disabled facilities grant: This funding is received from the DCLG to be used to help disabled people to live as comfortably and independently as possible in their own homes through the provision of adaptations. Entitlement to a disabled facilities grant is mandatory for eligible disabled people and the grant provides financial assistance for the provision of a wide range of housing adaptations ranging from stair lifts, level access showers and home extensions.

Area Based Grant: This is grant received by the Council in a previous year that is committed to finance the capital programme. It was received as a non-ring fenced revenue grant and is held as an earmarked reserve until it is used to finance the related capital expenditure.

Lottery funding: Lottery funding is project specific and the funding in the programme for 2012-2013 relates to 102 Abbey Road & Abbey Road THI

Arts Council: This funding is for Rural Regeneration – Piel Island for 2012-2013.

DEFRA: This funding is for Coastal Defence Work West Shore Park for 2013-2014.

Cumbria County Council and Other Local Authorities: This is funding for 2012-2013

- Disabled Facilities Grants £133,170
- Public Sector Housing Condition Survey £1,033
- Hindpool Environmental Improvements Key Streets £5,724
- Furness House Landscaping £1,933

The funding for 2013-2014:

- Coastal Defence Work West Shore Park £75,000
- Link Road £57,286

Private Contributions: This is funding for:

- Private Sector Housing Condition Survey, where the Council is acting as the lead Cumbria-wide 2012-2013 £4,467
- Dock Museum private sector contribution to access road works 2012-2013 £100,000
- Ireleth Road Watercourses 2012-2013 £5,000
- Coastal Defence Work West Shore Park 2013-2014 £150,000

Earmarked Reserves: This is 2013-2014 funding for

- Market Hall £56,000 from Market reserve
- Craven House £600,000 from Efficiency Support Grant
- Forge Close /James Freel Close Business Units £212,099 from ring-fenced reserves
- Marina Village demolition £35,000 from Woodbridge Haven Reserve
- Town Hall £225,000 from public buildings reserve

HRA major repairs reserve: The major repairs reserve is specific to the HRA and will continue to be used for capital financing for the initial years of the HRA self-financing regime. The annual contribution to the reserve from the HRA represents the capital cost of keeping stock in its current condition. This is the same as using the annual cost of replacing building components as they reach the end of their useful life as a reasonable estimate of depreciation.

Usable capital receipts: The Council generates capital receipts by disposing of surplus land and buildings plus sales under the Right to Buy legislation. Capital receipts may only be used for financing the Capital Programme or may be set aside to repay debt.

The balance of usable capital receipts brought into 2012-2013 was £1,106,322 and capital receipts 2012-2013 were £1,265,725 these are committed to finance the Capital Programme.

The Capital Programme assumes usable capital receipts of:

- 2013-2014 £206,000
- 2014-2015 £281,500
- 2015-2016 £281,000

A total of £768,500 usable capital receipts to be realised during the life of the Capital Programme. Capital receipts in excess of this can be used to finance additional capital expenditure.

Capital receipts are closely monitored as the proposed Capital Programme is reliant on usable capital receipts for financing each year. Where capital receipts are not achieved, projects will be reviewed and prioritised against the financing available.

5. Capital Programme for 2012-2013 to 2015-2016

Project	2012/2013	2013/2014	2014/2015	2015/2016
Capitalised Planned Maintenance	1,902,973	2,295,920	1,834,000	1,878,000
Housing IT	0	38,412	0	0
Total Investment in Public Housing	1,902,973	2,334,332	1,834,000	1,878,000
Disabled Facilities Grants	494,092	600,000	600,000	600,000
Thermal Improvement Grants	0	0	0	0
Private Sector Housing Condition Survey	5,500	18,967	0	0
Total Investment in Private Housing	499,592	618,967	600,000	600,000
Central Property Refurbishments	14,688	1,417	0	0
North Central Renewal - Demolition	50,618	0	0	0
Group Repair - Marsh Street	903	11,478	0	0
Group Repair - Central Area A & E	154,522	1,510,978	34,500	0
Rawlinson Street Corridor	9,250	150,000	150,000	0
Hindpool Environmental Improvements - Gateways	-92,000	0	0	0
Hindpool Environmental Improvements - Key Streets	25,569	0	0	0
Investment in Housing Market Renewal	163,550	1,673,873	184,500	0
Total Investment in Housing	2,566,115	4,627,172	2,618,500	2,478,000
Cemetery	0	277,310	0	0
Crematorium	0	56,000	0	45,000
Dock Museum	295,072	233,934	6,000	0
Forum 28	0	113,000	0	0
Leisure Centre	0	600,000	0	0
Market Hall	25,564	63,629	0	0
Public Conveniences	-1,000	11,082	0	0
Roof Top Car Park	66,734	460,937	0	0
Town Hall	19,741	700,000	0	0
Total Investment in Public Buildings	406,111	2,515,892	6,000	45,000
Craven House	0	600,000	0	0
Play Areas	0	6,580	0	0
Barrow Park	0	43,000	0	0
Forge Close / James Freel Close Business Units	11,029	212,099	0	0

Project	2012/2013	2013/2014	2014/2015	2015/2016
Waterside Business Park Access Road	7,217	0	0	0
Phoenix Court Business Centre	103,066	6,934	0	0
77-79 Duke Street	18,334	0	0	0
Town Centre Shop Front Grants	129,728	55,332	0	0
93 Dalton Road	29,467	0	0	0
Miscellaneous Properties	34,295	0	0	0
Abbey Road THI	3,037	0	0	0
104 Abbey Road (Cookes Building)	32,227	35,153	0	0
102 Abbey Road	320,270	27,182	0	0
School Street Former Presbyterian Church	17,145	52,855	0	0
Link Road	0	78,881	0	0
Town Centre Public Realm Phase II (The Ginnell)	4,332	0	0	0
Furness House Landscaping	4,695	0	0	0
The Mall	6,645	0	0	0
Marina Village	1,688,866	465,000	0	0
IT Equipment & Development	55,600	60,000	60,000	60,000
Refuse and Recycling Containers	68,740	12,725	40,000	40,000
CCTV	0	50,000	0	0
Total Investment in Other Public Assets	2,534,693	1,705,741	100,000	100,000
Ormsgill Reservoir	9,986	0	0	0
Ireleth Road Watercourse	27,999	7,695	0	0
Coastal Defence Work West Shore Park	0	615,000	0	0
Rural Regeneration - Piel Island	56,986	5,634	0	0
Rural Regeneration - Roa Island Jetty	6,823	183,175	0	0
Rural Regeneration - Coastal Protection	22,158	27,842	0	0
Rural Regeneration - Roa Island Car Park	56,192	0	0	0
Total Investment in Community Initiatives	180,144	839,346	0	0
Retentions	0	25,000	25,000	25,000
Asset Investment Fund	0	248,641	250,000	250,000
Total	5,687,063	9,961,792	2,999,500	2,898,000

Funding of Capital Programme

Borrowing Requirement Non Housing	0	2,800,000	485,000	340,000
DCLG Grant	459,100	705,326	399,000	399,000
Area Based Grant	2,295,562	369,000	0	0
Lottery	113,702	0	0	0
Arts Council	15,000	0	0	0
DEFRA	0	335,000	0	0
Cumbria County Council	141,860	132,286	0	0
Private Contributions	109,467	150,000	0	0
HRA Major Repairs Reserve	1,902,973	2,295,920	1,834,000	1,878,000
Contributions for earmarked Reserve	0	1,128,099	0	0
Contributions from Revenue	117,513	0	0	0
Usable Capital Receipts	531,886	2,046,161	281,500	281,000
Total	5,687,063	9,961,792	2,999,500	2,898,000

(i) Legal Implications

The recommendation has no significant implications.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

The estimated financial implications are identified in the body of the report.

(iv) Health and Safety Implications

The recommendation has no significant implications.

(v) Key Priorities or Corporate Aims

The recommendation has no detrimental impact on providing good quality efficient and cost effective services.

The recommendation has no detrimental impact on the quality of housing.

The recommendation has no detrimental impact on the long term economic recovery for our community.

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

(vi) Equality and Diversity

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

(vii) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE	(R) Agenda Item 15
Date of Meeting: 26th June, 2013	
Reporting Officer: Monitoring Officer	
Title: Amendment to the Provisions of the Constitution Concerning Questions on Notice at Committees and Sub-Committees	
Summary and Conclusions:	
That Section 10.4 of the Part 4 Rules of Procedure of the Constitution be amended to ensure Committee agendas are properly formulated.	
Recommendations:	
To recommend the Council that Section 10.4(a) of the Part 4 Rules of Procedure be amended to read:	
“they have given at least seven working day’s notice in writing of the question to the Monitoring Officer”.	

Report

The Council’s Constitution was drafted in accordance with the Model Constitution for Authorities adopting the alternative arrangements under Part 2 of the Local Government Act 2000.

Section 10 relates to questions by Members and paragraph 10.3 provides Members with the right to ask the Chairman of a Committee a question on any matter in relation to which the Council has powers or duties or which affect the Borough and which falls within the terms of reference of that Committee.

This provision had not been called upon since the alternative arrangements were first introduced in May 2000 until a question was considered by the Executive Committee at its meeting on 15th May.

Because the question was received only two working days in advance of the meeting (in accordance with paragraph 10.4) there was no opportunity to amend the Agenda for the meeting, papers having been sent out in accordance with the Access to Information Act five clear working days before the meeting.

As a consequence the Chairman of the Committee had no alternative but to allow the question to be raised as an urgent matter under Agenda Item 1. The

matter raised in the question would not normally be defined as an urgent one but, in the absence of any other mechanism to consider the matter, it was agreed, exceptionally, to treat it as such.

To avoid the situation arising again, and to facilitate the openness and transparency of meetings, we need to make sure published Agenda's include any question raised under notice.

This would be achieved if the notice passed was extended from two working days to seven working days.

It should be noted that the Model Constitution does not actually specify the number of days – this is left to local discretion.

(i) Legal Implications

The recommendation has no legal implications.

(ii) Risk Assessment

The recommendation has no implications.

(iii) Financial Implications

The recommendation has no financial implications.

(iv) Health and Safety Implications

The recommendation has no implications.

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One (D) Agenda Item 16
Date of Meeting:	26th June, 2013	
Reporting Officer:	Commercial Estate Manager	
<p>Title: 166 Rawlinson Street, Barrow-in-Furness</p> <p>Summary and Conclusions:</p> <p>The report details the proposed disposal of 166 Rawlinson Street, Barrow-in-Furness</p> <p>Recommendations:</p> <p>To approve the proposed freehold disposal of 166 Rawlinson Street on the terms reported.</p>		

Report

Barrow Borough Council acquired 166 Rawlinson Street in 2006 for £50,000.

The property is situated on the corner of Rawlinson Street and Buccleuch Street and comprises ground floor retail unit and first and second floor residential flat.

The property is in a very poor state of repair.

The property has been marketed by the Council on a number of occasions and most recently an Executive Committee approval (14th December, 2011) was obtained for a disposal to Fairoak Housing Association for redevelopment into six flats for people with learning disabilities. The agreed price was £1.

Unfortunately, this proposal never proceeded.

Following a more recent marketing campaign an offer of £28,000 has been received from a local residential landlord, who wishes to develop the property as ground floor retail and upper floor residential.

Given the state of the property market and the increasing dereliction of the property approval for the disposal is sought on the terms reported.

(i) **Legal Implications**

Freehold transfer of asset.

(ii) Risk Assessment

The recommendation has no significant implications.

(iii) Financial Implications

£28,000 capital receipt

(iv) Health and Safety Implications

The recommendation has minor implications.

(v) Equality and Diversity

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

(vi) Health and Well-being Implications

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

Background Papers

Nil

EXECUTIVE COMMITTEE		Part One (R) Agenda Item 17
Date of Meeting:	26th June, 2013	
Reporting Officer:	Policy Review Officer	
<p>Title: Risk Management Policy</p> <p>Summary and Conclusions:</p> <p>The Risk Management Policy has been reviewed and updated by Management Board and the proposed risk register for 2013/14 has been agreed.</p> <p>Recommendation:</p> <p>Members are invited to endorse the Risk Management Policy.</p>		

Report

Management Board agreed key risks for the Council in 2013/14 at their meeting of 10th May. The risks have been categorised as corporate or operational risks:

Corporate risks are those derived from external decisions which affect the Council's ability to deliver services or from strategic decisions made by the Council.

Operational risks are those that are connected with resources, systems and processes that are used to deliver the Council's services.

The Risk Management Policy is attached at **Appendix B**.

Officers are updating the risk register and will submit this to Committee for approval in due course.

(i) **Legal Implications**

The risk policy and register have no legal implications.

(ii) **Risk Assessment**

Risks have been assessed as part of the risk register.

(iii) Financial Implications

Where applicable the financial implications related to the mitigating actions have been assessed by departmental heads and included in the revenue budget.

(iv) Health and Safety Implications

There are no health and safety implication associated with the risk policy or register.

(v) Equality and Diversity

The risk policy and register have no detrimental impact on service users showing any of the protected characteristics under current Equalities legislation.

(vi) Health and Well-being Implications

The risk policy and register have little impact on the Health and Wellbeing of users of this service.

Background Papers

Nil



Risk Management Policy 2013

Author
Date published
Review date

Policy Review officer
May 2013
April 2015

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Risk management policy

Introduction and purpose

Barrow Borough Council is committed to delivering a balanced approach to risk management. We recognise that good risk management will support and enhance the decision making process, increase the likelihood of the council meeting its objectives and enable it to respond quickly to new pressures and opportunities.

Risk management is about understanding those things that could help or hinder us in trying to deliver our objectives.

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

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

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

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

The real value of good risk management lies in the benefits it will deliver. Those benefits will be varied in their nature and extent and some might be

more measurable than others, but they will all be important to the council's reputation and ability to deliver improved and value for money public services.

Some of the benefits we can expect to realise include:

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

Barrow Borough Council's approach

The Council's approach to risk management has been developed to support the key requirements of good corporate governance:

Strong leadership: Senior managers and Elected Members will support and promote good risk management across the organisation.

Consistent: There will be consistency in our approach to risk management across the organisation. We will use a risk management framework to equip and support our staff so they can manage risks appropriately.

The approach to effective risk management will be based four very simple questions:

Identifying the risk: What's the best or worst that could happen to us?

Assessing the risk: What's the likelihood of it happening?
What would be the impact if it did?

Managing the risk: How can we prevent it from happening or what can we put in place to manage it if it should happen?

Recording the risk: How do we make sure that everyone is aware of the risk and how we are going to manage it?

Open and Transparent: Our approach to managing risks will be open and transparent and blame will not be attributed if decisions made in good faith turn out to be wrong. Staff and Members, should have access to information on our current risks and opportunities and how we are managing them. Corporate risks will be recorded in the Council's Risk Register, which will be published on the Council's intranet.

Accountable: There will be clear accountability for our risks across the whole of the organisation. Our risks will be open to regular internal audit and audit inspection by external agencies.

Appropriate risk-taking and innovation will be encouraged and promoted through a 'no blame' culture.

Delivery of effective risk management

Corporate risks

Management Board has identified a process for assessing corporate risks.

Risks will be identified in advance of the start of the municipal year and will be reviewed on a quarterly basis.

Corporate risks are those derived from external decisions which affect the Council's ability to deliver services or from strategic decisions made by the council.

Operational risks are those that are connected with resources, systems and processes that are used to deliver the Council's services.

Risks will be grouped depending on how they will impact the business in terms of:

- External risks
- Financial risks.
- Business continuity risks.
- Service delivery risks.
- Compliance risks.

Risks will be scored using a five square matrix;

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

Action plans will be developed to eliminate or mitigate the risks. The risk will be reassessed taking into consideration the anticipated impact of the mitigating actions to give a residual risk score.

All risks will be recorded on a risk register that will be published on the Council's website

Barrow Borough Council will manage risks appropriately.

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

We should adopt four approaches to dealing with significant risks:

1: Tolerate the risk. As an organisation we should accept that sometimes it is appropriate to continue with activities even though we know that involve taking a risk. We should tolerate risks that we consider to be acceptable when:

- We can put controls in place to mitigate the risk.
- The risk cannot be mitigated cost effectively
- Although there is a risk with the activity the benefits significantly outweighs the disadvantage.

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

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

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

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

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

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

Delivery of the annual objectives

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

Health and safety risks

Health and Safety risks will be covered in a separate policy.

Staff and Member responsibility

Executive Committee

Approve the statement of the council's Risk Management Policy Statement and subsequent revisions
Consider the risk management implications when making decisions
Agree the council's appropriate response to its highest risks

Member with responsibility for risk management

The Leader of the Council will be responsible for overview of the Council's risk management activities.
They will receive quarterly reports on risk management.

Audit Committee

Review the Council's risk policy.
Receive quarterly reports on risk management.
Determine whether the response to managing the risks reflect the Council's Risk Policy

Management Board

Ensure that there is a robust framework in place to identify, monitor and manage the council's strategic risks and opportunities
Management and quarterly review of the corporate risk register
Receive regular reporting on corporate risks and identify necessary actions
Demonstrate commitment to the embedding of risk management across the organisation.

Responsible officer	Have responsibility for management of including development and implementation of action plans
All staff	Be aware of the risks and control mechanisms within their area of work Report any new risks to their line manager
Policy Review Officer	Develop and maintain risk register. Monitor the implementation of action plans Prepare reports for senior managers and Members.

EXECUTIVE COMMITTEE	(D) Agenda Item 18
Date of Meeting: 26th June 2013	
Reporting Officer: Deputy Executive Director	
<p>Title: Executive Director - Performance Appraisal 2013-14</p> <p>Summary and Conclusions:</p> <p>The role of the Leader of the Council is set out in Article 2 of the Council's Constitution. It includes responsibility to "monitor the performance of the Executive Director". It is a contractual obligation on the part of both the Head of Paid Service and the Council to engage in a regular process of appraisal. A meeting was held on the 8th April between the Executive Director, Leader of the Council and the Deputy Leader to review objectives ending March 2013 and to set key objectives for the year to March 2014.</p> <p>Recommendations:</p> <p>Members are asked to approve the key objectives to March 2014 as detailed in the report.</p>	

Report

Background

The role of the Leader of the Council is set out in Article 2 of the Council's Constitution. It includes responsibility to "monitor the performance of the Executive Director". It is a contractual obligation on the part of both the Head of Paid Service and the Council to engage in a regular process of appraisal. A meeting was held on the 8th April between the Executive Director, Leader of the Council and the Deputy Leader.

Review of the period to 31st March 2013

The key objective for the Executive Director from his appointment in June was the delivery of the restructuring of the Borough Council in line with the agreed budget strategy. This was achieved without the use of compulsory redundancies and a new management structure is in place.

Key Objectives for the year to 31st March 2014

The resources available to the Council will not be fully known until the Local Government Settlement is announced, at the earliest, in December 2013, but

it is clear that the Council will remain under severe financial pressure for the foreseeable future.

The Executive Director will conduct a full review of the Council Plan to establish how we continue to deliver effective services to the people of the Borough. This review will involve Council staff at all levels and close liaison with the political administration.

The administration recognises that the reduced Council establishment is placing additional burdens and pressures on staff, and a clearly articulated strategy for staff development, including more efficient ways of working, is required. The Executive Director will, therefore, also be required to oversee preparation of this strategy.

The Executive Director will lead a view of external contracts to achieve best value for the Borough.

The Executive Director will work with other potential recipients of the efficiency grant to oversee the preparation of the business case and subsequently maximise the benefit of a successful bid.

Development Requirement

In light of the importance of the external contractor to the financial performance of the Council, the Executive Director requested continuing formal training in contract negotiation and re-negotiation.

Future Review

The next review will take place in October 2013.

(i) Legal Implications

No implications.

(ii) Risk Assessment

No implications.

(iii) Financial Implications

No implications.

(iv) Health and Safety Implications

No implications.

(v) Equality and Diversity

No implications.

(vi) Health and Well-being Implications

No implications.

Background Papers

Nil

EXECUTIVE COMMITTEE	(D) Agenda Item 19
Date of Meeting: 26th June 2013	
Reporting Officer: Assistant Director (Community Services)	
<p>Title: Re-use of Graves – Ireleth Churchyard</p> <p>Summary and Conclusions:</p> <p>The Borough Cemetery at Ireleth is almost full for new graves, although there is still some capacity for cremation plots. It is proposed that an agreement is made with the Carlisle Diocese to re-use the older graves in the adjoining Churchyard for reburial purposes.</p> <p>This would allow the residents of Askam and Ireleth to be buried locally.</p> <p>Recommendations:</p> <p>Members are asked to approve the agreement with the Carlisle Diocese to re-use portions of the churchyard adjacent to Askam and Ireleth cemetery.</p>	

Report

Background

This report seeks Member approval to enter into an agreement with the Carlisle Diocese through which it is intended to offer burial space in Ireleth churchyard. This would be undertaken through the re-use of very old graves, (likely to be 150 years old). The choice of such graves is entirely for the Diocese. The churchyard would still remain the property of the Diocese and subject to Church Law and requirements enforced by the local Minister.

The Borough Council would take over management and administration of any interments within the churchyard. It is suggested that this officially commence from 1st April 2014. From this date Ireleth cemetery will only be available for reopened and pre-purchased graves and interments of cremated remains.

If Members approve this report, the Minister responsible for Ireleth Church will seek to obtain the issue of a Faculty from the Carlisle Diocese to enable the agreement to be made.

Members should note that if the agreement can be reached, it will allow residents of Askam and Ireleth to continue to have access to local burial once the Borough Cemetery in Ireleth is at full capacity.

(i) Legal Implications

- Subject to the issue of a Faculty by the Church Diocese
- Burials will be carried out according to Local Authorities Cemeteries Order

(ii) Risk Assessment

- Burials to be carried out by the Council's grounds maintenance contractor subject to the same conditions as those within the Borough Cemeteries

(iii) Financial Implications

- All burial fees to be paid to the Council.
- 50% of fees to be paid to the Church Diocese

(iv) Health and Safety Implications

- All graves shall be dug in accordance with the Borough Council's grounds maintenance contract and be subject to the same scrutiny and inspection as those within the Borough Cemeteries
- The Borough Council will ensure that any memorials within the churchyard are inspected and comply with health and safety regulations.

(v) Key Priorities or Corporate Aims

Not Applicable.

(vi) Equality and Diversity

Not Applicable.

(vii) Health and Well-being Implications

Not Applicable.

Background Papers

Management Plan to be submitted to the Church Diocese

