

AGENDA

Environment and Economy Overview and Scrutiny Panel

Thursday, 27 February 2014 AT 10:00
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG

****Briefing meeting for Members will be at 9.15 am in the
Flensburg Room****

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meetings

To approve and sign the Minutes of the meeting held on 16 January 2014
[Copy Minutes in Minute Book Volume 40(5)]

PART A

To be considered when the Public and Press are present

A.1 CALL-IN OF DECISIONS

To consider any matter which has been the subject of call-in.

A.2 OVERVIEW REPORT AND WORK PROGRAMME

5 - 16

To consider a report that provides an overview of matters related to the work of the Environment and Economy Overview and Scrutiny Panel. It also includes the latest version of the work programme and details of the Key Decisions items relevant to the Panel as set out in the Notice of Executive Decisions.
(Copy report OS.06/14 herewith)

A.3 TOURISM REPORT

17 - 22

(Culture, Health, Leisure and Young People Portfolio)

The Director of Economic Development to submit a report that updates Members of the Panel on work with partners to support tourism
(Copy Report ED.11/14 herewith)

A.4 SECTION 106 AGREEMENTS/PLANNING OBLIGATIONS

23 - 34

(Economy and Enterprise Portfolio)

The Director of Economic Development to submit a report that briefs Members of the Panel on Section 106 Agreements and Planning Obligations
(Copy Report ED.12/14 herewith)

A.5 QUARTER THREE PERFORMANCE REPORT 2013-14

35 - 52

(Environment and Transport Portfolio)

The Policy and Communications Manager to submit performance monitoring reports relevant to the remit of the Environment and Economy Overview and Scrutiny Panel
(Copy Report PC.03/14 herewith)

A.6 ENVIRONMENTAL HEALTH - BUSINESS SUPPORT STRATEGY 53 - 66

(Environment and Transport Portfolio)

The Director of Local Environment to submit a report introducing the Environmental Health Services Business Support Strategy.
(Copy Report LE.01/14 herewith)

A.7 IMPROVED STAFF STRUCTURE IN NEIGHBOURHOOD SERVICES

(Environment and Transport Portfolio)

The Director of Local Environment to present the revised staff structure following the review of neighbourhood services.

PART B

To be considered when the Public and Press are excluded from the meeting

-NIL-

Members of the Environment and Economy Overview and Scrutiny Panel

Conservative – Mitchelson, Mrs Bowman (Chairman), Nedved, Mallinson J(sub), Mrs Mallinson (sub), Mrs Vasey (sub)

Labour – Bowditch, McDevitt, Watson, Whalen (Vice Chairman), Atkinson P (sub), Harid (sub), Miss Sherriff (sub)

Independent – Graham, Betton (sub)

**Enquiries, requests for reports, background papers,
etc to Committee Clerk: Sheila Norton - 817557**

Environment & Economy Overview and Scrutiny Panel

Agenda
Item:
A.2

Meeting Date: 27th February 2014

Portfolio: Cross Cutting

Key Decision: No

Within Policy and
Budget Framework

Public / Private Public

Title: OVERVIEW REPORT AND WORK PROGRAMME

Report of: Overview and Scrutiny Officer

Report Number: OS 06/14

Summary:

This report provides an overview of matters related to the Environment & Economy O&S Panel's work. It also includes the latest version of the work programme.

Recommendations:

Members are asked to:

- Decide whether the items on the Notice of Key Executive Decisions should be included in the Panel's Work Programme for consideration.
- Note and/or amend the Panel's work programme

Tracking

Executive:	Not applicable
Overview and Scrutiny:	27th February 2014
Council:	Not applicable

1. Notice of Key Executive Decisions

The most recent Notice of Key Executive Decisions was published on 7th February 2014. The following issues fall into the remit of this Panel and are attached at **Appendix 1**.

KD.01/14 – Environmental Health - Business Support Strategy – on the agenda of the Panel.

KD.03/14 - Title: Public Realm: Signage and Interpretation -The Executive will be asked to approve the release of £100,000 identified in the Capital Programme for the delivery of a Public Realm Programme.

2. References from the Executive

The following references have been received from the Executive following their meeting on 15th January 2014 and are attached at **Appendix 2**.

- Ex.09/14 Local Plan Preferred Options Consultation – Stage Two
- Ex.08/14 Private Sector Housing Enforcement

3. Scrutiny Chairs Group

A meeting of the Chairs Group was held on 6th February 2014 and the Panel will be updated verbally on items discussed at the meeting.

4. Scrutiny Annual Report

All Scrutiny Members were sent an e-mail asking if there were particular issues they wished to see discussed in the annual report. If Members have not given their views yet, they are invited to do so at today's meeting or by e-mail soon afterwards. A draft of the annual report will come to the Panel's final meeting of this civic year, on Thursday 10th April 2014.

5. Work Programme

The Panel's current work programme is attached at **Appendix 3** for comment/amendment.

Contact Officer:	Nicola Edwards	Ext: 7122
Appendices attached to report:	1. Notice of Key Decisions	
	2. References from the Executive	
	3. E&E O&S Work Programme 2013/14	

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

APPENDIX 1

Items relevant to the Environment and Economy Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.01/14
Decision Title:	Environmental Health - Business Support Strategy
Decision to be taken:	The Executive will be asked to endorse the Environmental Health Services' Business Support Strategy. The Strategy outlines how the Environmental Health Service will meet the requirements of the revised Regulators' Code 2013 ensuring an open and constructive relationship between the Environmental Health regulatory service and those Carlisle businesses it regulates.
Date Decision to be considered:	
Date Decision to be taken:	10 March 2014
Is the Decision Public or Private?:	The decision will be taken in public
Documents submitted for consideration in relation to the Decision:	The report of the Director of Local Environment will be available five working days before the meeting
Contact Officer for this Decision:	Director of Local Environment, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Environment and Transport (Councillor Mrs Martlew)
Relevant or Lead Overview and Scrutiny Panel:	Environment and Economy Overview and Scrutiny Panel

All public reports can be viewed in the Customer Contact centre of the Civic Centre, Carlisle, the Public Library and on the Council's website www.carlisle.gov.uk.

Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

APPENDIX 1

Items relevant to the Environment and Economy Overview and Scrutiny Panel:

Notice of Key Decisions to be taken by the Executive

The following key decision is to be made on behalf of Carlisle City Council:

Key Decision Reference:	KD.03/14
Decision Title:	Public Realm: Signage and Interpretation
Decision to be taken:	The Executive will be asked to approve the release of £100,000 identified in the Capital Programme for the delivery of a Public Realm Programme.
Date Decision to be considered:	
Date Decision to be taken:	10 March 2014
Is the Decision Public or Private?:	The decision will be taken in public
Documents submitted for consideration in relation to the Decision:	The report of the Director of Economic Development will be available five working days before the meeting
Contact Officer for this Decision:	Director of Economic Development, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Environment and Transport (Councillor Mrs Martlew) and Economy and Enterprise (Councillor Mrs Bradley)
Relevant or Lead Overview and Scrutiny Panel:	Environment and Economy Overview and Scrutiny Panel

All public reports can be viewed in the Customer Contact centre of the Civic Centre, Carlisle, the Public Library and on the Council's website www.carlisle.gov.uk.

Other documents relevant to the matter may be submitted to the decision maker. These, if available, may be obtained by contacting the named contact officer.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 15 JANUARY 2014

EX.08/14 PRIVATE SECTOR HOUSING ENFORCEMENT (Key Decision – KD.033/13)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

Pursuant to Minute EX.160/13, the Communities and Housing Portfolio Holder submitted report ED.05/14 seeking approval of the Enforcement Policy for Private Sector Housing.

The Communities and Housing Portfolio Holder gave an overview of the background to the matter reminding Members that, the draft Enforcement Policy attached at Appendix 1 and Appendix 1a outlined how the Council proposed to utilise fairly and consistently all the powers contained within the Housing Act 2004 to achieve improvements to housing, health and the environment in the City. She added that the policy would ensure that the authority protected vulnerable occupants and provided the foundation for strategic targeted enforcement.

The Community Overview and Scrutiny Panel had scrutinised the matter on 9 January 2014 and resolved:

- “1) That Report ED.03/14 – Private Sector Housing Enforcement – be noted.
- 2) That the Executive be requested to re-examine the current charges for HMO registration fees to ensure enough income was generated to enable Officer to carry out the necessary functions. “

A copy of Minute Excerpt COSP.07/14 had been circulated.

The Chairman of the Community Overview and Scrutiny Panel reported that the Panel recognised the importance of the service performed by that Section in relation to the standards required in rental properties and, particularly, those classified as HMOs. The private sector rental market had expanded in recent years, an increase which was expected to continue.

As it was, it was the landlord that was licensed by the Council, rather than the property, which could throw up problems in keeping the Council's information on rented

properties up to date. Members felt that an aid to tenants making them aware of the conditions which should be in place in rented properties would be of use.

The Panel suggested that the Council consider:

- (a) Producing a leaflet setting out the above mentioned information, which would be available to both tenants and letting agents; and
- (b) Providing simpler and clearer information on the Council's web pages setting out the hazards which classified as Category I or II, hazards which should be eliminated.

Finally, in order to adequately fund the service provided by the Council's Team, the Panel requested that the Executive re-examine the charges made for registration as a licensed HMO.

In response, the Communities and Housing Portfolio Holder believed that the Panel had raised a number of interesting points which had been answered by Officers. The Portfolio Holder was very aware of the work undertaken by the Team, adding that current charges could be re-examined as requested.

The Director of Governance clarified that the draft Policy attached to the report should in fact have been dated 2014 (rather than 2013).

In conclusion, the Communities and Housing Portfolio Holder recommended that the Executive approve the Enforcement Policy for Private Sector Housing. The Deputy Leader; and Environment and Transport Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Enforcement Policy for Private Sector Housing 2014, attached at Appendix 1 to Report ED.05/14, be approved.

Reasons for Decision

To ensure a consistent, proportionate and transparent approach to private sector housing enforcement

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 15 JANUARY 2014

EX.09/14 LOCAL PLAN PREFERRED OPTIONS CONSULTATION – STAGE TWO
(Key Decision – KD.034/13)

Portfolio Economy and Enterprise

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Leader submitted report ED.01/14 presenting the Local Plan Preferred Options Consultation – Stage Two which had been updated in response to the consultation held over the summer.

In addition, copies of an amended Table 16 and an additional housing site at Burgh by Sands (omitted from the original document) had been circulated to Members prior to the meeting.

The Leader outlined the background to the matter commenting that the consultation on the first stage of the Preferred Options (referred to above) had resulted in 1138 comments, objections, suggested sites for development and expressions of support. Those had all been assessed and had resulted in a number of suggested changes, details of which were provided.

One of the key outcomes from the previous consultation was the opinion that the housing target for the District should be raised to 665 dwellings per annum over the Plan period, matching the growth projections from the Housing Needs and Demands Study.

Appendix 1 showed the preferred locations for a range of housing to meet the needs of current and future population. The sites had all been assessed against a range of factors including location, landscape, biodiversity, heritage, access, flooding etc. Those allocations would be shown on the Local Plan Policies Map, which would also show existing established land uses such as areas of housing, employment, retail etc, and areas of land which were protected such as parks, playing fields, other protected landscapes and sites which are important for nature conservation.

In addition, work on the City Centre Masterplan had progressed and had been incorporated within the Local Plan. The intention was therefore to allow the public to view and comment upon the updated Local Plan Preferred Options – Stage Two, before progressing towards Publication in the summer of 2014.

In conclusion, the Leader moved the recommendation, which was seconded by the Deputy Leader; and Environment and Transport Portfolio Holder.

Summary of options rejected None

DECISION

That the Carlisle District Local Plan Preferred Options – Stage Two be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and that, subject to any additional information arising from the Scrutiny Panel, be reported back to the Executive on 10 February 2014 to consider referral to Council on 4 March 2014 for approval to commence public consultation on 10 March 2014.

Reasons for Decision

Approval for the Preferred Options – Stage Two would enable the Local Plan to meet the timescale set out in the Planning Service Project Plan. Having an up to date Local Plan was a central requirement of Government Planning policy, and provided an effective policy framework to guide development over the plan period, and on which to make decisions on planning applications. It also gave certainty and confidence to developers and the community

ENVIRONMENT & ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2013/14

Date last revised: 12 February 2014

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring		13 Jun 13	25 Jul 13	12 Sep 13	17 Oct 13	21 Nov 13	16 Jan 14	27 Feb 14	10 Apr 14
CURRENT MEETING – 27 th February 2014														
Tourism Jane Meek/Cllr Quilter						Update report			✓				✓	
Environmental Health Business Support Plan Angela Culleton/Cllr Martlew						Key decision							✓	
Performance Monitoring Reports Steven O'Keefe/all PH	✓				✓	Monitoring of performance relevant to the remit of Panel	✓		✓		✓		✓	
Improved Staff Structure in Neighbourhood Services Angela Culleton/Cllr Martlew						Presentation from the Director							✓	
Section 106 Agreements Jane Meek/Cllr Bradley						Panel requested report detailing outstanding Section 106 agreements							✓	

ENVIRONMENT & ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2013/14

Date last revised: 12 February 2014

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring		13 Jun 13	25 Jul 13	12 Sep 13	17 Oct 13	21 Nov 13	16 Jan 14	27 Feb 14	10 Apr 14
TASK AND FINISH GROUPS														
Recycling			✓			Evidence Gathering Cllrs Whalen/ McDevitt/Nedved/ Bowman			✓					✓
Talkin Tarn			✓			Monitoring of implementation of recommendations	✓	✓				✓		June 2014
How will T.I.C look in the future?			✓			Task Group to receive update September 2013			✓					
FUTURE MEETINGS														
Carlisle Economic Partnership Jane Meek/Cllr Bradley				✓		To receive an update report on the work of CEP		✓						✓
LEP				✓		To receive a report detailing the changes to the LEP – invitation				✓				✓
Scrutiny Annual Report			✓		✓	Draft report for comment before Chairs Group								✓

ENVIRONMENT & ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2013/14

Date last revised: 12 February 2014

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring		13 Jun 13	25 Jul 13	12 Sep 13	17 Oct 13	21 Nov 13	16 Jan 14	27 Feb 14	10 Apr 14
COMPLETED ITEMS														
Waste Services Cllr Martlew/Angela Culleton			✓	✓	✓	Presentation regarding review of Waste Services	✓					✓		
Environmental Performance of the Council Arup Majhi/Cllr Tickner			✓		✓	Annual Monitoring of performance.						✓		
Local Plan Cllr Glover/Jane Meek		✓	✓			Preferred Options – Stage 2	✓	Special mtg 25/6/12	✓		✓			
Botchergate Cllr Bradley/Jane Meek						Update on Action Plan					✓			
Claimed Rights Angel Culleton/Cllr Martlew		✓				Monitoring of Highways services following transfer to Cumbria CC					✓			June 2014
Budget Peter Mason/Darren Crossley/All Portfolio Holders		✓	✓			To consider budget proposals for 2013/14					✓			

ENVIRONMENT & ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2013/14

Date last revised: 12 February 2014

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring		13 Jun 13	25 Jul 13	12 Sep 13	17 Oct 13	21 Nov 13	16 Jan 14	27 Feb 14	10 Apr 14
Parking						To receive an update of implementation of Parking strategy and income.					✓			
Old Town Hall		✓				Update on Phase 2 of scheme				✓				
Business Interaction Centre						To receive an update on progression of the BIC Visit arranged 6/11/13			✓					July 2014

Report to Environment & Economy Overview and Scrutiny Panel

Agenda
Item:
A.3

Meeting Date: 27th February 2014
Portfolio: Culture, Health, Leisure & Young People
Key Decision: No
Within Policy and Budget Framework YES
Public / Private Public

Title: TOURISM REPORT
Report of: Jane Meek, Director of Economic Development
Report Number: ED 11 14

Purpose / Summary:

The purpose of this Report is to update Members of the Environment & Economy Overview & Scrutiny Panel on work with partners to support Tourism.

Recommendations:

Members are asked to continue their ongoing support of the Tourism Strategy as outlined in this Report

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. INTRODUCTION

Tourism plays an important role in the economy of Carlisle and the Council works in partnership with a number of organisations and businesses to support Tourism. A particular focus over the last year has been the development of the Carlisle Story which is the basis of raising the profile and marketing Carlisle to a wider audience. This Report provides an update on the ongoing work with partners to support Tourism.

2. TOURIST INFORMATION SERVICE

2.1 Brampton TIC

Brampton Tourist Information has now been running independently since July 2013 with a team of volunteers. Brampton Parish Council are proposing to close the office for a short period of time to rebrand the centre with it then being reopened April 2014. Carlisle TIC still offers ongoing support to the centre.

2.2 Carlisle TIC/Old Town Hall Phase 2

Following the appointment of Johnston and Wright as lead consultant in January 2014, design work is now progressing to create a contemporary Tourist Information Centre and public facilities in the Assembly Room based upon the recommendations arising from the Members Workshop on 20th November 2013

The design of the Tourist Information Centre is being informed by a working group derived from the main Steering Group who are working with Vertigo Creative Studios as part of the Johnston and Wright team to prepare proposals and a cost plan for presentation and sign – off by the full Steering Group in late March 2014. Subject to agreement, project information including drawings, schedules and specifications of materials and workmanship will then be prepared to facilitate listed building consent in July 2014 prior to the appointment of contractor(s) later in the year to carry out the works. The site works are forecast to take 6 months from the date of site handover, which will require temporary relocation of the Tourist Information Centre during the construction period. However, any works will need to avoid the run up to Christmas when the businesses in the area are at their busiest.

In summary the project will result in:

- Significantly improved and enhanced access for visitors, including the creation of an enhanced Ground Floor Public Entrance Foyer, with full access to the VIC and Assembly Room for wheelchair users improving the building's DDA compliancy.

- Reinstatement of the historic shop front between Costa Coffee and the external stair.
- Improvement of disabled WC facilities.
- Reinstatement of the original bright open space of the former Committee Room No 1 incorporating a new lift and timber stair.
- Refurbishment of the Assembly Room to become a flexible space for use as a City Centre Meeting / Conference venue and Exhibition Space.
- Removal, relocation and replacement of existing tired sales and exhibition stands, hanging exhibits, furniture, fittings and equipment and reception fitment.
- Comprehensive upgrading of facilities and services associated with a Strategic Visitor Information Centre (VIC) as set out in Cumbria Tourism's Strategic and Destination VIC's standards.
- More cost effective operation of the service with improved revenue generating potential.
- Progression of outstanding repair and restoration works prioritised in the Conservation Management Plan or subsequently identified by investigation which were not progressed as part of Phase 1 including upgrade / replacement of the existing water services to the building.

3.0 Marketing and Branding

Since the Carlisle Story was launched in July 2013, two successful meetings of the Carlisle Ambassadors have been held, both attracting over 50 people representing a range of organisations and sectors. The Council also held a Marketing Workshop in January, facilitated by Peter Anderson, to showcase the free resources available and to encourage the use of the branding toolkit. Local businesses are beginning to use the imagery, narrative and visual expression within their own projects. The Carlisle Story has also featured in Cumbria Tourism's latest marketing campaign 'The Place to Be' which incorporates the "Carlisle : City of the Lakes" strapline.

4.0 Carlisle Tourism Partnership

The Carlisle Tourism Partnership met in November for a workshop facilitated by David Gosling. Discussion focussed on the strategic actions for the future. It was agreed that what the sector really needs to grow is marketing.

However, rather than depending on public funding with reducing budgets, the tourism sector would only be able to support activity through partnership working. The Private sector needed to be part of the solution and have a voice for tourism. It was proposed that all sectors need to come together through the Carlisle Ambassador group to help promote Carlisle. The tourism sector needed to be part of the Carlisle Ambassador group to ensure that tourism has a voice.

It was proposed that rather than Carlisle Tourism Partnership continuing in its current form, members should become Carlisle Ambassadors and through this and Cumbria Tourism Commercial membership, ensure that the sector is supported as part of the economy.

5.0 Britain's Heritage Cities, Carlisle

Carlisle is a member of Britain's Heritage Cities Group. There are 8 cities which form part of this group Oxford, Stratford, Chester, York, Durham, Lincoln and Bath. The current structure and purpose of the group is soon set to fundamentally change. The priorities will more reflect the Core Cities group and emerging Core Counties Group.

It is intended that there will be no membership fee going forward and therefore, the overseas marketing and PR element will cease to exist in its current form. Partner marketing campaigns with Google, travel, on line and trade focused activity will feature in future plans.

6.0 Events

Events Programme 2014

We have a busy, rolling programme of events planned for 2014, subject to Full Council approving the budget on 20 February. So far this includes:

- Wednesday 16 - Monday 21 April: Easter International Market, Carlisle city centre
- Friday 2 - Sunday 4 May - Pirelli Richard Burns Foundation Rally, start and finish in Carlisle city centre
- Saturday 24 May - Sunday 1 June: Carlisle Music City. Visit www.carlislemusiccity.co.uk
- Monday 26 May: Upperby Gala, Hammond's Pond
- Monday 26 May: Talkin Tarn Triathlon. Visit www.sportinaction.co.uk
- Saturday 14 June: Cumberland Show, Carlisle Racecourse
- Saturday 14 June: Carlisle Gay Pride, Carlisle city centre
- Saturday 28 June: Armed Forces Day, Carlisle city centre
- Saturday 16 - Monday 25 August: Carlisle Pageant, Carlisle city centre
- Saturday 1 November: Fireshow, Bitts Park
- Sunday 9 November: Remembrance Sunday, Carlisle city centre

- Sunday 16 November: Christmas Lights Switch On, Carlisle city centre
- Wednesday 3 - Sunday 7 December: Christmas International Market, Carlisle city centre

To coincide with the Glasgow Commonwealth Games, we're planning a Mini Commonwealth Games/Summer of Sports event/s. Plans are also under development with Carlisle Food Partners to promote Carlisle's culinary skills with a food event later in the year. We are also talking with partners and stakeholders to organise a series of commemorate events for the anniversary of the First World War.

Community Events Panel

We launched a pilot Community Events Support Panel in January. The panel has offered the following events financial support (subject to the Council's Budget being approved on 20 February):

- Pirelli Rally – 3 and 4 May 2014
- Gay Pride – 14 June 2014
- Cumberland Show – 14 June 2014

Conclusion

The Council continues to support Tourism where ever it can through a range of initiatives, working with Partners and ensuring that what Carlisle has to offer is communicated clearly to internal and external markets.

Contact Officer: Jane Meek

Ext: 7190

**Appendices
attached to report:**

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- **None**

Report to Environment and Economy Overview and Scrutiny Panel

Agenda
Item:
A.4

Meeting Date: 27th February 2014
Portfolio: Economy and Enterprise
Key Decision: No
Within Policy and
Budget Framework YES
Public / Private Public

Title: SECTION 106 AGREEMENTS / PLANNING OBLIGATIONS
Report of: Director of Economic Development
Report Number: ED 12 14

Purpose / Summary:

To brief Members of the Environment & Economy Overview & Scrutiny Panel on S106 Agreements and Planning Obligations.

Recommendations:

That the Report is noted.

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. INTRODUCTION

- 1.1 The purpose of this paper is to brief Members on the current legislation relating to Section 106's Agreements and Community Infrastructure Levy (CIL), the Council's current approach and future options. In addition details of the S106 money the Council currently holds or expects to receive are set out in Appendix 2.

2. NATIONAL LEGISLATIVE AND POLICY CONTEXT

Town and Country Planning Act 1990

- 2.1 In accordance with Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning Compensation Act 1991) planning obligations may:
- (a) restrict the development or use of the land;**
 - (b) require specified operations or activities to be carried out in, on, under or over the land;**
 - (c) require the land to be used in any specified way; or**
 - (d) require a sum or sums to be paid to the authority either in a single sum or periodically.**
- 2.2 Planning obligations are usually entered into in the context of planning applications to ensure that developers address the additional community and infrastructure needs and mitigate the social, environmental and economic impacts of new development. Unless it is agreed otherwise, planning obligations run with the land in perpetuity and may be enforced against the original party and anyone else that acquires an interest in the land, until such time as they are discharged or otherwise modified.

The Planning Act (2008)

- 2.3 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010. From that date it has been unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged the levy, whether there is a local levy in operation or not, if the obligation does not meet all of the following tests¹:

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and

¹ These are also the policy tests in the NPPF (paragraph 204)

- Fairly and reasonably related in scale and kind to the development.

2.4 The Act also ensures that local use of CIL and S106s do not overlap and limits the ability to fund infrastructure by the pooling of S106 by limiting it to 5 individual agreements,

2.5 The National Planning Policy Framework introduced in March 2012 changed the emphasis that planning obligations should only be sought where they meet all the tests above and where planning conditions cannot be used.

3. CURRENT POSITION

3.1 An Annual Report is prepared detailing all S106 agreements entered into each year and how they are being delivered [from both the developer and Council perspective]. It also gives a breakdown of agreements that are still outstanding in whole or part from previous years.

Current agreements include:

- Affordable Housing – on site or payments in lieu of onsite provision
- Occupancy Restrictions
- Open Space – for both Capital and Maintenance
- Highways and Transport Contributions [includes pedestrian and cycleways plus public transport]
- Education Contributions – for extra provision or transport costs
- Travel Plans
- Land Transfer

3.2 However, developers are challenging S106 Agreements in terms of viability. In addition to new agreements there have been requests from developers to re-negotiate S106 Agreements on the basis that the obligations are too onerous and that consequently the development is not viable. A Viability Assessment procedure has been agreed with developers which calculates the developers profit and what money could be used to deliver the Council's priorities. In order to aid negotiations the Council's priorities based on planning legislation and the Local Plan have been drawn up (see Appendix 1)

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Planning Act (2008)

4.1 Section 206 of the Planning Act 2008 (The Act) confers the power to charge

Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (amended by the Community Infrastructure Levy (Amendment) Regulations 2011 and 2014). This provides the enabling powers for Local Authorities to apply CIL to development proposals to support infrastructure delivery in an area. The levy is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms.

Current Position

4.2 In order for the Council to consider the implementation of a Community Infrastructure Levy there must be an up to date Development Plan. The Local Plan is therefore being updated and a preferred options second stage consultation is due to take place in March.

4.3 Alongside the plan an Infrastructure Delivery Plan has to be produced which highlights the infrastructure requirements to enable the Local Plan to be delivered.

Once the Council is in a position to identify the potential development within the plan period and the infrastructure requirements to deliver that development, then work can begin on assessing the viability of implementing the levy and at what level (if appropriate). Any draft charging schedule is subject to viability assessments, public consultation and an examination in public.

4.4 As of November 2013, 146 authorities throughout the country were charging or in the process of introducing CIL. In the North West only Central Lancashire has published their charging schedule but is now subject to a Judicial Review. Trafford, Bolton and West Lancashire are out to consultation on their proposals.

4.5 Examples of Councils which have taken the decision not to pursue the implementation of CIL:

Redcar & Cleveland Borough Council: which was one of 20 "front runner" councils currently cites advice from consultants that it is "not appropriate" to adopt CIL to raise money for critical infrastructure as "it is not currently possible to demonstrate sufficient viability in both the residential and employment development sectors."

Wolverhampton City Council: decided not to pursue CIL in 2012 on the grounds of high implementation costs coupled with "low anticipated revenue"

North Hertfordshire Council: opted not to implement CIL last July. Its cabinet was warned that "there would probably be less money to spend under CIL" than under section 106 (S106) arrangements, and that CIL would not guarantee that particular infrastructure deficiencies would be addressed.

Scarborough Borough Council: will consider a report next month recommending against the introduction of CIL on the grounds of "questionable" viability, potential damage to local housebuilding plans, and reduced affordable housing provision.

4.6 The Position within Cumbria is also mixed.

South Lakeland: are progressing with CIL having just undertaken a CIL Viability Study and updated Draft Infrastructure Delivery Plan both January 2014. It is intended to take a report on the Community Infrastructure Levy to a meeting of Cabinet to seek approval to consult on a Preliminary Draft Charging Schedule.

Allerdale: through the whole plan viability it is not currently possible to demonstrate sufficient viability in both the residential or employment development sectors to enable CIL to be implemented.

Copeland: at their Core Strategy Examination in Public matter 2- Justification – The evidence base, it was stated that whilst they would produce a S106 SPD, they would refrain from introducing CIL at present.

Summary of Planning Obligations Sought

Commitment	Policy reference		When Due
Affordable Housing (on-site)	H5	<p>Urban Area 30% on-site contribution on all sites of 10 or more dwellings</p> <p>Rural Area 25% of housing on large sites (over 0.8ha or 25 dwellings) 20% of housing on medium sites (over 0.3ha or 10 dwellings) 10% of housing on small sites (over 0.1ha or 3 units) Where intermediate affordable housing is to be provided at a discounted market value, a discount of 25-30% will be sought and the discounted sale will be required to be in perpetuity.</p>	In phase with the delivery of market dwellings
Affordable Housing (off-site)	H5	Only in exceptional circumstances will the Council consider off-site provision.	
Affordable Housing - Financial Contributions	H5	<p>Only in exceptional circumstances will the Council consider financial contribution in lieu of on-site provision.</p> <p><i>[Exceptional circumstances are most likely to occur in the rural area when the requirements can equate to a fraction of a dwelling then a pro rata financial contribution will be acceptable]</i></p>	Upon completion of individual dwellings.
Affordable Housing – Rural Exception Sites	H6	If planning permission is granted for low cost affordable housing in the rural area where development would normally not be permitted but is related well to the settlement where a need has been identified then the proposal must be supported by a S106 agreement to ensure that the dwellings are retained for the benefit of successive as well as initial occupants.	
Amenity Space/ Recreational Space		New family housing developments of 40 or more dwellings will be required to include, pro rata, the following standards of play space provision:	Off-Site Contribution – upon

	LC4	<p>Outdoor playgrounds 150m² per hectare</p> <p>Informal play space 270m² per hectare</p> <p>In addition to the above, on development sites of 5 hectares or over, 0.1 hectares of sports ground development per hectare will be required.</p> <p>Children's play and recreation areas provided will be required to have a management plan to be in place. In the absence of such a plan then the council may consider the transfer of the land to the City Council and the payment of a commuted sum equivalent to a minimum of 10 year's maintenance costs.</p> <p>On smaller housing sites the developer will be required to make commuted payments towards the provision of play space in the locality if there is a deficiency of play space in the local area judged against the Audit of Open Space.</p>	<p>commencement</p> <p>Maintenance Management Plan – prior commencement of development</p> <p>Maintenance Contribution – upon completion of the site</p>
Education		<p>The County Council will seek contributions towards the provision of education infrastructure from development proposing 15 or more units where there is insufficient education infrastructure (primary and secondary) to meet the pupil yield created by that development.</p> <p>See: Draft Development Contributions to Education Capacity and Other Related Essential Infrastructure</p> <p>http://www.cumbria.gov.uk/eLibrary/Content/Internet/538/755/1599/4080112215.pdf</p>	Decided on a site by site basis
Transport/Traffic Improvements	CP16	<p>Planning Obligations may be required to seek public transport infrastructure improvements which will be delivered in conjunction with public transport providers. Highways improvements will be required where they are essential for the operation of the development and the surrounding road network which may include Traffic Road Orders. N.B. May be</p>	Decided on a site by site basis

		used in conjunction with Section 278 and Section 38 agreements. See: Travel Plans and the Planning Process in Cumbria: Guidance for Developers http://www.cumbria.gov.uk/eLibrary/Content/Internet/544/5505/4064516465.pdf	
Waste Minimisation and the Recycling of Waste	CP14	Waste audits will be assessed in consultation with the Waste Collection authority, and planning obligations on planning permissions and may provide mechanisms to achieve implementation. New Housing Developments will be expected to provide the appropriate household waste and recycling bins plus communal bins as appropriate. Commercial Developments will be expected to provide communal waste and recycling bins as appropriate.	Prior to first occupancy

Please note that these requirements are not exhaustive as there may be site specific requirements. The list will be updated as policies are reviewed through the Local Plan or Supplementary Planning Documents. Legal and Monitoring Fees will also be applicable

Contact Officer: Jane Meek

Ext: 7190

Appendices
attached to report:

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance –

Local Environment –

Resources -

X1130 - Commuted Sums (including S.106's) 2013/14													
Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreeeme nt/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2013/14	Scheme Code	Details
TOTAL B/Fwd				£1,386,623.31									Balance sheet 31st March 2013
22/08/2005		£3,000.00	£1,000.00	£2,000.00	11005	Persimmon Homes	The Beeches, Wigton Rd	S106		31/03/2015	1,000.00	OSM	Maintenance of The Beeches, Wigton Road, play area.
08/09/2005		£4,200.00	£600.00	£3,600.00	11006	Crowther Homes	Holme Head Bay, Carlisle	S106	08/09/2005	31/03/2020	600.00	OSM	Public Open Space at Holme Head Bay Carlisle
08/09/2005		£4,740.00	£1,630.00	£3,110.00	11007	Crowther Homes	Scotby Rd, Carlisle	S106	08/09/2005	31/03/2016	1,630.00	OSM	Public Open Space at Scotby Road Carlisle [10 years maintenance]
29/07/2005	£54,310.00	£4,200.00	£600.00	£3,600.00	11008	Persimmon Homes	Windsor Way	VA		31/03/2020	600.00	OSP	Windsor Way Play Area - further £54,310 as contribution towards maintenance, to fund from existing budgets when exhausted CS18/10 & RD15/10
24/01/2006		£16,170.00	£2,310.00	£13,860.00	11009	Barratt Homes	Walkmill, Warwick Rd	S106	21/09/2005	31/03/2020	2,310.00	OSM	Maintenance of Open Space at Walkmill, South of Warwick Road
12/05/2010		£7,000.00	£1,000.00	£6,000.00	11010	Barratt Homes	Wakefield Rd, Lowry Hill	S106	05/07/2006	31/03/2020	1,000.00	OSP	Wakefield Road Lowry Hill - to provide maintenance of above facilities within 1 month of completion of development
07/12/2007		£3,900.00	£1,000.00	£2,900.00	11011	Storys	Turnstone Park	S106	08/11/2005	28/02/2017	1,000.00	OSP	Turnstone Park Play Area
18/04/2008		£1,338.00	£268.00	£1,070.00	11012	Storys	Jock's Hill Brampton	Other		31/03/2018	268.00	OSM	Land at Jocks Hill, Brampton
20/06/2008		£10,000.00	£2,000.00	£8,000.00	11014	Persimmon Homes	Greenfield Lane, Brampton	S106		31/03/2018	2,000.00	OSM	Public Open Space at Greenfield Lane, Brampton (SRB/LP595)
01/05/2009		£14,693.30	£4,535.00	£10,158.30	11016	Storys	Burgh Rd	S106		31/03/2013	4,535.00	OSM	Burgh Road, provision and maintenance of offsite pitches and open space [10 years from 09/10]
28/01/2010		£77,750.00	£0.00	£77,750.00	11017	Barratt Homes	London Rd, ex Cavaghan&Gray	S106		28/01/2020	77,750.00	OSP	London Rd recreational facilities or improvement at Petteril Bank CC & Keenan Park play area [10 yrs from 09/10] GL Code 90253 for capital spend
22/09/2010		£3,890.00	£555.00	£3,335.00	11018	Knightsbridge Developments	Harraby Methodist Church	S106	15/05/2009	31/03/2020	555.00	OSP	Harraby Methodist Church, Cumwhinton Rd Children's Play & Recreation Areas in vicinity [10yrs maintenance]
22/07/2009		£12,600.00	£1,800.00	£10,800.00	11019	Barratt Homes	Tribune Drive, Houghton	S106		31/03/2020	1,800.00	OSM	Tribune Drive, Houghton - £4,025 for remedial work & £16,000 for 10 years maintenance of public open space
07/09/2010		£17,500.00	£2,500.00	£15,000.00	11021	Two Castles	Brookside	S106		31/03/2020	2,500.00	OSM	Low Meadow, Brookside £25K for upkeep of Heysham Park with no time limit & £12K to CCC for bus shelters & raised curbs on
16/07/2010		£28,755.00	£14,378.00	£14,377.00	11022	Storys	Garlands	S106	12/07/2010	31/03/2015	14,378.00	OSM	Garlands estate [now Parkland Village] Maintenance of open spaces and tree re-planting - over 5 years
12/10/2010		£57,805.00	£0.00	£57,805.00	11023	Riverside [Barras Close Land]	Levens Drive /Newlaithes Ave	S106	21/08/2009	26/03/2013	19,268.33	OSP	Levens Drive/Newlaithes Ave - Provision of public space, formal sports & children's play facilities to be spent within 3 yrs or sums to be repaid with interest of +1% above HSBC BR
12/08/2011		£31,345.00	£0.00	£31,345.00	11023	Riverside [Barras Close Land]	Levens Drive /Newlaithes Ave	S106	21/08/2009	26/03/2020	3,134.50	OSP	Levens Drive/Newlaithes Ave - Maintenance of public space, formal sports & children's play facilities to be spent within 10 yrs or repaid with interest of +1% above HSBC BR
30/09/2010		£29,750.00	£0.00	£29,750.00	11024	Carlisle College	Strand Rd	S106	10/09/2010	31/03/2012	29,750.00	Transport	Strand Rd Cycle Network contribution & to improve pedestrian facilities in immediate vicinity [Capital spend 2012/13]
15/02/2011		£3,196.00	£355.00	£2,841.00	11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	355.00	OSM	Gelt Rise Brampton [Affordable Housing] - £3,551 10yrs maintenance
15/02/2011		£12,800.00	£0.00	£12,800.00	11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	0.00	OSP	Gelt Rise Brampton [Affordable Housing] - £12,800 play area provision
18/02/2011		£346,841.00	£0.00	£346,841.00	11027	Addleshaw & Goddard	Willowholme/Cald ewgate	S106	18/02/2011	31/03/2016		RingFenc	Willowholme - Sainsbury's site: Caldew Cycleway to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90805 for capital spend
18/02/2011		£370,000.00	£0.00	£370,000.00	11027	Addleshaw & Goddard	Willowholme/Cald ewgate	S106	18/02/2011	31/03/2016		RingFenc	Willowholme - Sainsbury's site: Public Realm contributions to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90809 for capital spend
09/03/2011		£15,000.00	£0.00	£15,000.00	11028	Knightsbridge Developments	WI Hall, Brier Lonning	S106	09/02/2011	31/03/2012	0.00	Housing	Affordable Housing contribution relating to former WI Hall land, Brier Lonning, Hayton Planning Permission 10/0970 commencement date 12/01/11
10/03/2011		£82,264.00	£10,283.00	£71,981.00	11029	Barratt Homes	Garlands	S106		31/03/2021	10,283.00	OSM	Garlands estate Carleton Grange etc. £102,837 10yrs Maintenance of open spaces & £10,330 one-off payment for remedial
10/03/2011		£8,000.00	£1,000.00	£7,000.00	11029	Barratt Homes	Carleton Grange, Garlands	S106		31/03/2021	1,000.00	OSP	Garlands estate Carleton Grange etc. 10yrs £10,000 play area maintenance
12/08/2011		£10,861.17	£3,620.39	£7,240.78	11030	Riverside Group Ltd	Seatoller Close	S106		07/06/2016	3,620.39	OSM	Seatoller Close - 23 Affordable Homes Development began 07/06/2011 - enhancement of off-site open space provision in Morton Ward to be spent within 5 years of commencement & any unspent monies repaid at HSBC BR +1%
20/01/2012		£35,032.00	£8,758.00	£26,274.00	11032	Riverside	Etterby Rd	S106	31/03/2011	24/06/2016	8,758.00	OSM	Etterby Road - contribution towards provision of maintenance and enhancement of public open space in the District - spend within 5 years - trigger point 24/06/2011 interest due for late payment
17/01/2012		£5,158.59	£573.00	£4,585.59	11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	573.00	OSP	Watts Yard, London Road - Off site public open space maintenance of play equipment for 10 years [£5,731.59] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
17/01/2012		£27,160.00	£0.00	£27,160.00	11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	0.00	OSP	Watts Yard, London Road - Off site public open space cum for provision of play equipment for Melbourne Park [£27,160] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
01/06/2012		£8,979.25	£0.00	£8,979.25	11034	Two Castles	St Elisabeth's Harraby	S106	27/06/2012	31/05/2017	1,795.85	OS	Open Space contribution for Affordable Housing development (19 units) within Harraby ward to be spent by 5 years after date of receipt - 31st May 2017. If unspent returned with interest +1% above HSBC BR
17/08/2012										17/08/2022 &			
05/06/2013	£0.00	£79,580.00	£0.00	£79,580.00	11035	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	04/06/2023	39,790.00	Transport	Watts Yard, London Road - River Petteril Cycle Route Access Improvements [£79,580] 50% on 80th then on 98th - Invoice issued (Dr 5000001210) received 31/08/2012. 2nd invoice issued payment received 05/06/13 to be spent within 10 years of payment
24/07/2013		£14,082.00	£14,082.00	£0.00	11036	Two Castles	The Shelling & Meadow View	S106	27/03/2012		14,082.00	Transport	The Shelling & Meadow View, School Rd Cumwhinton - Transport Contribution (£14,082) within 28 days of 1st tenancy - invoice to be sent to CCC - indemnity ? Invoice withheld until agreement reached on Grant Payment paid to Two Castles 09/09/2013
21/08/2012		£12,823.00		£12,823.00	11037	Lovells	Raffles	UIA			12,823.00	OSM	Heysham Park & Adjacent vicinity of development - Maintenance of Off-site open space
04/09/2012		£16,000.00		£16,000.00	11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	Ringfence	Caldew Cycleway Contribution: if not spent within 5 years of Payment Date return with interest HSBC BR + 1%
04/09/2012		£50,000.00		£50,000.00	11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	OS	Offsite Public Open Space Contribution: unspent return after 5 years interest of HSBC BR +1% - proposed for Norfolk St area?
28/05/2013	£0.00	£9,973.71		£9,973.71	11039	Maris Properties	Briar Bank [Spice Enterprise]	S106	30/07/2012			OS	Open Space Contribution towards maintenance and enhancement of off-site provision in the District. Debtor 5000009132 Invoice for £9,973.71 to be paid prior to occupation of 7th unit sent 16/05/13 - proposal to spend on football mini pitches for 6-8 yrs olds
26/07/2013		£25,000.00		£25,000.00	11040	Storys	Crindledyke	S106	05/04/2012			Highways	Crindledyke - Highways Improvement contribution (1) due before 20th RU occupied
26/07/2013		£10,000.00		£10,000.00	11040	Storys	Crindledyke	S106	05/04/2012			Highways	Crindledyke - Highways Improvement contribution (2) due before 20th RU occupied
26/07/2013		£281,000.00		£281,000.00	11040	Storys	Crindledyke	S106	05/04/2012			Transport	Crindledyke - Transport Improvements contribution (2) due before any occupation
26/07/2013		£11,125.00		£11,125.00	11040	Storys	Crindledyke	S106	05/04/2012			Transport	Crindledyke - Travel Plan Administration Fee due on or before 1st RU occupied
1/5 before 28 days Not to occupy >60	£250,000.00	£0.00		£0.00	11040	Storys	Crindledyke	S106	05/04/2012			Transport	Crindledyke - Transport Improvements contribution (1)
22/07/2013		£24,800.00		£24,800.00	11041	Developments [Cumbria] Ltd	Currock Cycle Link	S106	25/01/2010	21/07/2018		Transport	Currock cycle link - Maryport Cottages rail bridge to Currock & Upperby areas - to be returned if unspent within 5 years - if not paid by trigger incur penalty of HSBC bank rate +1%.
25/03/2010	£0.00	£3,570.75		£3,570.75	11042	Persimmon Homes	Pennine View	S106	29/10/2009			OSM	Pennine View - 10 years maintenance of two parcels of open space Parkland Village/Carleton Grange
04/12/2013		£93,440.08		£93,440.08	11043	Persimmon Homes	Durranhill	S106	20/10/2010			OS	Improvement of current off-site Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of

Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreeement/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2013/14	Scheme Code	Details
04/12/2013		£50,669.37		£50,669.37	11043	Persimmon Homes	Durranhill	S106	20/10/2011			OS	Maintenance of above Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of payment
04/12/2013		£13,500.00		£13,500.00	11044	Persimmon Homes	Durranhill	S106	20/10/2011			Highways	Provision of new footpath to south of Durranhill Rd from site to Rosehill IE or [at Council's discretion] upgrade existing footpath to
7.5% Value of 10 Units aggregate		£0.00		£0.00		Learning & Leisure Group	Greensyke, Cumdivock	S106	08/05/2009			Miscellaneous	Greensyke, Cumdivock - Affordable Housing Contribution payable on occupation of each dwelling calculated on value at time payment is due - to spend within 5 years of each instalment
<20days 1st Occu	£12,285.00	£0.00		£0.00		Greensyke Property Ltd	Greensyke, Cumdivock	S106	05/10/2011			Transport	Greensyke, Cumdivock - Contribution to be paid to Rural Wheels service 20 working days after 1st occupation of 4th relevant units
	£26,000.00	£0.00		£0.00		Oakmere Homes (N	Netherby Rd, Longtown	S106	20/02/2013			OS	Netherby Road, Longtown Maintenance of play area - no timescale for spend. Sum payable on completion of play area or upon occupation of last Full Market Value unit, whichever is sooner
	£5,000.00	£0.00		£0.00		Citadel Estates	The George, Warwick Bridge	S106	28/09/2009			OSP	The George Warwick Bridge - Downagate play area - £5,000 towards provision & maintenance of play equipment for 8 to 12 years olds paid upon occupation of 10th unit.
on completion of play area	£10,000.00	£0.00		£0.00		Harrison Homes	Highgrove Dairy, Harraby Green	S106				OSP	Highgrove Dairy Harraby Green - Play area maintenance [10 years] payable on completion of area to be built at back of development
prior to 1st dwelling occupation	£11,627.00	£0.00		£0.00		Lancaster RC Diocesan Trustees	Waverley Gardens	S106	13/12/2012			OS	Waverley Gardens - provision of public open space in Carlisle prior to 1st occupation to be spent within 5 years or any unspent balance repaid plus "accrued interest" as above
1/3 prior to 1st, 1/3 to 12th, bal to 24th	£223,373.00	£0.00		£0.00		Lancaster RC Diocesan Trustees	Waverley Gardens	S106	13/12/2012			Housing	Waverley Gardens Affordable Housing contribution [index linked to CPI] - 1/3rd payable prior to 1st occupation, 1/3 before 12th, balance before 24th, to be spent within 5 years or any unspent balance repaid plus "accrued interest" as above
	£84,076.00	£0.00		£0.00		Senator Homes	Westmorland St [ex Penguin factory]	S106	13/06/2012			OS	Westmorland St [former Penguin factory] on-site play & open space facilities due before occupation of no more than 25 dwellings on site [planning changes to be submitted] of which up to 17% to be affordable units to be spent within 5 years of receipt
	£4,928.00	£0.00		£0.00		Church Commissioners for England	Land at Morton	S106	15/11/2010			OS	Land at Morton: Maintenance of Primary Leisure Area Land £4,928 per hectare - see separate schedule for details of payments due to CCC for Highways/Transport facilities
1st Occupation Date	£31,000.00	£0.00		£0.00		Dean Thompson Montgomery	Talkin Tarn	S106	13/06/2011			Housing	Talkin Tarn - not less than 8 affordable housing units to be built at Tarn End Hotel site, Talkin
Market Value upon sale of 3rd		£0.00		£0.00		Catherine Gander Watson	Brampton Playhouse	S106				Housing	Brampton Playhouse [Affordable Housing] - 30% contribution of open market dwellings due upon sale of 3rd dwelling & spent within 10 years
by 14 days	£46,000.00	£0.00		£0.00		Denton Business Park Ltd	Denton St ex workshops	S106				Transport	Denton Street ex workshops - £46,000 Cycle Way contribution payable within 14 days of commencement - spend within 3 years
by 14 days	£48,584.00	£0.00		£0.00		Denton Business Park Ltd	Denton St ex workshops	S106				Sports	Denton Street ex workshops - £48,584 contribution due within 14 days towards enhanced sports provision/maintenance - no timescale for spend
by 14 days	£3,538.00	£0.00		£0.00		contractors Ltd	Prince of Wales	S106				OS	Prince of Wales Public House - within 14days of commencement pay £3,538 towards improvement of outdoor facilities within
		£0.00		£0.00		Persimmon Homes	Wigton Rd	S106	17/04/2012			OS	Garden Village, Wigton Road Carlisle: Affordable Housing and Public Open Space Scheme
<28 days of 1st Occu	£3,000.00	£0.00		£0.00		Citadel Estates	Skelton House, Wetheral	S106	24/05/2012			OS	Skelton House, Wetheral: Provision, maintenance/upgrade; children's play area & equipment,& public allotment, spend within 1yr of receipt.
within 28days of amount agreed		£0.00		£0.00		Persimmon Homes	Peter Lane, Morton	S106	09/10/2012			OS	Open Space contribution for Affordable Housing development to be spent within 5 years after date of receipt. Provide evidence of spend &/or repay unexpended amounts plus interest.
Practical Completion Date	3% of Market Value			£0.00		PJ & CR Gray	Iona, Gelt Rd Brampton	S106	19/04/2012			Housing	Affordable Housing Contribution [equates to 0.4 of a dwelling] the commuted sum of 3% of Market Value payable on Practical Completion Date of each of 4 dwellings on site - unused to be repaid at HSBC base rate + 1%
On material start	£94,500.00			£0.00		United Utilities	Nelson Street	S106	19/11/2008			OS	Ex UU Depot - To create a Public Open Space & Children's facilities [outline planning permission only at this stage]
Within 1 mth of completion	£10,000.00			£0.00		United Utilities	Nelson Street	S106	19/11/2008			OS	Ex UU Depot - Maintenance of above for 10yrs - 5 year O/L planning application submitted
Occupation of 1st on Practical	3% of Market Value			£0.00		H J Ridley	Walton		27/02/2013			Housing	Affordable Housing contribution to repay unexpended by 5 years after date of receipt Barclays Bank base rate
Completion of	3% of Market Value			£0.00		Storys	Farm, Burgh by Sands	S106	15/01/2014			Housing	Affordable Housing contribution 3% of Market Value price of development on 3rd unit's occupation. Council to provide evidence of spend or repay within 10 years of receipt plus interest at Barclays Bank BR
				£0.00									
				£0.00									
Totals	£4,418,221.00	£1,949,492.22	£72,847.39	£1,876,644.83							257,159.07		Balance sheet 31st March 2013
Movement In Year				£490,021.52									
Balance in Ledger				£1,876,644.83		Date checked:				MMcC			06/01/2014 [to period 10]
Difference to ledger - if any						Updated By:					Expected Spends: 2013/14		Balance b/fwd
For Quarterly Reports etc:		Op Bal/Receipts	Spent	Expected	Scheme Code								
Children's Play Areas & Facilities.		£239,008.59	£4,728.00	£69,310.00	OSP						£104,880.83		
Provision & Maintenance of public open spaces.		£260,743.22	£54,037.39	£0.00	OSM						£66,860.39		
In respect of incomplete sites or yet to be developed		£213,062.41	£0.00	£237,669.00	OS						£1,795.85		
Total of balances held/expected		£712,814.22	£58,765.39	£306,979.00									
Affordable Housing Contributions		£15,000.00	£0.00	£254,373.00	Housing						£0.00		
Schools etc		£0.00	£0.00	£3,500,000.00	Education						£0.00		
Cycleway & Public Realm (held in interest bearing a/c)		£732,841.00	£0.00	£0.00	RingFenced						£0.00		
Transport & Pedestrianisation (to CCC)		£440,337.00	£14,082.00	£308,285.00	Transport						£83,622.00		
Parking facilities (CCC)		£0.00	£0.00	£0.00	Parking						£0.00		
Highways etc. [funds to/from CCC]:		£48,500.00	£0.00	£0.00	Highways						£0.00		
Sports provision		£0.00	£0.00	£48,584.00	Sports						£0.00		
Total for reports		£1,949,492.22	£72,847.39	£4,418,221.00							£0.00		
Monitoring Fees, Legal, Admin Costs etc.		£0.00	£0.00	£0.00	Miscellaneous						£257,159.07		
Planning applications/agreements have expired		£0.00	£0.00	£0.00	Expired								
Totals		£1,949,492.22	£72,847.39	£4,418,221.00						Custodian only:	£1,207,596.00		£6,294,865.83
			£0.00	£0.00	£0.00	check difference							

Report to: Economy & Environment Overview & Scrutiny Panel

Agenda
Item:
A.5

Meeting Date: 27 February 2014
Portfolio: Finance, Governance and Resources
Key Decision: No
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: Quarter Three Performance Report 2013/14
Report of: Policy and Communications Manager
Report Number: PC 03/14

Purpose / Summary:

This Performance Report updates the Panel on the Council's service standards that help measure performance and customer satisfaction. It also includes updates on key actions contained within the Carlisle Plan.

Details of each service standard are in the table at Appendix 1. The table illustrates the cumulative year to date figure, a month-by-month breakdown of performance and, where possible, an actual service standard baseline that has been established either locally or nationally. The updates against the actions in the Carlisle Plan follow on from the service standard information in Appendix 2.

Recommendations:

1. Consider the performance of the City Council presented in the report with a view to seeking continuous improvement in how the Council delivers its priorities.

Tracking

Executive:	10 March 2014
Overview and Scrutiny:	Community – 13 February 2014 Resources – 20 February 2014 Environment and Economy – 27 February 2014

1. BACKGROUND

Service standards were introduced at the beginning of 2012/13. They provide a standard in service that our customers can expect from the City Council and a standard by which we can be held to account. The measures of the standard of services are based on timeliness, accuracy and quality of the service we provide in areas that have a high impact on our customers.

Regarding the information on the Carlisle Plan, the intention is to give the Panel a brief overview of the current position without duplicating the more detailed reporting that takes place within the Overview and Scrutiny agendas and Portfolio Holder reports.

2. PROPOSALS

None

3. CONSULTATION

The report was reviewed by the Senior Management Team at their meeting on 4 February 2014 and was considered by the other Overview and Scrutiny Panels on the following dates:

Community – 13 February 2014

Resources – 20 February 2014

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Panel are asked to comment on the 3rd Quarter Performance Report prior to it being submitted to Executive.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

See Appendix 2

Contact Officer: Steven O’Keeffe

Ext: 7258

Appendices attached to report: Appendix 1 – 2013/14 Quarter 3 Service Standards
Appendix 2 – Carlisle Plan Update

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - Responsible for monitoring and reporting on service standards, customer satisfaction and progress in delivering the Carlisle Plan whilst looking at new ways of gathering and reviewing customer information.

Economic Development – Responsible for managing high level projects and team level service standards on a day-to-day basis.

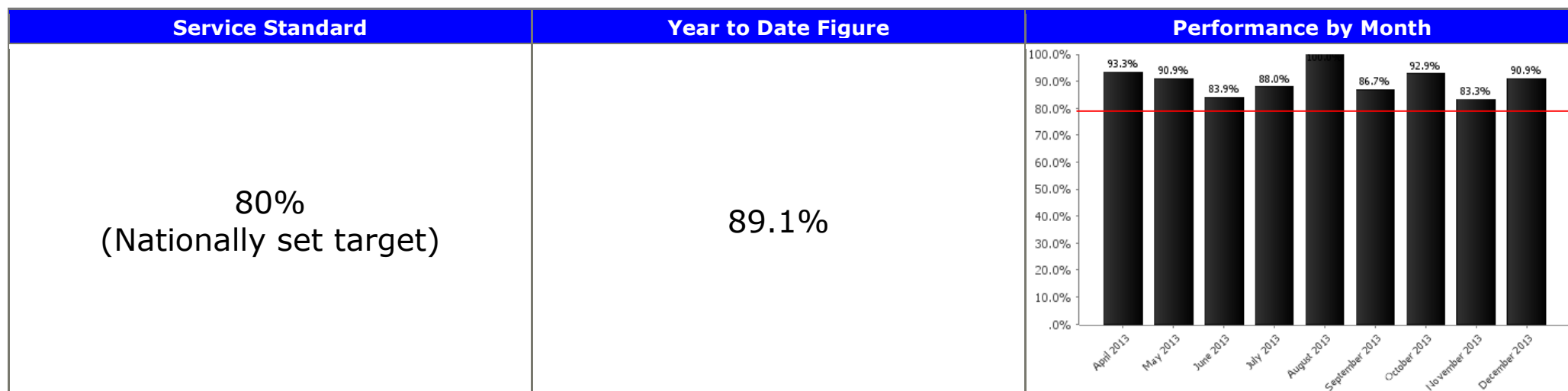
Governance – Responsible for corporate governance and managing team level service standards on a day-to-day basis.

Local Environment – Responsible for managing high level projects and team level service standards on a day-to-day basis.

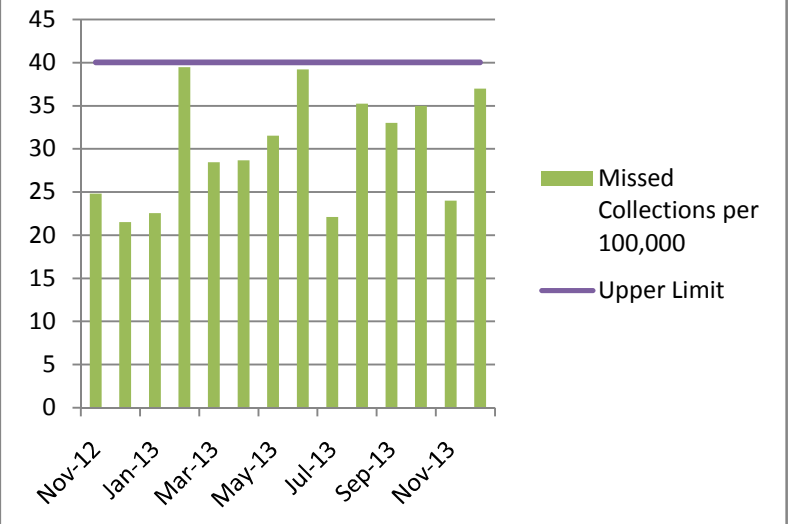
Resources - Responsible for managing high level projects team level service standards on a day-to-day basis.

APPENDIX 1: 2013/14 QUARTER 3 SERVICE STANDARDS

Service Standard: Percentage of Household Planning Applications processed within eight weeks



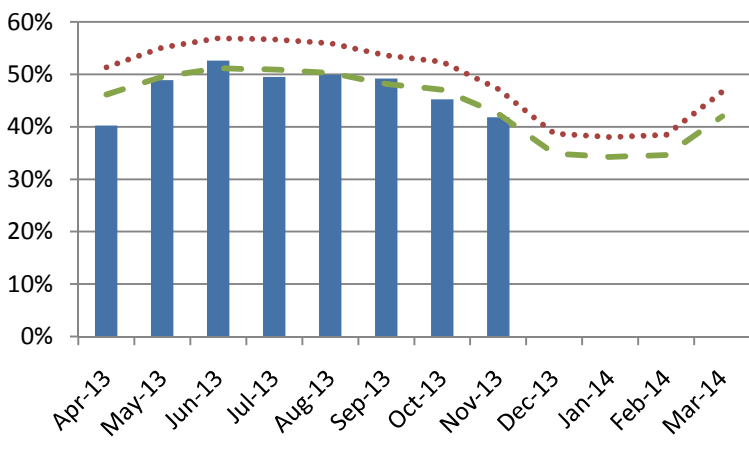
Service Standard: Number of missed waste or recycling collections

Service Standard	Year to Date Figure	Performance by Month																														
40 missed collections per 100,000 (Industry Standard)	32 missed per 100,000 (2013/14 mean average)	 <table><caption>Missed Collections per 100,000 by Month</caption><thead><tr><th>Month</th><th>Missed Collections per 100,000</th></tr></thead><tbody><tr><td>Nov-12</td><td>25</td></tr><tr><td>Jan-13</td><td>22</td></tr><tr><td>Mar-13</td><td>23</td></tr><tr><td>May-13</td><td>39</td></tr><tr><td>Jul-13</td><td>28</td></tr><tr><td>Sep-13</td><td>29</td></tr><tr><td>Nov-13</td><td>31</td></tr><tr><td>Jan-14</td><td>39</td></tr><tr><td>Mar-14</td><td>22</td></tr><tr><td>May-14</td><td>35</td></tr><tr><td>Jul-14</td><td>33</td></tr><tr><td>Sep-14</td><td>35</td></tr><tr><td>Nov-14</td><td>24</td></tr><tr><td>Jan-15</td><td>37</td></tr></tbody></table>	Month	Missed Collections per 100,000	Nov-12	25	Jan-13	22	Mar-13	23	May-13	39	Jul-13	28	Sep-13	29	Nov-13	31	Jan-14	39	Mar-14	22	May-14	35	Jul-14	33	Sep-14	35	Nov-14	24	Jan-15	37
Month	Missed Collections per 100,000																															
Nov-12	25																															
Jan-13	22																															
Mar-13	23																															
May-13	39																															
Jul-13	28																															
Sep-13	29																															
Nov-13	31																															
Jan-14	39																															
Mar-14	22																															
May-14	35																															
Jul-14	33																															
Sep-14	35																															
Nov-14	24																															
Jan-15	37																															

This service standard was previously measured as a percentage of all collections made whereas the industry standard is measured per 100,000 collections. To allow an easier comparison to be made with the industry standard and for benchmarking purposes the standard is now measured in the same format as the target.

On average there are approximately 0.4 million collections made every month.

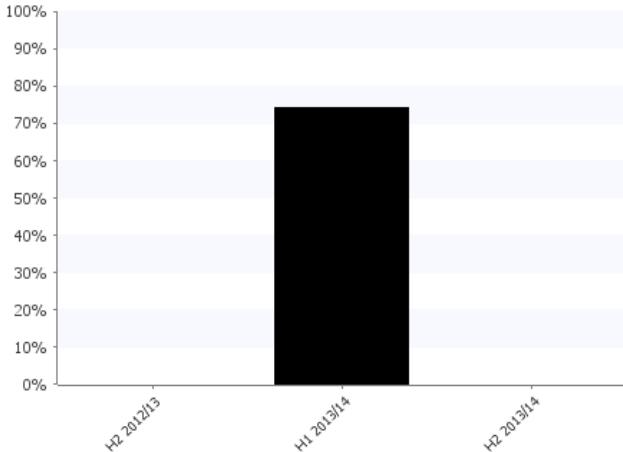
Service Standard: Percentage of household waste sent for recycling

Service Standard	Year to Date Figure	Performance by Month																																																				
Nationally set target of 45% by 2015 and 50% by 2020.	47.2% (to end of November)	 <table><caption>Monthly Performance Data (Estimated)</caption><thead><tr><th>Month</th><th>Actual Performance (%)</th><th>2015 Target (%)</th><th>2020 Target (%)</th></tr></thead><tbody><tr><td>Apr-13</td><td>40</td><td>50</td><td>45</td></tr><tr><td>May-13</td><td>48</td><td>52</td><td>48</td></tr><tr><td>Jun-13</td><td>52</td><td>53</td><td>50</td></tr><tr><td>Jul-13</td><td>50</td><td>53</td><td>50</td></tr><tr><td>Aug-13</td><td>50</td><td>52</td><td>50</td></tr><tr><td>Sep-13</td><td>49</td><td>51</td><td>49</td></tr><tr><td>Oct-13</td><td>45</td><td>50</td><td>48</td></tr><tr><td>Nov-13</td><td>41</td><td>48</td><td>45</td></tr><tr><td>Dec-13</td><td>-</td><td>40</td><td>35</td></tr><tr><td>Jan-14</td><td>-</td><td>38</td><td>34</td></tr><tr><td>Feb-14</td><td>-</td><td>38</td><td>34</td></tr><tr><td>Mar-14</td><td>42</td><td>45</td><td>40</td></tr></tbody></table>	Month	Actual Performance (%)	2015 Target (%)	2020 Target (%)	Apr-13	40	50	45	May-13	48	52	48	Jun-13	52	53	50	Jul-13	50	53	50	Aug-13	50	52	50	Sep-13	49	51	49	Oct-13	45	50	48	Nov-13	41	48	45	Dec-13	-	40	35	Jan-14	-	38	34	Feb-14	-	38	34	Mar-14	42	45	40
Month	Actual Performance (%)	2015 Target (%)	2020 Target (%)																																																			
Apr-13	40	50	45																																																			
May-13	48	52	48																																																			
Jun-13	52	53	50																																																			
Jul-13	50	53	50																																																			
Aug-13	50	52	50																																																			
Sep-13	49	51	49																																																			
Oct-13	45	50	48																																																			
Nov-13	41	48	45																																																			
Dec-13	-	40	35																																																			
Jan-14	-	38	34																																																			
Feb-14	-	38	34																																																			
Mar-14	42	45	40																																																			

The graph above shows what the monthly target would be in order to achieve the EU 2015 target of 45% and the 2020 target of 50%. The monthly target changes to reflect seasonal variations of recycling rates; particularly garden waste tonnages.

In reference to the 2013/14 performance, dry recycling (kerbside, bring site and third party) figures are down while bulky waste is up. Analysis has shown that the reduction is mainly in paper and cans (both part of the green box scheme). Figures for plastic, card and glass are similar to last year. The most obvious reason for the downturn in paper is due to more people using paperless systems. Supermarket's recyclable packaging has also reduced in weight.

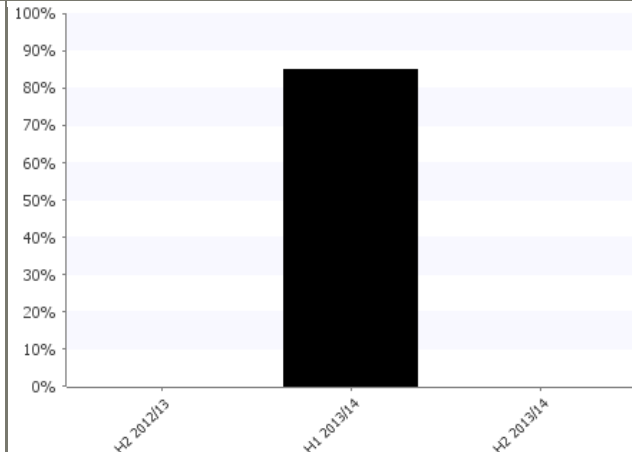
Service Standard 2013-14 - Customer satisfaction with street cleanliness

Service Standard	Year to Date Figure	Performance to date								
There is currently no national standard for satisfaction with street cleanliness.	74%	 <table><caption>Performance to date data</caption><thead><tr><th>Period</th><th>Performance (%)</th></tr></thead><tbody><tr><td>H2 2012/13</td><td>0%</td></tr><tr><td>H1 2013/14</td><td>74%</td></tr><tr><td>H2 2013/14</td><td>0%</td></tr></tbody></table>	Period	Performance (%)	H2 2012/13	0%	H1 2013/14	74%	H2 2013/14	0%
Period	Performance (%)									
H2 2012/13	0%									
H1 2013/14	74%									
H2 2013/14	0%									

Based on 960 responses in the Carlisle Focus Readers’ Survey and an online survey.

Carlisle’s satisfaction levels are on a par with a recent Local Government Association (LGA) national survey.

Service Standard 2013-14 - Customer satisfaction with waste services

Service Standard	Year to Date Figure	Performance to date								
There is currently no national standard for satisfaction with waste services.	85%	 <table><caption>Performance to date data</caption><thead><tr><th>Period</th><th>Performance (%)</th></tr></thead><tbody><tr><td>H2 2012/13</td><td>0%</td></tr><tr><td>H1 2013/14</td><td>85%</td></tr><tr><td>H2 2013/14</td><td>0%</td></tr></tbody></table>	Period	Performance (%)	H2 2012/13	0%	H1 2013/14	85%	H2 2013/14	0%
Period	Performance (%)									
H2 2012/13	0%									
H1 2013/14	85%									
H2 2013/14	0%									

Based on 1010 responses in the Carlisle Focus Readers' Survey and an online survey.

Carlisle's satisfaction levels are on a par with a recent Local Government Association (LGA) national survey. Interestingly, there was virtually no difference between satisfaction with weekly and fortnightly household waste collections in this national survey.

Appendix 2: Carlisle Plan Update

PRIORITY – We will support the growth of more high quality and sustainable business and employment opportunities

The Council's Key Decisions will support business growth, with its services being viewed as 'business friendly' through working more closely with them to meet business' needs.

Local Plan

The first stage public consultation on preferred options Local Plan (LP) ended on 16 September 2013. A Compliance Meeting with the Planning Inspector took place the following day. Initial consultation feedback of issues was raised to the LP Members Working Group on 10 October 2013. Following this it was recommended to insert an additional stage of consultation (Preferred Options Stage 2) in the Local Plan programme and thereby reduce the risk of any future challenge to the process of the Local Plan being prepared. This delayed the programme by approximately six months. A report outlining the additional stage of consultation was due to reach Full Council on 4 March 2014 with a period of consultation to commence on 10 March for 4 weeks.

Prospectus for Carlisle

A prospectus for Carlisle, based on the Carlisle Story, is being developed as part of a suite of documents available for use by the public and private sector to raise the profile of Carlisle. The prospectus will be available for use as a standalone document, or in conjunction with a range of inserts; each of which will have specific information relating to themes or specific sectors. An amended draft of the prospectus has now been circulated for comment and once approved will form the basis for the inserts.

PRIORITY - We will develop vibrant sports, arts and cultural facilities, showcasing the City of Carlisle

This priority supports tourism, the arts and creative industries. It is recognised that arts and leisure are important in making Carlisle a great place to work, live and visit. Developing public realm improvements is a key piece of work under this priority. This involves the City and County councils working together.

Old Town Hall Phase 2 / Tourist Information Centre

Following the receipt of tenders on 22nd November 2013 and completion of an evaluation exercise, an intention to 'Award Contract' letter was issued to the successful party on 31/12/13. An inception meeting was held on 2/1/14 to agree methodology and management procedures. The first Project Progress Meeting was held in mid January 2014.

Public Realm

The programme of public realm projects has been scored, ranked and prioritised. An overarching project has been identified to develop a signage design suite which can then be accurately costed for use in other projects. Concept designs are already in place and we are currently in the process of commissioning Thinkingplace to produce a comprehensive signage suite with a deadline of late February. This will enable procurement of a preferred manufacturer to work with the design team to finalise the products within quality and cost tolerances. The resulting 'shopping list' of items can then be incorporated within subsequent public realm projects as and when they are brought forward.

The commission for a hoardings design suite has been completed and has already attracted interest from private sector businesses wishing to use these designs. This should result in Carlisle Story inspired hoardings being seen in Carlisle over the coming months.

Arts Centre

The design and build scheme submitted by Thomas Armstrong (with Day Cummings) has been approved and final contracts and design variations are currently being negotiated. The wider construction timescales and deadlines remain on schedule. Pilot projects within the centre remain under development and the programme is growing. It will continue up to May 2014 before close down and refurbishment to gauge interest in using the Arts Centre.

PRIORITY - We will work more effectively with partners to achieve the City Council's priorities

The City Council wants to establish Carlisle as a nationally recognised sub-regional capital by becoming an effective partner in the key areas of housing and economic growth.

Home Improvement Agency

The Home Improvement Agency (HIA) has helped 73 clients to date including 35 home visits. Work has been delivered under the Electrical Safety Council Grant funding, the Sanctuary Scheme for victims of domestic and sexual violence, and the Keep Safe scheme for victims of anti-social behaviour.

Already, 38 volunteers have been recruited to the Community Neighbour Programme; of which 21 are fully trained and disclosure and barring service checked. Eight volunteers are actively working with older people in the urban and rural wards. An apprentice and caseworker have been recruited and new software has been installed to assist with case management, financial / budget management and reporting.

Carlisle Ambassador's Programme

The development of the Carlisle Story and place branding toolkit has provided the means to promote Carlisle as a regional capital. The establishment of the Carlisle Ambassador's Programme to work with individuals and organisations across all sectors and encourage the use of this place branding, has also provided an opportunity to review existing partnerships and establish connections where this may have proved difficult in the past. The focus for Carlisle Ambassador's is to raise the profile of Carlisle and thereby have a positive effect on the local economy. A series of projects utilising the Carlisle Story are already being delivered, the outputs of which will help us towards achieving our priorities.

PRIORITY - We will work with partners to develop a skilled and prosperous workforce, fit for the future

The City Council continues to work closely with partners through the Carlisle Economic Partnership (CEP). Part of the CEP action plan of key priorities sets out actions to address skills gaps by identifying skills needs for growth and encouraging provision which meets those needs. One of the outputs for this priority was to hold a careers event where young people could meet representatives of local businesses. A skills trade fair took place on Thursday 30 January 2014 at the Sands Centre.

The City Council is supporting the Knowledge Transfer Project which will help maximise the potential of 'e'-commerce by supporting local retailers (SMEs) and especially independents to make use of the internet to promote and grow their business. This two year project will support businesses to develop specific products together with experts from the University of Cumbria with the aim of maximising the use of proposed City Centre WiFi, using apps, for example, to support the local economy.

The City Council also continues to lead by example as one of Carlisle's large employers by investing in the development of its staff. This includes working with the University of Cumbria, Carlisle College and local training providers to deliver a wide range of technical and professional learning and development opportunities to staff. The City Council works closely with the National Apprenticeship Service and local training providers on its apprenticeship programme and all three of the staff who have recently completed apprenticeships have continued to be employed by the Council.

PRIORITY - Together we will make Carlisle clean and tidy

The City Council recognises the shared responsibility between it and the community and is committed to a pro-active approach to making Carlisle a place that its residents can be proud of.

Integrated Waste Management Project

A review of the waste collection service is underway. This is an exciting opportunity to improve the service and maximise value for money

Purple Sack and Gull Sack Projects

A part of the Love Where You Live campaign had been to identify sources of litter on the streets. We found that high levels of litter were caused by seagulls attacking waste in the purple sack collections.

The project has begun in Denton Holme where purple sack collections have moved to wheeled bins collections. This has reduced the levels of litter caused by the waste collections.

A further roll out of gull proof sacks is planned for early 2014/15.

Enforcement and Education

An update on the Enforcement and Education Team activities is below including latest performance figures.

On 8 February the team facilitated another successful dog micro chipping event with around 60 dogs chipped. This was well received by the public and on social media.

A community grant project offering £500 grants to community groups to do something to make their area better has also been launched.

Following the suggestion at the Panel in November a new clean advertising campaign is due to commence. This is where a stencil is printed on the pavement by cleaning an area around it. The first area to benefit will be Old Harraby at the start of March.

The team continues to work closely with schools and has recently completed another project with Year 7s at Newman School. A number of further primary school visits is programmed over the coming months.

Below are the latest enforcement figures including historic data to enable a comparison to be made with previous years.

Year / Service Requests	2011/2012	2012/2013	2013/2014 (to 11 February 2014)
Dog Fouling	594	712	505
Fly Tipping	177	201	242
Waste Receptacles	9	32	108
Total	780	945	855

Year / Fixed Penalty Notices	2011/2012	2012/2013	2013/2014 (to 11 February 2014)
Dog Fouling	11	37	43
Dogs Off Leads	0	19	12
Fly Posting	6	24	8
Littering	0	40	42
Waste Receptacles	0	11	8
Total	17	131	113

Year / Prosecutions	2012/2013	2013/2014 (to 11 February 2014)
Dog Fouling	2	8
Dogs Off Leads	-	5
Fly Posting	7	2
Littering	2	1
Waste Receptacles	1	1
Other	1	2
Total	13	19

PRIORITY - We will address Carlisle's current and future housing needs

The key to this priority is the delivery of the City Council's housing strategy.

Delivery of the Affordable Housing Programme

Riverside has reached agreement with Lovell to deliver and manage 37 affordable homes in the Raffles area at Dalton Avenue. Planning permission has been granted for these properties; 23 two-bed homes, 6 three-bed homes, 4 four-bed homes and 4 two-bed bungalows. Contracts were due to be exchanged late 2013 / early 2014, with a start on site by spring 2014.

Land transfer has been completed which has led to a capital receipt of £150,000.

Empty Homes

The Cluster of Empty Homes programme originally set out plans to return 45 empty properties back into use by the end of 2014/15. The City Council are the accountable body and the YMCA's Making Homes Programme is the provider for this programme. The YMCA's programme is based on lease and repair with an approximate 20% rental income stream in fees. Nationally these types of programmes have struggled to hit targets; primarily due to the complex nature of the work involved. In Carlisle ten properties were completed by the end of January 2014 and a further 24 are expected to come on stream by end of September 2014. A number of landlords with multiple properties are trialing the programme with a single property before committing further. The City Council will continue to closely monitor the performance of the programme provider.

Report to Environment & Economy Overview & Scrutiny Panel

Agenda
Item:
A.6

Meeting Date: 27th February 2014
Portfolio: Environment and Transport
Key Decision: Yes
Within Policy and
Budget Framework No
Public / Private Public

Title: ENVIRONMENTAL HEALTH - BUSINESS SUPPORT STRATEGY
Report of: The Director of Local Environment
Report Number: LE 01/14

Purpose / Summary:

A report introducing the Environmental Health Services' Business Support Strategy. The Strategy outlines how the Environmental Health Service will meet the requirements of the revised Regulators' Code 2013 ensuring an open and constructive relationship between the Environmental Health regulatory service and those Carlisle businesses it regulates.

Recommendations:

1. Overview and Scrutiny consider the Business Support Strategy submitted by the Environmental Health Service.

Tracking

Executive:	10 th March 2014
Overview and Scrutiny:	27 th February 2014 (Economy and Environment)
Council:	N/A

1. BACKGROUND

- 1.1** The Government revised the Regulators' Code in July 2013 to clarify the duty non economic regulators, like Environmental Health, have in encouraging economic growth. Regulators must have regard to the Code when developing their policies and operational procedures that guide their regulatory activities. The 2013 Regulators Code requires regulators to:
- a. Carry out activities in a way that supports those regulated to comply and grow.
 - b. Provide simple and straightforward ways to engage with those regulated and hear their views.
 - c. Base regulatory activity on risk.
 - d. Share information about compliance and risk.
 - e. Ensure clear information, guidance and advice is available to help those regulated meet their responsibilities to comply.
 - f. Ensure that the approach to regulation is transparent.
- 1.2** The Environmental Health Service arguably has more face to face contact with local business than any other Council Service. It is best placed to free up businesses from unnecessary regulation. In response to the revision of the Regulators' Code the Environmental Health Service has produced a Strategy (appendix.1.) outlining how it will comply with the Regulators Code. The Strategy details actions based on four business support themes:
- a. We are open to work with businesses
 - b. Our services understand how businesses work
 - c. Our work to support businesses is targeted and effective
 - d. Our services are transparent and open to scrutiny
- 1.3** The Strategy should give confidence to businesses that the Environmental Health Service is here both to protect but also help businesses. We want to work with businesses to find the best ways for them to grow in a legal, safe and sustainable way. The strategy improves the processes of creating a trusting environment between business and the regulator.

2. PROPOSALS

- 2.1** The Business Support Strategy considers four areas where the Environmental Health Service will seek to improve to ensure it fully assist businesses in growing in a legal, safe and sustainable way. Overview and Scrutiny are recommended to consider the improvements proposed in the Strategy.

3. CONSULTATION

- 3.1** Consultation to Date. - The Plan has been drafted in consultation with Officers in the Environmental Health Service, the Economic Development Team; the Federation of Small Businesses; the Cumbria Chamber of Commerce and the County Council.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1** Carlisle City Council has an important role both locally and nationally as a regulatory agency. Its Environmental Health Service undertakes that role on its behalf for services ranging from food safety, health and safety, pollution control and infectious disease control. The Business Support Strategy in Appendix 1 outlines how the City Council's Environmental Health Service intends to comply with the Regulators' Code issued by Central Government.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1** **Priority 1:** Fostering more, high quality and sustainable business and employment opportunities, through growing existing enterprises and bring new ones in.

- A key requirement of the regulators compliance code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance.

Priority 3: Working more effectively through partnerships

In delivering the Strategy the Environmental Health Service will continue to work with a variety of partner organisations including: the Cumbria Chamber of Commerce; Cumbria County Council and the Federation of Small Businesses.

Contact Officer: Angela Culleton

Ext: Ex 7325

Appendices attached to report: Environmental Health – Supporting Business Through Better Regulation.

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's –

Community Engagement –

Economic Development –

Governance –

Local Environment –

Resources –



Supporting Business through
Better Regulation

Carlisle City Council Environmental Health Service 2013 – 2016

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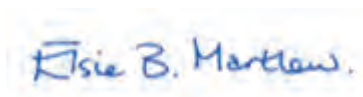
Foreword

Regulators actions can impact directly upon a business's ability to succeed and grow. It's essential that Carlisle's hard-pressed firms are given advice and support.

This strategy seeks to increase confidence in the regulatory system, helping serve the twin purposes of protection and prosperity.

Better dialogue with businesses will allow our Environmental Health resources to be focused on dealing with non-compliance, as well as providing useful advice and guidance for businesses that need it most.

Environmental Health should not only be championed for their work tackling rogue businesses and keeping communities safe, but become a trusted and knowledgeable partner with businesses. Every business should feel as comfortable contacting us about regulation, as our residents do if they want to discuss bin collections, parking or council tax.



Portfolio Holder for Environment and Transport, Cllr Elsie Martlew

Carlisle City Council

Introduction

Carlisle District is an important sub-regional centre for business, shopping and tourism. The District covers 103,174 hectares (398 square miles). The population of the District in the 2011 census was 107,500, of which almost 75% live in Carlisle. A further 7% of the District's population live in the Key Service Centres of Brampton and Longtown, with the rest in the sparsely populated but large rural area.

The District provides almost 47,000 jobs and has an expanding sub-regional role with a regional investment site at Kingmoor Park in the north of the city. Employment in the transport/storage and construction sectors is expanding whilst manufacturing is declining. The service sector is still the largest employer, including finance, health and Local Government.

In 2012/13, our Environmental Health Service regulated over 1,180 food businesses to ensure food safety, over 2,000 businesses come under local authority health, safety and welfare regulation and numerous other businesses were contacted by them as they protect the public on matters ranging from contaminated land, air pollution, private water supplies, waste and noise nuisance. Environmental Health is one service that local businesses are most likely to have a face to face contact with.

Since 2007 the National Audit Office and the Local Better Regulation Office (now the Better Regulation Delivery Office) have undertaken National Business Perception Surveys on businesses views of regulatory services, including local authority food safety and health and safety regulation. In the latest 2012 survey 80% of businesses surveyed agreed that "if my business was found to be non-compliant, I would be concerned it would affect our relationship with customers." Forty percent of businesses felt that assistance from regulators helped their business.



The 2013 Regulators Compliance Code requires regulators to:

- Carry out our activities in a way that supports those we regulate to comply and grow
- Provide simple and straightforward ways to engage with those we regulate and hear their views
- Base our regulatory activity on risk
- Share information about compliance and risk
- Ensure clear information, guidance and advice is available to help those we regulate meet their responsibilities to comply
- Ensure that our approach to regulation is transparent.

Priority one of our Carlisle Plan is to “foster more, high quality and sustainable business and employment opportunities, through growing existing enterprises and bringing in new ones.”

Good regulation means economic growth is safe and sustainable. We have looked at the Business Perception Surveys, Local Government Association Guidance and the Regulators Code, the principles of the Enforcement Concordat and developed this strategy to support business in Carlisle through better regulation.

Our Vision

Our vision is for our Environmental Health Service to be able to work with Carlisle businesses to understand and reduce risks. By engaging and working in partnership with businesses we can determine what level of regulation is appropriate and provide the support to ensure businesses are able to grow in a safe and sustainable way.

Our Mission

We believe that our Environmental Health Service is best placed to free up businesses from unnecessary regulation. We want businesses to know that:

- We are open to work with businesses
- Our services understand how businesses work
- Our work to support businesses is targeted and effective
- Our services are transparent and open to scrutiny.

Our Values

- Helpful
- Competent
- Transparent
- Fair
- Proportionate
- Consistent.



We Are Open to Work With Businesses

We understand that the biggest burden to business is keeping up to date with legislation. Eighty four percent of the respondents in the 2012 Business Perceptions Survey believed local authorities should enforce the law but also provide an advisory service. Despite the media image of the pedantic local authority inspector it is pleasing to report that over 90% of businesses in the Business Perception Survey felt that the inspectors were courteous and professional. Satisfaction with the overall level of service from local authority regulators is high. Businesses must not be deterred from contacting our services by the incorrect media picture of red tape; all requests for help will be seen positively. Our Environmental Health Service is always be open to work with businesses to help them grow and comply with their legal duties.

Opportunities to work closer with local businesses include:

- Engaging with the Local Federation of Small Business, Cumbria County Council, our Economic Development Team and Cumbria Chamber of Commerce to develop business information packs as easy guides on business responsibilities.
- Improve our website offer so businesses can easily obtain or be directed to the information they need.
- Carry out surveys with businesses inspected to obtain their feelings about the helpfulness and fairness of the Carlisle officers and their views on assistance that could be provided by the local authority. In previous surveys carried out under National Performance indicators over 70% of respondents agreed or strongly agreed that the Environmental Health inspectors were helpful and fair, there were no negative responses as the remaining 30% were non responses.



Our Services Understand How Businesses Work

Businesses are highly satisfied with regulatory services such as Environmental Health, however, they have concerns about how much knowledge officers have about their business sector. Businesses want enforcement officers to have a better understanding of the businesses they regulate.

We support our officers in obtaining the knowledge and continuous professional development that is necessary to prove their competence as regulators. We will ensure officers view economic pressures along with protection in undertaking their duties.

Opportunities to improve the understanding with business include:

- Seeking to ensure regulation is discussed strategically. We will take our Enforcement Policies through our committee structures and ensure they are discussed at Executive. We will seek to engage with the Local Enterprise Partnerships and other business support organisations.
- Seeking to work with our council colleagues, the County Council and other external partners in finding ways to support businesses compliance and growth.
- Train officers in the life cycle of a business, clarifying their understanding of what advice can help and when, or the wider support we may be able to offer.
- Provide targeted help for start-up businesses and other important sectors in Carlisle.
- Support opportunities to get businesses talking directly to each other.
- Work with businesses to understand how regulation can support the reputation of local businesses. Schemes such as the National Food Hygiene Rating System can improve the economic opportunities for those businesses who deliver quality and compliance.



Our Work to Support Businesses is Targeted and Effective

All regulatory services undertaken by our Environmental Health Service are supported by national guidance to ensure consistency in approach across the country. We comply with the national guidance given and base all our regulatory activity on risk. We will seek consistent regulation between officers and published our enforcement policies. All enforcement action will be proportionate to the risks involved. Inspections are a key interface with business and we are determined to get this interaction right. There should be no inspection without a reason.

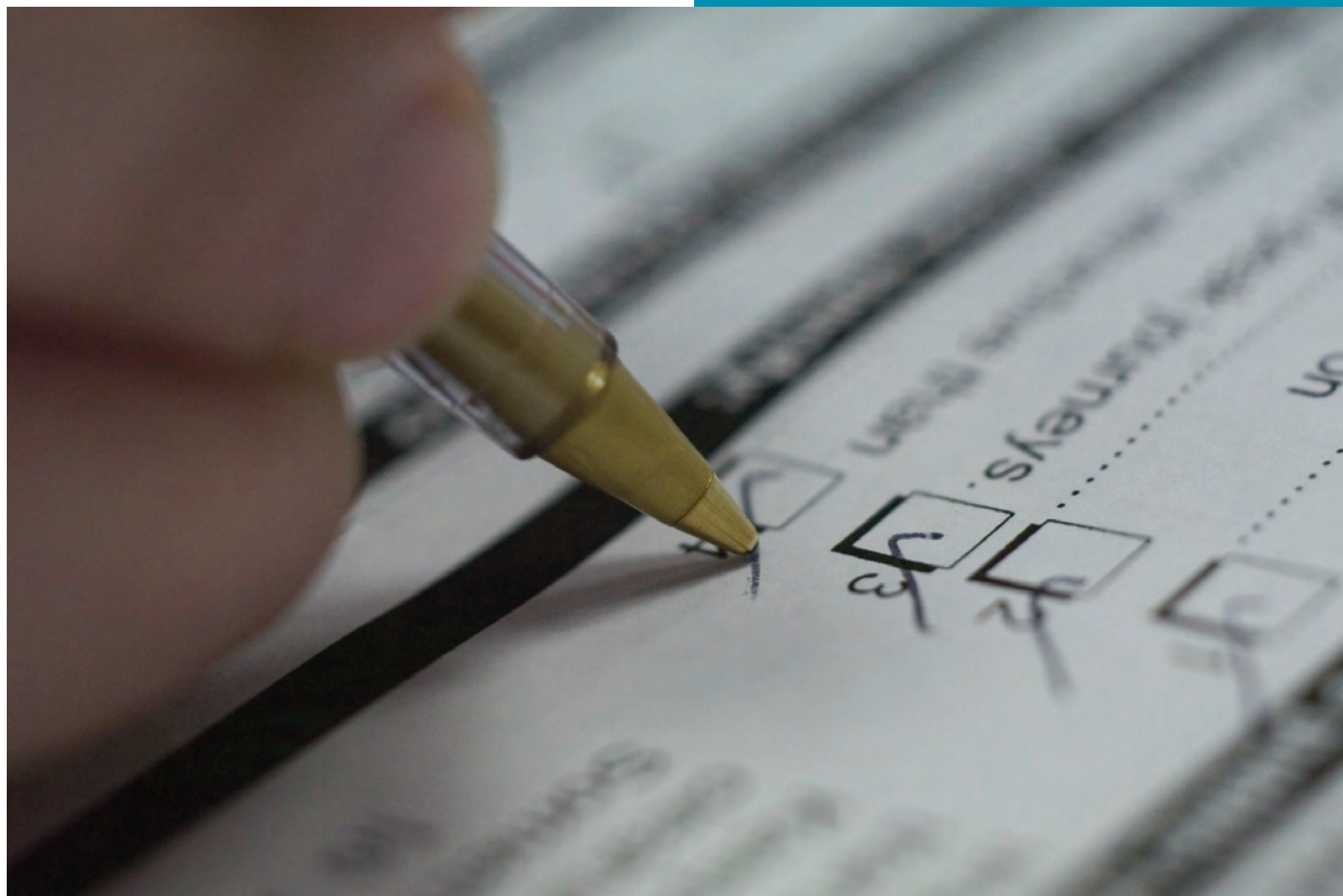
- We will engage with business in developing alternative interventions to inspections to improve business compliance.
- Where inspections are used these will be targeted at those requiring inspection under national guidance, high risk activities, those businesses that break the law or those subject to complaints.
- We will consider the most appropriate time to inspect to ensure protection but also take account of the need and nature of the business.
- Officers will make the aim of the visit clear, explaining what to expect and why, and stress that businesses can take the opportunity to ask for advice.



Our Services Are Transparent and Open to Scrutiny

Only a quarter of respondents to the Business Perception survey felt there was an appropriate channel to complain about how regulations are enforced. A requirement of the Enforcement Concordant is to have clear complaints procedures. We believe our regulators should be accountable for the effectiveness of their actions.

- We will publish clear complaints procedures.
- We will publish our general Enforcement Policy and specific Enforcement Policies for Food Safety; Health and Safety at Work and Local Authority Pollution Prevention and Control.
- We will advise and provide links for businesses to check national guidance and we will always be prepared to explain the reasons behind our decisions.
- Our Environmental Health Service welcomes feedback from the business community. Compliments are always rarer than complaints but just as important to support continuous improvement.
- Businesses should be reassured that they will not be targeted as a result of complaints.
- We will undertake business surveys providing the option for anonymous feedback.



Conclusion

Our Environmental Health Service will seek out ways to help those businesses that want to be helped and want to improve, enforcement will be saved for those businesses that need to change but won't.

Regulators ensure a level playing field for businesses protecting those safe and considerate businesses from those less scrupulous who seek to undercut.

This strategy should give confidence to businesses that our Environmental Health Service is here both to protect but also help businesses. We want to work with businesses to find the best ways for you to grow in a legal, safe and sustainable way. This strategy improves the processes of creating a trusting environment between business and the regulator.

To find out more about our Environmental Health Service, visit www.carlisle.gov.uk

