

AGENDA

Executive

Monday, 14 September 2020 AT 16:00

This meeting will be a virtual meeting and therefore will not take place in a physical location.

Register of Attendance and Declarations of Interest

A roll call of persons in attendance will be taken and, at the same time, 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.

Apologies for Absence

To receive apologies for absence.

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

To confirm the Minutes of the meetings of the Executive held on 20 July and 17 August 2020. The Chair will sign the Minutes at the first practicable opportunity.

[Copy Minutes in Minute Book Volume 47(2)]

PART A

To be considered when the Public and Press are present

- A.1 NOTICE OF EXECUTIVE KEY DECISIONS** **7 - 16**
- (Non Key Decision)
- The Notice of Executive Key Decisions, published on 14 August 2020, is submitted for information.
- (Copy Notice herewith)
-
- A.2 SCHEDULE OF DECISIONS TAKEN BY THE LEADER / PORTFOLIO HOLDERS** **17 - 18**
- (Non Key Decision)
- A Schedule detailing a decision taken by the Leader under delegated powers is attached for information.
- (Copy Schedule herewith)
- Background Papers - as detailed within the Schedule
-
- A.3 SCHEDULE OF DECISIONS TAKEN BY OFFICERS** **19 - 20**
- (Non Key Decision)
- A Schedule detailing decisions taken by Officers under delegated powers is attached for information.
- (Copy Schedule herewith)
- Background Papers - as detailed within the Schedule
-
- A.4 JOINT MANAGEMENT TEAM** **21 - 22**
- (Non Key Decision)
- The Minutes of the meeting of the Joint Management Team held on 17 August 2020 are submitted for information.
- (Copy Minutes herewith)

A.5 ANNUAL EQUALITY REPORT 2019/20 AND EQUALITY ACTION PLAN 2020 **23 - 64**

(Non Key Decision)

The Policy and Communications Manager to submit a report presenting the Annual Equality Report for 2019/20 and the Equality Action Plan 2020. The Health and Wellbeing Scrutiny Panel scrutinised the matter on 27 August 2020; the Business and Transformation Scrutiny Panel received the report 'for information only'.

(Copy Report PC.18/20 herewith / Minute Excerpt to follow)

Background Papers - Report PC.17/20 (Health and Wellbeing Scrutiny Panel - 27 August 2020) is available on the Council's website - <https://carlisle.cmis.uk.com/>

A.6 QUARTER 1 PERFORMANCE REPORT 2020/21 **65 - 96**

(Non Key Decision)

The Policy and Communications Manager to submit a report containing the Quarter 1 2020/21 performance against the current service standards, together with a summary of the Carlisle Plan actions as defined in the 'plan on a page'. Performance against the 2020/21 Key Performance Indicators is also included. The performance was scrutinised by the Economic Growth; Health and Wellbeing and Business and Transformation Scrutiny Panels on 20 August; 27 August and 3 September 2020 respectively.

(Copy Report PC.22/20 herewith / Minute Excerpts herewith/to follow)

A.7 ECONOMIC GROWTH SCRUTINY PANEL **97 - 100**

(Non Key Decision)

To consider and respond to a request from the Economic Growth Scrutiny Panel on 20 August 2020 that the Executive promote engagement with the Business and Economy Response and Recovery Group (BERRG) of the Local Resilience Forum, particularly in developing a recovery plan.

(Copy Minute Excerpt EGSP.40/20 herewith)

A.8 UPDATE OF PRIVATE SECTOR HOUSING ENFORCEMENT POLICY - ELECTRICAL SAFETY AND MINIMUM ENERGY EFFICIENCY STANDARDS

**101 -
134**

(Key Decision - KD.21/20)

The Corporate Director of Governance and Regulatory Services to submit a report presenting an updated Private Sector Housing Enforcement Policy to reflect the legislative challenges introduced to further improve health and safety standards in the private rented sector, and reflect best practice guidance available to respond to the Council's statutory duties.

(Copy Report GD.35/20 herewith)

PART B

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

B.1 DISPOSAL OF ASSET (PROPERTY AT 17 SCOTCH STREET, CARLISLE)

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Members of the Executive

Councillor J Mallinson (Leader's Portfolio)

Councillor G Ellis (Deputy Leader, and Finance, Governance and Resources Portfolio Holder)

Councillor N Christian (Environment and Transport Portfolio Holder)

Councillor S Higgs (Culture, Heritage and Leisure Portfolio Holder)

Councillor Mrs E Mallinson (Communities, Health and Wellbeing Portfolio Holder)

Councillor P Nedved (Economy, Enterprise and Housing Portfolio Holder)

Enquiries, requests for reports, background papers, etc to: Morag Durham, Democratic Services Officer - morag.durham@carlisle.gov.uk

Notes to Members:

Decisions made at this meeting, if not subject to call-in, will normally become live on 24 September 2020



NOTICE OF EXECUTIVE KEY DECISIONS

14 August 2020

Notice of Key Decisions

This document provides information on the 'key decisions' to be taken by the Executive within the next 28 days. The Notice will be updated on a monthly basis and sets out:

- Details of the key decisions which are to be taken;
- Dates of the Executive meetings at which decisions will be taken;
- Details of who will be consulted and dates for consultation;
- Reports and background papers which will be considered during the decision making process;
- Details of who to contact if further information is required
- Details of where the document can be inspected
- Details of items which the public may be excluded from the meeting under regulation 4(2) and the reason why
- Details of documents relating to the decision which need not, because of regulation 20(3) be disclosed to the public and the reason why.

The dates on which each new Notice will be published are set below:

Publication Dates

6 March 2020	14 August 2020
24 April 2020	11 September 2020
22 May 2020	9 October 2020
19 June 2020	13 November 2020
17 July 2020	14 December 2020

Key decisions are taken by the City Council's Executive and these are usually open to the public. Agendas and reports and any other documents relevant to the decision which may be submitted can be viewed in the Customer Contact Centre at the Civic Centre, Carlisle or on the City Council's website (www.carlisle.gov.uk). Agendas and reports are published one week ahead of the meeting.

A Key Decision is an Executive decision which is likely –

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant* having regard to the local authority's budget for the service or function to which the decision relates;
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

*significant expenditure or savings to the authority in excess of £70,000

The City Council's Executive Members are:

- Councillor J Mallinson (Leader / Chairman)
- Councillor G Ellis (Deputy Leader, and Finance, Governance and Resources Portfolio Holder)
- Councillor N Christian (Environment and Transport Portfolio Holder)
- Councillor S Higgs (Culture, Heritage and Leisure Portfolio Holder)
- Councillor Mrs Mallinson (Communities, Health and Wellbeing Portfolio Holder)
- Councillor P Nedved (Economy, Enterprise and Housing Portfolio Holder)

Should you wish to make any representations in relation to the items being held in private or If you require further information regarding this notice please contact Democratic Services on 01228 817039 or committeeservices@carlisle.gov.uk.

Index of Active Key Decisions

		Date Decision to be considered:	Date Decision to be taken:
KD.01/20	Local Environment (Climate Change) Strategy	10 February 2020 (under General Exception) consultation period to include Overview and Scrutiny as appropriate (EX.18/20)	12 October 2020
KD.07/20	Homelessness and Rough Sleeping Strategy 2021-2026	13 January 2021 consultation period to include Overview and Scrutiny as appropriate	8 February 2021
KD.21/20	Private Sector Housing Enforcement Policy update		14 September 2020
KD.22/20	Property known as 17 Scotch Street, Carlisle		14 September 2020
KD.23/20	Sands Centre Redevelopment Project – Final Contract, Programme and amended works		28 September 2020 (Special Meeting)

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.01/20
Type of Decision:	Executive
Decision Title:	Local Environment (Climate Change) Strategy
Decision to be taken:	The Executive will be asked to recommend the adoption of the strategy to Council
Date Decision to be considered:	10 February 2020 (under General Exception) consultation period to include Overview and Scrutiny as appropriate (EX.18/20)
Date Decision to be taken:	12 October 2020
Is the Decision Public or Private?:	The decision will be taken in public.
Documents submitted for consideration in relation to the Decision:	Report PC.02/20 - Local Environment (Climate Change) Strategy on 10 February 2020
Contact Officer for this Decision:	Corporate Director of Economic Development, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Environment and Transport (Councillor Christian)
Relevant or Lead Overview and Scrutiny Panel:	Health and Wellbeing 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.

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.07/20
Type of Decision:	Executive
Decision Title:	Homelessness and Rough Sleeping Strategy 2021-2026
Decision to be taken:	The Executive will be asked to support the strategic priorities identified as part of a statutory review and consultation process; targeting Homelessness and Rough Sleeping in Carlisle from 2021 to 2026.
Date Decision to be considered:	13 January 2021 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	8 February 2021
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 Corporate Director of Governance and Regulatory Services will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Governance and Regulatory Services, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Economy, Enterprise and and Housing (Councillor Nedved)
Relevant or Lead Overview and Scrutiny Panel:	Health and Wellbeing 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.

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.21/20
Type of Decision:	Executive
Decision Title:	Private Sector Housing Enforcement Policy update
Decision to be taken:	The Executive will be asked to approve the updates to the private sector housing enforcement policy, which includes two revisions of the policy to allow the enforcement of the new legislation coming into force in the Summer of 2020 which impacts on the whole of the private rented sector in the District.
Date Decision to be considered:	
Date Decision to be taken:	14 September 2020
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 Corporate Director of Governance and Regulatory Services will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Governance and Regulatory Services, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Economy, Enterprise and and Housing (Councillor Nedved)
Relevant or Lead Overview and Scrutiny Panel:	Health and Wellbeing Scrutiny Panel

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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.

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.22/20
Type of Decision:	Executive
Decision Title:	Property known as 17 Scotch Street, Carlisle
Decision to be taken:	The Executive will be asked to approve the disposal of this asset
Date Decision to be considered:	
Date Decision to be taken:	14 September 2020
Is the Decision Public or Private?:	The decision will be taken in private. The report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972
Documents submitted for consideration in relation to the Decision:	The report of the Corporate Director of Governance and Regulatory Services will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Governance and Regulatory Services, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Finance, Governance and Resources (Councillor Ellis)
Relevant or Lead Overview and Scrutiny Panel:	Business and Transformation 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.

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.23/20
Type of Decision:	Executive
Decision Title:	Sands Centre Redevelopment Project – Final Contract, Programme and amended works
Decision to be taken:	The Executive will be asked to review a final report noting the impact of the proposed works to the Events Centre roof planks and the impact of Covid-19 on the contract programme, works and sum.
Date Decision to be considered:	
Date Decision to be taken:	28 September 2020 (Special Meeting)
Is the Decision Public or Private?:	The decision will be taken in private. The report is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as the report contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information)
Documents submitted for consideration in relation to the Decision:	The report of the Deputy Chief Executive will be available five working days before the meeting
Contact Officer for this Decision:	Deputy Chief Executive, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG
Relevant Portfolio Area:	Leader
Relevant or Lead Overview and Scrutiny Panel:	Health and Wellbeing Scrutiny Panel; Busines and Transformaiton 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.

Notice prepared by Councillor John Mallinson,
Leader of Carlisle City Council

Date: 14 August 2020

Notice of Decision taken by The Leader – Councillor John Mallinson

Leader's Decision Reference:	LD.06/20
Subject Title:	The Sands Centre Redevelopment Project

Subject Matter:	<p>The Sands Centre Redevelopment Project has reached a stage in its development where a further report will be required to enable members to consider the final main contract programme and sum.</p> <p>Two key issues have arisen related to the events centre roof panels and the impact of the Covid-19 pandemic. The impact on cost and programme of these issues requires further member input and potential decisions.</p> <p>This decision notice will allow members of Health and Wellbeing and Business and Transformation Scrutiny Panels the opportunity to review the final updated main contract sum, programme and works information before Executive make any final recommendations to Council.</p>
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Relevant Portfolio Area:	Leader
Decision Taken:	To take a final Sands Centre Redevelopment report straight to Health and Wellbeing and Business Transformation Scrutiny Panels before Executive review and finalise any recommendations for Council.

Key or Non-Key Decision:	NON KEY
	YES – Key Decision Reference:

Date Decision Made:	14 August 2020
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Reports and Background Papers considered:	None
Reasons for Decision:	To enable the final updated main contract sum, programme and works information to be scrutinised and reviewed before Executive makes recommendations to Council for a meeting in October 2020
Details of alternative options considered and rejected:	That Executive considers the information before referral to Health and Wellbeing and Business Transformation Scrutiny Panels
Interests Declared:	None
Date published:	14 August 2020
Urgent Decision not subject to call in:	No
Consent of Chairman/Deputy Chairman of Council to Urgency:	YES/NO -

Deadline for call-in:	21 August 2020 at 1700hours
Implementation date if not called in:	24 August 2020

Relevant Scrutiny Panel:	Health and Wellbeing Scrutiny Panel Business and Transformation Scrutiny Panel
Call-in notified to and date notified:	
Approved for implementation on:	

All public reports can be viewed on the Council's website www.carlisle.gov.uk

Officer Decisions

A.3

Below is a list of decisions taken by Officers which they have classed as significant, full details and supporting background documents can be viewed on the Council's website www.carlisle.gov.uk/CMIS/

Decision Ref No	Title: Subject and Decision Taken:	Reports and Background Papers considered:	Date Decision Taken:	Decision Maker:
OD.89/20	<p>The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, adopted Housing Assistance Policy July 2013.</p> <p>The Principal Health and Housing Officer at Carlisle City Council has considered applications for 8 Empty Property Grants in the period April 2020 to August 2020. Total grant sum approved £23,200. Taking into account all the available information, a decision has been taken to approve each applicants grant application on the basis that they meet the requirement for the empty property grant applications criteria.</p>	<p>Amended Housing Renewal Assistance Policy 2018 Empty Property Grants Executive report 2020</p>	31 August 2020	<p>The grants have been approved by the Principal Health and Housing Officer under a delegation by the Director of Governance and Regulatory Services in accordance with the Council's policy requirements.</p>
OD.92/20	<p>Former Harraby Community Centre & 226/228 Raffles Avenue, Carlisle Agreement to appoint an approved contractor for the principal design & project management services for the proposed demolition of the above two redundant buildings in the sum of £16,367 so as to enable quotations for the demolition works and initial preliminary work (inc the disconnection of services) to be undertaken.</p>	<p>Asset Disposal Plan GD.91/18 (private report) and EX.130/18 relating to this</p>	21 August 2020	<p>Property Services Manager</p>
OD.91/20	<p>Landlord's consent to lease renewals of units 37 & 91 and a variation to the lease terms of unit 82 at The Lanes Shopping Centre, Carlisle. To grant Landlord's consent to lease renewals of units 37 & 91 and a variation to the lease terms of unit 82 at The Lanes Shopping Centre, Carlisle.</p>	None	21 August 2020	<p>Property Services Manager</p>

OD.90/20	<p>Plot 8 Dalston Road, Cummersdale – Deliver an Affordable Property using Section 106 Commuted Sum Funding. Allocate £50,700 (being 30% of approved market value) of affordable housing commuted sum funding held by the Council to deliver an affordable property (3 bed semi-detached house) at plot 8, Dalston Road, Cummersdale.</p>	<p>Corporate Director's Briefing Report – 11 August 2020 Valuation (Birley Steele Lightfoot) – 11 August 2020</p>	20 August 2020	Corporate Director of Economic Development
OD.94/20	<p>Public Toilet Opening and Contract Cleaning Award In response to the Government direction and following consultation with SMT during the Business Recovery Forum, Property Services have progressed to re-open the public toilets that are in its ownership and where safe to do so with the support of an external cleaning contractor. The Public Toilets were closed on 23rd March 2020 following the outbreak of the COVID-19 pandemic and associated shielding guidance which resulted in insufficient employed cleaning resources available to keep the sites open. With continued insufficient resources, but the direction to open facilities where possible, it was recognised following a Risk Assessment that additional cleaning support was required to meet the COVID Secure status.</p>	<ul style="list-style-type: none"> • Risk Assessment • Request for Quotation • Tender Summary Documentation <p>The following items are not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as they contain exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>	30 July 2020	Corporate Director of Governance and Regulatory Services
OD.93/20	<p>Land at Georgian Way, Carlisle Approval of the heads of terms that have been negotiated by the Property Services team for the disposal of this property asset as required by point 2 of the Decision made by the Executive (ref. EX.53/20) on 27 May 2020. The Property Services Manager (PSM) has confirmed that the agreed terms represent best consideration</p>	<p>Key Decision KD.14/20 (published prior to Executive 27 May 2020) Executive Minute EX.53/20</p> <p>Report GD.16/20 - 27 May 2020 - Private *Not for publication by Virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972</p>	27 July 2020	Corporate Director of Governance and Regulatory Services

JOINT MANAGEMENT TEAM

MINUTES – 17th August 2020

Attendees	Leader; Deputy Leader; PH Economy, Enterprise & Housing; PH Environment & Transport; PH Communities, Health & Wellbeing; Chief Executive; Corporate Director of Governance & Regulatory Services; Corporate Director of Finance & Resources; Corporate Director of Economic Development; Regeneration Manager; Health & Wellbeing Manager
Apologies	PH Culture, Heritage & Leisure; Deputy Chief Executive

Agenda Item 1 – Minutes of Meeting 20th July 2020	Action
Noted and agreed	
Agenda Item 2 – Community Safety Partnerships	
The Portfolio Holder for Communities, Health & Wellbeing provided a verbal update on the current position and possible future support for the above following which a full round table discussion was held	
Agenda Item 3 – Updates on Borderlands; Civic Centre; St Cuthbert’s Garden Village; Central Plaza; J44	
Members of SMT provided the Executive with their update on the current position regarding each area	

Agenda Item 4 – Future Items for Notice of Executive Key Decisions	
Noted, amended and agreed	
Agenda Item 5 - JMT Forward Plan	
Reviewed and updated	

Report to Executive

Agenda
Item:

A.5

Meeting Date: 14 September 2020
 Portfolio: Communities, Health and Wellbeing
 Key Decision: No
 Within Policy and Budget Framework YES
 Public / Private Public

Title: ANNUAL EQUALITY REPORT 2019/20 AND EQUALITY ACTION PLAN 2020
 Report of: Policy and Communications Manager
 Report Number: PC 18/20

Purpose / Summary:

This report presents the Annual Equality Report for 2019/20 and the Equality Action Plan 2020.

Recommendations:

The Executive is asked to:

1. Consider and comment on the content of the Annual Equality Report and Equality Action Plan.

Tracking

Executive:	14 September 2020
Scrutiny:	27 August 2020 Health and Wellbeing For information only Business and Transformation
Council:	

1. BACKGROUND

- 1.1 The Equality Act (2010) replaced the previous anti-discrimination laws with a single Act. A key measure in the Act is the Public Sector Equality Duty which came into force in April 2011. This duty requires public to bodies tackle discrimination and provide equality of opportunity for all.
- 1.2 The Council's Equality Policy outlines how we meet the duties of the Equality Act. The Policy was approved by the Executive in May 2020, including the equality objectives for 2020-24.
- 1.3 The Council must provide information about how equality is considered in decision making, policy development and engagement. The Equality Policy states that this information will be published within an annual equality report and reported to the Senior Management Team, Executive and Overview and Scrutiny.

2. PROPOSALS

- 2.1 The Annual Equality Report 2019/20 (Appendix 1) provides an overview of equality work, including the workforce profile, employee support, customer satisfaction, complaints, consultation and engagement.
- 2.2 The Council has a positive approach to equality both in supporting staff and engaging with the community. This is demonstrated by the commitment to be open and transparent, acknowledging gaps in data and looking at how the Council can improve. The Equality Action Plan 2020 sets out actions on how the Council will work towards achieving the equality objectives and address the issues identified.
- 2.3 The Annual Equality Report presents equality information between April 2019 and March 2020; therefore, it does not include the developing response to the Covid-19 pandemic. The Health and Wellbeing Scrutiny Panel received the report, '*Responding to the Covid-19 Pandemic in Carlisle*', at the 16 July 2020 meeting, which detailed partnership work and community resilience activity. The Carlisle Community Resilience Group will explore how a sustainable local level community response can be structured to capitalise on the effective relationships, wider communities, and future challenges and opportunities as we move into the recovery phase.
- 2.4 In response to the Public Health England report, '*Beyond the data: Understanding the impact of COVID-19 on BAME groups*', an Equality Impact Assessment of the

Covid-19 Community Impact in Cumbria is being led by Cumbria County Council. This will identify implications for Cumbria and recommendations for action to address the findings.

- 2.5 The Council has maintained business continuity for its essential services, adjusting to continue services and meet the needs of the most vulnerable. It has required the Council to react very quickly to different challenges and provide effective support to staff and the organisation. The Council is keen to review the experience and identify how these can be developed in future. An example of learning following the implementation of dispersed working arrangements is to update policies on agile and flexible working, which will be key to recruiting and retaining staff in future.

3. RISKS

- 3.1 The Public Sector Equality Duty places specific duties on the Council, the Annual Equality Report provides evidence of compliance with these duties.

4. CONSULTATION

- 4.1 The Annual Equality Report has been reported to managers, the Senior Management Team, Business and Transformation Scrutiny Panel, and the Health and Wellbeing Scrutiny Panel.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1 This report presents the Annual Equality Report to enable the Council to fulfil the requirements of the Public Sector Equality Duty.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 6.1 The Annual Equality Report supports the Carlisle Plan's priorities by promoting equality of opportunity for all and seeking to improve the health and wellbeing of the people of Carlisle.

Contact Officer: Steven O'Keeffe

Ext: 7258

Appendices attached to report: Appendix 1 - Annual Equality Report 2019/20 and Equality Action Plan 2020

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:

- **PC 17/20 Health and Wellbeing Scrutiny Panel, 27 August 2020**

CORPORATE IMPLICATIONS:

LEGAL - The Equality Act 2010 replaced the previous discrimination legislation in Great Britain relating to sex, race, discrimination, sexual orientation, religion or belief and age. It affects the Council in a number of ways, particularly in respect of our role as an employer and a service provider. The Annual Equality Report and Equality Action Plan demonstrate how the Council is performing and how it will continue to seek to comply with its obligations in the future.

FINANCE – None

EQUALITY – The Annual Equality Report enables the Council to meet its requirements under the Equality Act (2010).

INFORMATION GOVERNANCE – Due to appropriate statistical presentation and anonymisation, the report is considered to be compliant with the General Data Protection Regulation.

Annual Equality Report 2019/20

Equality Action Plan 2020



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Introduction

Under the Equality Act (2010), we must provide information about how equality is considered in decision making, policy development and engagement. This report presents our equality information between 1 April 2019 and 31 March 2020.

We use this information to identify equality issues and develop areas for action or improvement. We aim to publish information in an accessible format and ensure it follows the principles of our Data Quality Policy, giving confidence to the users of the information. We give details about what we publish and why, explaining how the information is used. We also acknowledge gaps in our data and explain how we can improve this.

This document is reported to our Senior Management Team, Executive, Scrutiny Panels and published on our website.

Key data - workforce profile

The following key information about our workforce provides a quick reference and comparative data from previous years. The full workforce profile is provided in Appendix 1.

As at 31 March 2020

Number of employees¹

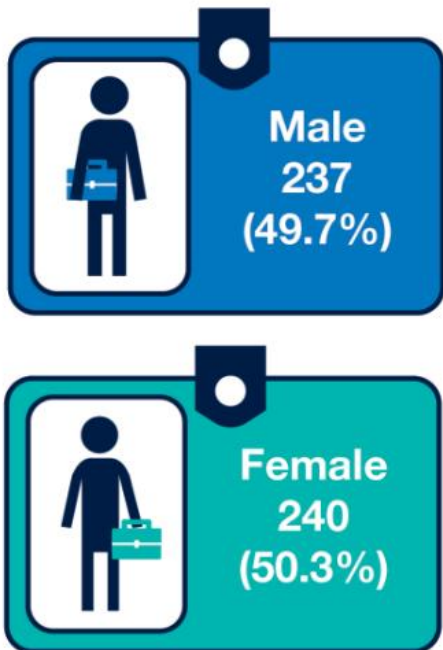


¹ Staff who have multiple posts are counted twice.

Number of employees



Gender of employees



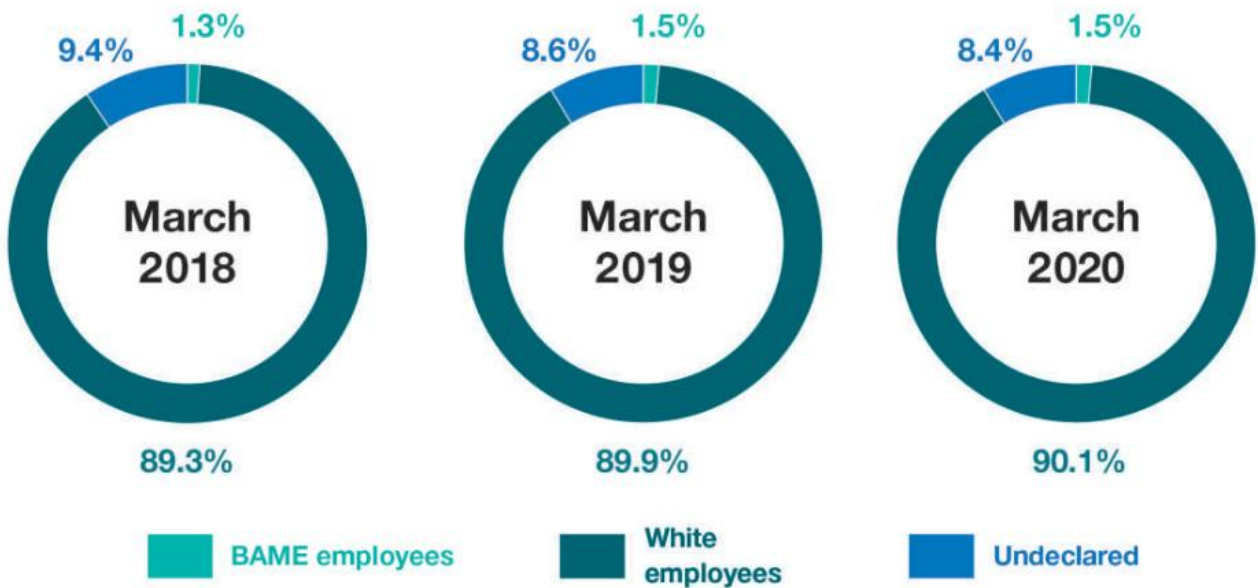
% Female Employees



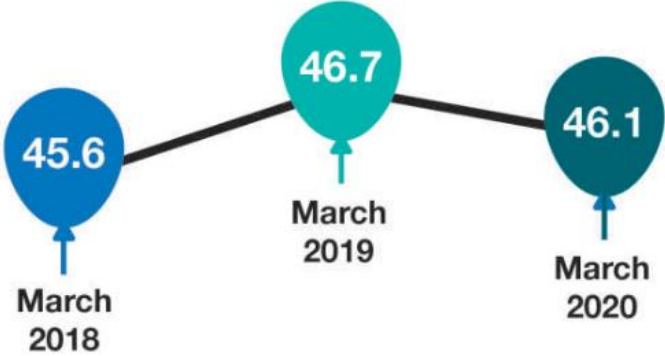
Broad ethnicity



% Broad ethnicity



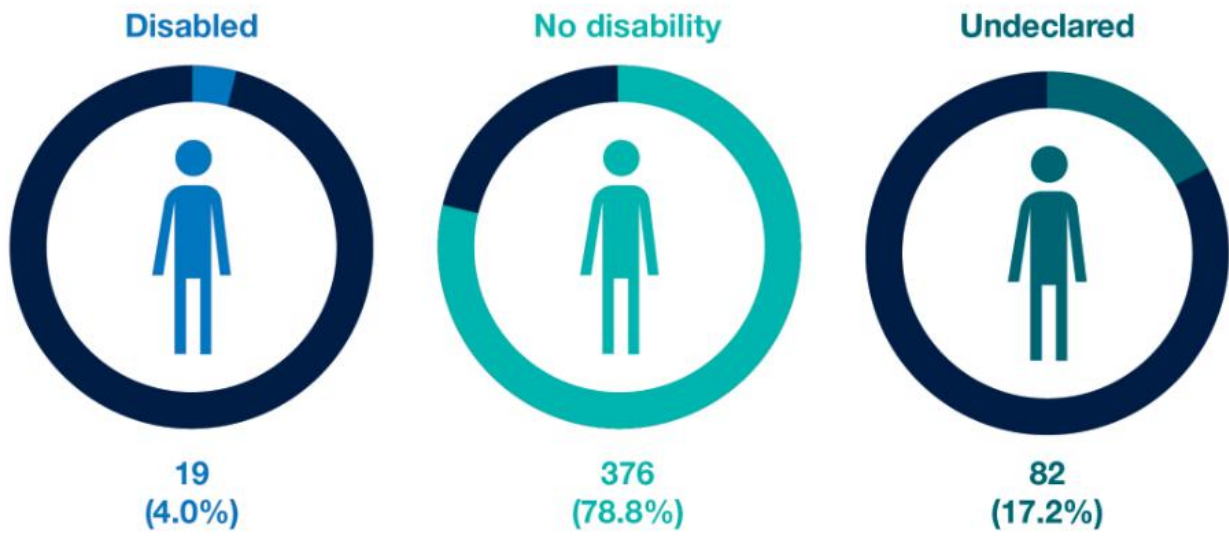
Average age of employees



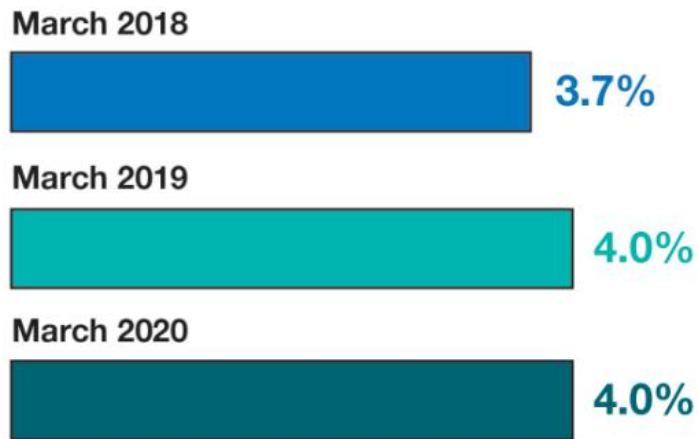
Employees aged between 45-64



Employees with self-declared disabilities



% of disabled employees



Workforce profile

We have a duty under the Equality Act (2010) to publish information about the protected characteristics of our employees. Staff provide this information voluntarily; we aim to create an environment where employees feel comfortable and confident to do this. It is of great benefit to be aware of the needs of our workforce, enabling us to adjust or provide for different needs. It also assists us with workforce planning and how we can support and develop staff. We use other mechanisms to supplement this information, such as surveys and occupational health figures.

The full workforce profile and the latest comparative data for Carlisle is shown in Appendix 1. Recent data is not available for some characteristics (eg ethnicity, religion, sexuality) making it difficult to compare our workforce with the local population in all areas.

Our Workforce Development Plan includes a number of actions to support the ongoing development of the workforce including improved apprenticeship provision, progression opportunities and wellbeing. The current apprenticeship offer has been extended to include more opportunities at advanced and higher levels. 18 employees are now on an advanced or higher apprenticeship with plans to increase further next year.

The Government's Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 implemented a mandatory gender pay gap reporting requirement for public sector employers with more than 250 employees. Appendix 2 shows our gender pay data for 2018, 2019 and 2020, and the average local government figures for 2018/19. Our mean and median gender pay data compares favourably to the local government average. The pay quartile data shows that our two lower quartiles differ in gender balance to the average, particularly the lower quartile where we have a bigger proportion of male employees.

Employee support

The 2020 Employee Opinion Survey³ found that 90.7% of staff rate the Council as a very good or good employer compared to 86% in 2018. The report is positive for employee satisfaction and wellbeing, and highlights that staff continue to be aware of and understand their role in delivering the Council's priorities.

Following feedback from previous staff surveys, Staff Competency Standards have been developed, linking to a review of the existing Management Competency Standards. These provide clear guidance to staff on what is expected of them whilst contributing to the success of the organisation. All staff had the opportunity to feed into the development of these standards by way of focus groups, drop-in events and a survey. The competency standards were circulated with payslips in June 2019 and we are looking at how these can be developed to relate to colleagues in their roles. Standard questions will also be incorporated into interviews to help assess individual values and how they match to those of the organisation. We will also be incorporating more support into induction, and the Appraisal process has also been reviewed to align it with the Staff Competency Standards. The Managers Competency Standards development programme has been amended to include the new standards and includes a session focusing on wellbeing and environmental awareness.

We continue to support the Time to Change Employers Pledge and are committed to changing how we think and act about mental health. Our 'Time to Change' Champions support mental health initiatives, including promotion of Mental Health Awareness Week (May 2019), World Mental Health Day (October 2019) and a Time to Talk drop in session (February 2020). We have introduced a Wellbeing and Mental Health Statement and a Workplace Healthy Eating Statement to help embed this within the organisation.

We have achieved the Silver Better Health at Work Award and are now working towards the Gold Award. The award recognises our achievement in supporting employees to maintain their own wellbeing through raising awareness and providing access to wellbeing activities. Health advocates have a proactive role in promoting and encouraging health and wellbeing amongst colleagues. Examples of the events and initiatives they have set up include a staff football tournament (September 2019), a 10k in 10 days walking challenge (June 2019), and weekly lunchtime walks. As part of working towards the Gold Award we undertook a further survey to help define where we should focus wellbeing initiatives and awareness sessions. Staff have indicated that they would like more information regarding the menopause and digestive conditions. Our health advocates held a drop-in session in October 2019 to find out which digestive conditions staff would like to focus on and look at setting up an action group.

In January 2020, we were invited to present at the North West Employers Health and Wellbeing conference to share our experience of delivering wellbeing initiatives within the Council. Over 60 delegates from other local authorities across the north west attended.

Examples of other support and training offered to staff included:

- Health and wellbeing activities throughout the year: mental health awareness, yoga, physio Pilates, meditation, bio-resilience, mindful craft classes.
- Discounted gym membership.
- Promotion of the Council's Employee Assistance Programme (EAP), the EAP monthly newsletter and launch of the smartphone app.
- Referral to physiotherapy.
- Counselling support.
- Mental Health Awareness for managers.
- Promotion of Stress Awareness Month (April 2019).
- Healthy eating promotion activities including free fruit for all staff every month.
- Menopause support sessions (June 2019).
- Big Lunch (June 2019).
- Cholesterol checks (June 2019).
- Outdoor Gym fitness session (September 2019).
- Health and Wellbeing event (November 2019) providing health checks, cooking demonstrations, exercise sessions, Cardiopulmonary resuscitation (CPR) instruction, reiki sessions, information and advice on a range of health issues.

Training and development

We provide a range of training and development for staff through courses, e-learning, briefings, toolbox talks, information and employee development. Management training sessions for recruitment and selection, disciplinaries and grievances, and attendance management all include equality briefings and discussions on the impact of these on employees. The training aligned to the management competency standards also refers to equality duties and legislation as appropriate. Staff are encouraged to undertake self-development through advice and guidance available on our Intranet. This can be used to refresh or develop an individual's knowledge as required. Coaching and mentoring are also available for staff and managers. New starters receive a safeguarding leaflet with information about our safeguarding policies and responsibilities. There is also a regulatory eLearning programme and toolbox talks sessions to be completed by all staff.

We have an agreement in place with our supplier that all agency workers should have an induction before working for the authority. This includes briefings on our Code of Conduct, Dignity and Respect, and Safeguarding Policies to ensure that all staff are aware of their equality responsibilities.

We continuously develop our training programme, for example, following positive feedback from the Self-Empowerment programme, this course has continued this year. The Every Day Leaders course supports talent and progression planning within the Council. The current programme is made up of over 90% female delegates, which is a direct response to the self-empowerment programme and an action within the Workforce Development Plan; supporting female progression. It aims to help staff to get the most out of their job and develop new skills to aid progression and flexibility. The current Level 3 course ends in June 2020 and a new course will target two different levels. Level 3 will focus on developing the individual, broadening their capabilities, and Level 5 will support the development of management skills.

Details of equality related training and staff participation in 2019/20 are provided in the tables below. In total, 238 staff attended an equality training course and 436 equality e-learning modules were completed, with a number of staff completing more than one course. Some e-learning modules are mandatory and require completion every 3 years (eg Prevent), meaning they will not show in this year's figures.

Overall equality training (April-19 to March-20)

80.3% employees undertook an equality training course or engaged with an equality e-learning module⁴

Equality training courses (April-19 to March-20)

35.6% unique employees undertook an equality training course⁵

Course	Course description	Date(s)	Numbers attended
ASIST Suicide	A skills building workshop that prepares participants to provide suicide first aid interventions to help people with thoughts of suicide.	06/06/2019	1
Dementia - Step inside dementia	To improve knowledge and understanding of dementia and enable attendees to feel more confident in supporting people with dementia.	11/03/2020	13
Domestic Abuse	This course provides in-depth training on coercive control, the dynamics of an abusive relationship, how to speak to someone about domestic abuse, and a robust response/referral pathway. This programme was opened up to other businesses in Carlisle to promote awareness of the issue.	18/12/2019	8
MCF 2 - Promote Personal Wellbeing & Environmental Responsibility	This focuses on increased awareness of behaviours and strategies providing support and guidance to others while maintaining personal health.	09/01/2020	10
Meditation	Sessions to focus on meditation, relieving stress, mindfulness and positive thinking.	06/09/2019	34
Menopause Awareness Workshop	This workshop shows how to spot signs of the menopause, understand the impact it has, offer advice and signpost.	01/10/2019	19
Mental Health First Aid	Aims to teach how to spot the early signs of a mental health problem, increase confidence in helping someone experiencing a problem and reduce the stigma of mental health problems.	16/04/2019	2

4 If an employee attended more than one course and/or more than one module they are only counted once.

5 If an employee attended more than one course they are only counted once.

Course	Course description	Date(s)	Numbers attended
Mental Health & Workplace Wellbeing	Improved knowledge of best practice.	22/11/2019	2
Mental Health Awareness for Managers	To help staff spot the early signs of a mental health problem and feel confident helping someone experiencing a problem.	23/01/2020	12
Mental Health Awareness in Young People	Provides basic awareness on young people's mental health in general and more specifically about self harm and suicide, tips on wellbeing and what resources are available.	02/04/2019	21
Self Empowerment	Aimed at developing staff with the skills to challenge their career choices and aspirations and equip them with the confidence and self-belief to achieve their goals.	08/05/2019	6
Suicide Alertness Training	To help you recognise when a person might be having thoughts of suicide and show you how to provide practical help.	15/05/2019	10
Tool Box Talk - Safeguarding Adults	Improve awareness of safeguarding and staff responsibilities to report.	08/05/2019	14
Tool Box Talk - Safeguarding Children	Improve awareness of safeguarding and staff responsibilities to report.	08/05/2019	62
Understanding Autism	To provide a practical knowledge of autism, including co-facilitation by individuals on the autism spectrum.	26/02/2020	18
Understanding Equality & Diversity for Managers & Members	Equality is considered and incorporated into relevant policies and procedures ensuring that the Council meets its obligations regarding the law. This workshop also aims to look at how equality and diversity can positively affect behaviours in the workplace.	29/10/2019	6

Equality e-learning modules in SkillGate (April-19 to March-20)

65.7% unique employees engaged with an equality e-learning module⁶

Module Name	Number completed
The Importance of Equality Diversity and Inclusion	303
Safeguarding Adults at Risk ⁷	38
Safeguarding Children and Young People ⁸	30
General equality related modules	65

Members training

Members attended a range of equality related training courses:

- Homelessness (11)
- Time to Change Awareness for Members (1)
- Understanding Autism (2)
- Understanding Equality & Diversity for Managers & Members (1)

Equality is incorporated into other training and information provided to Members including the Employment Panel and Code of Conduct. Members also have access to SkillGate modules.

⁶ If an employee completed more than one module they are only counted once.

⁷ Mandatory course completed by relevant staff every 3 years (123 completed 2017/18, 24 completed 2018/19)

⁸ Mandatory course completed by relevant staff every 3 years (123 completed 2017/18, 19 completed 2018/19)

Recruitment and selection

As part of our recruitment process, applicants can complete a diversity monitoring form when applying for a job. The tables below provide a summary of equality monitoring information for applicants for vacancies advertised between 31 March 2019 and 1 April 2020. This is the first year we have published this data. We intend to build on this information and undertake analysis as it develops each year.

	Applications total: 376		Shortlisted total: 155		Successful total: 51	
	Applications		Shortlisted		Successful	
Gender						
Female	172	45.7%	71	45.8%	19	37.3%
Male	148	39.4%	66	42.6%	28	54.9%
Undeclared	56	14.9%	18	11.6%	4	7.8%
Age						
16-24	59	15.7%	20	12.9%	8	15.7%
25-35	104	27.7%	47	30.3%	14	27.5%
36-45	57	15.2%	28	18.1%	10	19.6%
46-64	95	25.3%	41	26.5%	15	29.4%
65+	3	0.8%	0	0.0%	0	0.0%
Undeclared	58	15.4%	19	12.3%	4	7.8%
Disability						
Yes	33	8.8%	22	14.2%	2	3.9%
No	276	73.4%	114	73.5%	45	88.2%
Undeclared	67	17.8%	19	12.3%	4	7.8%

	Applications		Shortlisted		Successful	
Ethnicity						
Asian/Asian British: Chinese	0	0.0%	0	0.0%	0	0.0%
Asian/Asian British: Chinese Other	0	0.0%	0	0.0%	0	0.0%
Black/Black British: African	1	0.3%	1	0.6%	0	0.0%
Mixed/Dual Heritage: White & Asian	0	0.0%	0	0.0%	0	0.0%
Mixed/Dual Heritage: White & Arabic	0	0.0%	0	0.0%	0	0.0%
Mixed/Dual Heritage: White & Black	0	0.0%	0	0.0%	0	0.0%
Other Mixed Background	2	0.5%	2	1.3%	0	0.0%
White: British	297	79.0%	129	83.2%	46	90.2%
White: German	1	0.3%	0	0.0%	0	0.0%
White: Irish	1	0.3%	0	0.0%	0	0.0%
White: Italian	0	0.0%	0	0.0%	0	0.0%
White: Norwegian	3	0.8%	1	0.6%	0	0.0%
White: Other	1	0.3%	1	0.6%	0	0.0%
White: Polish	3	0.8%	1	0.6%	1	2.0%
White: Portuguese	6	1.6%	0	0.0%	0	0.0%
Undeclared	58	15.4%	20	12.9%	4	7.8%

	Applications		Shortlisted		Successful	
Sexual Orientation						
Heterosexual	290	77.1%	126	81.3%	46	90.2%
Homosexual	7	1.9%	1	0.6%	0	0.0%
Lesbian	0	0.0%	0	0.0%	0	0.0%
Bisexual	8	2.1%	2	1.3%	0	0.0%
Undeclared	71	18.9%	26	16.8%	2	9.8%

Equality impact assessment, consultation and engagement

We undertake a wide range of consultation and impact assessment to inform decision making and service delivery. The nature of these varies, depending on the proposed change and the potential impact on equality. Examples of engagement undertaken include:

- **St Cuthbert's Garden Village (September - October 2019)**

Public consultation on the draft masterplan options, building on the past consultation work in developing the proposals. This included several drop in events held across Carlisle, online consultation and access to the proposals at the Council's Customer Contact Centre and Carlisle Library.

- **Borderlands development consultation - Carlisle Station Gateway (September - October 2019, January - February 2020)**

The Station Gateway project aims to improve the station and its facilities, encourage visitors, stimulate investment in Carlisle and improve access and connectivity. It is being developed jointly by Carlisle City Council and Cumbria County Council, working with key partners across the Borderlands region.

The first stage of consultation was undertaken in September 2019, to validate the project objectives and high-level proposals. Following feedback from this consultation, two design options were developed to form the second stage consultation in January 2020. This was undertaken online and through events hosted by the project team at the Railway Station and the Lanes Shopping Centre. A display was also in place throughout the consultation in Carlisle Railway Station, and students and staff from the University of Cumbria were consulted on campus in Carlisle.

- **Screening the 2020/21 Budget (December 2019 - January 2020)**

Consultation on the 2020/21 Budget was undertaken with the public, staff, business rate payers and trade unions. As part of the budget process, we carried out an equality impact assessment of the Budget Book. Our initial screening identified potential impacts on protected characteristics which were assessed and addressed by service managers. Following this mitigation work, there were no further changes required within the key documents listed in the Budget Book.

- **St James' Park (June 2019)**

Following the public consultation, improvements will include refurbishing the paths and street furniture. A new flight of steps will be built for access from St James' Road, new seats and litter bins will be installed across the park, including a new circular seat and a central tree in memory of a former councillor.

• Carloli Drive Play Area (September – October 2019)

We are planning to install new play and outdoor exercise equipment following successful consultation on the proposed refurbishment. Feedback from residents has informed our plans as follows:

- to provide a variety of robust items which are suitable for use by as wide a range of individuals as possible and children of all ages.
- to provide suitable seating as part of the scheme.
- to ensure that any new play equipment installed is as accessible as possible to children of any ability.
- to investigate the provision of fencing around the play equipment.

We conduct a range of surveys to gather feedback from our staff, members and customers. A sample of these undertaken in 2019/20 is shown in the table below.

Title	Start date	End date	Internal / external use
Keeping You Informed	Apr-18	Ongoing	External
Movers Survey	Apr-18	Ongoing	External
Walker Health	Nov-18	Ongoing	External
Recycling Survey	Jan-19	Ongoing	External
Listening Council	Feb-19	June-19	External
Equality Monitoring (Complaints)	Apr-19	Mar-20	External
Old Fire Station	Apr-19	Apr-19	External
Customer Satisfaction Survey	Apr-19	Mar-20	External
St James' Park Development	June-19	June-19	External
Yewdale Outdoor Exercise Equipment	June-19	July-19	External
Free after 3 Car Park Impact	Aug-19	Ongoing	External
Carloli Drive Play Area Development	Sept-19	Oct-19	External
St Cuthbert's Garden Village: Draft Options	Sept-19	Oct-19	External
IT User Survey	Nov-19	Nov-19	Internal
Cummersdale Village Survey	Dec-19	Dec-19	External
Wellbeing Survey	Jan-20	Feb-20	Internal
Employee Opinion Survey	Feb-20	Feb-20	Internal

We provide events to engage residents and visitors in a full range of cultural, sporting and historical activities. We aim to develop a local sense of place and pride in Carlisle, celebrating our communities. Events held in 2019/20 included Easter and Summer International Markets, Upperby Gala, International Markets, Carlisle Fringe, Fireshow and Christmas Lights Switch-on.

We also support local events that promote diversity and community spirit. Examples of this include sponsorship of the Diverse Cumbria Awards (May 2019) and celebration of Armed Forces Week with stalls, exhibitions, music and a parade in Carlisle city centre to celebrate Armed Forces Day (June 2019). We promoted volunteering through Give a Day to the City (July 2019) and supported Carlisle Unity Festival (July 2019), which was hosted by AWAZ Cumbria to celebrate diversity and community networks.

The theme of the Carlisle Puppet Pageant Parade (September 2019) was 'The Kaleidoscope of Carlisle Life' to celebrate the people and achievements of the city. The parade was organised by Prism Arts and the puppets were created in conjunction with local schools and groups in Carlisle. Cumbria Pride (September 2019) celebrated LGBT⁹ communities through music and performances. Other supported events included the Chinese New Year Festival (February 2020), the Cultural Bazaar (February 2020) and the first City of Lights (February 2020). This new event created displays and light installations across the city, in partnership with Cumbria County Council and a range of local organisations.

Service provision

We provide many different services to our customers and strive to improve access for all. Examples of our work to make services more accessible include:

- **Homeless Prevention and Accommodation Services (HPAS)**

The HPAS teams assisted 978 households with housing and homelessness advice. It also accommodated and supported 241 households in temporary accommodation; 70% of households were supported to move on positively within an average of nine weeks. The service delivered homeless awareness and prevention talks to 1275 young people in schools and community venues such as cadets. Ongoing term time projects were delivered with Carlisle College, including students producing fine art textile pieces as part of their course work to add warmth and character to our family accommodation services.

- **Refuse and recycling collections**

In 2019/20, we responded to 523 requests for assisted collections. We also collected waste from additional containers for 867 households with large families or situations where more waste is produced because of disability or personal circumstance.

- **Riverside Housing services (from April 2019)**

Carlisle City Council is working in partnership with Riverside to provide accessible services from the Civic Centre. Customers are able to access face to face contact and be supported to access Riverside's services (including Freephone services and Cumbria Choice application forms). We also provide a self-service computer to access online content associated with a Riverside tenancy or any ongoing Cumbria Choice query.

Partnership working

Partnership working enables us to engage with different organisations and groups to build closer links with all communities. Examples of work undertaken are:

- **Rough Sleeping Project**

Carlisle City Council led Cumbria's successful partnership bid for this funding. Cumbrian local authorities are using the funding to increase housing options/pathways and deliver targeted support to those people identified as rough sleeping or at risk of rough sleeping, whom are not owed any statutory duty under the Homeless Reduction Act 2017. The funding will be used across Cumbria to fund:

- 9.5 full time equivalent members of staff. They will support 76 Supported Lettings placements and tenancies (in all districts except Barrow).
- One full time member of staff who will work in Barrow to support individuals with complex needs in 11 units.
- One full time member of staff who will support 16 tenancies via a local lettings agency (specifically across Eden and South Lakeland).
- Two full time members of staff. The Rough Sleeping Co-ordinators will work across Carlisle, Allerdale and Copeland.

In addition, Carlisle were successfully awarded £10,000 from the Ministry of Housing, Communities and Local Government through the Cold Weather Fund, to support the provision of a Winter Shelter for single people whom the Council owed no statutory duty. The Winter Shelter established 6 beds (with separate provision for men and women) from 1st December 2019 to 31st January 2020. It also accommodated and provided support to 12 individuals, all of whom have been supported to access alternative housing options.

- **Community Neighbours (launched February 2020)**

Carlisle City Council and Electricity North West are working in partnership to set up a Community Neighbours scheme to support isolated residents in the district. The funding refreshes a previously successful volunteer befriending project which creates one-to-one opportunities linking volunteers with elderly and/or disabled people experiencing loneliness and isolation. The scheme is further enhanced by helping both volunteers and people accessing the project for support to help reduce fuel poverty and encourage energy efficiency.

The project will link with the other services provided by the Council's Home Improvement Agency, Homelife Carlisle. Homelife Carlisle provide specialist support and advice to elderly and disabled people, as well as those on low incomes, for maintaining, adapting and improving their homes.

- **Carlisle and Eden Armed Forces Support Co-ordination Project (April 2019 onwards)**

This project aims to provide co-ordinated support for ex-armed forces veterans within Carlisle and Eden districts. The funding has been used to employ a co-ordinator to oversee the project and has focused on the following areas:

- Activities to support prevention of mental health and social isolation.
- Veteran friendly GP practices.
- Ex-Service Supporters network to feed into the Armed Forces Covenant.
- Improve access to information about services, support and events on Council websites. Link to the Forces Connect App and information about upcoming events.
- Promotion of the Defence Employers Recognition Scheme.

- **Improving The Private Rented Sector - Tackling Rogue Landlords (2017-19)**

Carlisle City Council made a successful bid to the Controlling Migration Fund in March 2017 to deliver outcomes around rogue landlords and food businesses in the Botchergate area of the city. The funding related to one additional post within Regulatory Services for two years. The project was able to continue until October 2019 and the final report was submitted to Councillor Nedved, portfolio holder for Economy Enterprise and Housing on the 10th July 2020 and a copy has been sent to the Ministry of Housing, Communities and Local Government who funded the project.

While the project met with a range of challenges it was able to develop a network of partners and use improved intelligence to target properties where fire safety, crime and migration issues were relevant. In particular, liaison with the Local Police Hub greatly assisted multi-agency working and community tasking approach.

This project has improved the condition of privately rented properties, ensured that landlords and owners do not take advantage of vulnerable tenants and helped counteract illegal immigration. A total of 48 properties were visited which provide homes to over 130 residents. The majority of those visits were with colleagues from other enforcement agencies including Cumbria Fire and Rescue Services, Cumbria Constabulary, Immigration Compliance and Enforcement team and in one case the Gangmaster and Labour Abuse Authority.

The use of proactive enforcement has had a disruptive influence on poor housing and criminal activity and helps to create a level playing field where good landlords and providers who provide decent and safe homes are not disadvantaged by people who flout the rules and have a negative impact on the market. This view is shared by the National Landlord Association who with Carlisle City Council support the Cumbria Landlord Accreditation Scheme.

The proactive engagement with food businesses to provide bespoke food hygiene training where language was a potential barrier has seen improved catering and hygiene standards, improved understanding of food law, develop better working relationship with council officers and develop the skills of those who work and live with Carlisle. This in-turn will improve the chances of integration within the community.

There has been a decrease in food establishments in the area of the project over the two years, with business failing and shops remaining empty. Businesses also change hands on a regular basis. It has been noted that there has been a significant increase in the number of Turkish barbers/hairdressers, nail bar business and small continental shops, run by foreign nationals.

The final report considers the impact of Covid 19 on this style of intervention and notes that a hidden consequence of the pandemic is that tenants of rogue landlords will face unsafe and poor conditions until safe working practices and procedures have been identified.

Customer satisfaction

We measure customer satisfaction with how well we are running things and report on this annually. We have deferred this measure until later in 2020 due to the ongoing response to the Covid-19 pandemic and it will be reported to Scrutiny and the Executive.

The Customer Service Charter sets out what customers can expect when contacting us and aims to increase customer satisfaction. Progress with Customer Services improvement was reported to the Business and Transformation Scrutiny Panel¹⁰ and aims are continuing to be measured where possible (reporting has been impacted by service changes during the Covid-19 response). We are also continuing to develop our systems, which will enable us to measure two of the aspirational aims when the appropriate arrangements are in place.

Complaints

Our Complaints and Feedback Policy contains details of how complaints are managed. Formal corporate complaints are received in writing and recorded through the Council's Customer Relationship Management system. The equality monitoring form attached to the complaints form is voluntary.

The figures for April 2019 to March 2020 are provided in the table below and relate to the number of equality monitoring forms received, not the number of complaints (34 complaints were received in 2019/20). We monitor the responses to screen for equality issues and any concerns are reported to relevant service managers. We are committed to ensuring that we use customer feedback to help improve services and to focus on the needs of our customers. In 2019/20, a full response to complaints was issued to 95% of customers within 15 days of receipt at each stage.¹¹

Apr 2019 - March 2020	Context	
	Date	Number of complaint equality monitoring forms
Number of complaint equality monitoring forms 17	Apr-17 to Mar-18	23
	Apr-18 to Mar-19	12
	Apr-19 to Mar-20	17

April 2019 - March 2020

Gender

Gender	Number	%
Male	10	58.8
Female	7	41.2
Undeclared	0	0

Context

Date	% Male	% Female	% Undeclared
Apr17-Mar18	47.8	52.2	0
Apr18-Mar19	42.0	58.0	0
Apr19-Mar20	58.8	41.2	0

Ethnicity

Ethnicity	Number	%
White British	16	94.1
White Other	0	0
BAME ¹²	1	5.9
Undeclared	0	0

Context

Date	% White British	% White Other	% Undeclared
Apr17-Mar18	87.0	4.3	4.3
Apr18-Mar19	75.0	0	25.0
Apr19-Mar20	94.1	5.9	0

Age

% of equality form complainants aged 45-74

April 17 - March 18



April 18 - March 19



April 19 - March 20



Sexuality

Sexuality	Number	%
Heterosexual	15	88.2
Lesbian, Homosexual or Bisexual	0	0
Undeclared	2	11.8

Context

Date	% Heterosexual	% Lesbian, Homosexual or Bisexual	% Undeclared
Apr17-Mar18	91.3	0.0	8.7
Apr18-Mar19	66.7	8.3	25.0
Apr19-Mar20	88.2	0.0	11.8

Disability

Disability	Number	%
No	12	66.7
Yes	4	33.3
Undeclared	1	5.9

% with a disability or health condition

April 17 - March 18



April 18 - March 19



April 19 - March 20



Equality objectives 2020-24

Our equality objectives were agreed by the Executive in May 2020. They are:

- a) Break the cycle of inequality and improve health, wellbeing and economic prosperity
- b) Support a diverse workforce by improving the equality data of the recruitment and retention processes
- c) Ensure all people have access to the services they need
- d) Celebrate the diversity of our communities and bring people together

The actions below have been identified to help deliver the equality objectives 2020-24 and respond to issues identified in this report. They are reviewed and developed annually.

Equality Action Plan 2020			
Equality objective	Action	Progress	Lead Team(s)
Break the cycle of inequality and improve health, wellbeing and economic prosperity	1) Deliver the Carlisle Plan priorities and work in partnership to achieve these across the district.	2019/20 End of Year Performance Report reported to Executive 22 June 2020. ¹³ This report includes detailed progress on the Carlisle Plan on a Page actions and projects.	All Council services
Break the cycle of inequality and improve health, wellbeing and economic prosperity	2) Deliver the Healthy City Strategy actions.	Healthy City Strategy and actions under development.	All Council Services, Healthy City Team
Break the cycle of inequality and improve health, wellbeing and economic prosperity	3) Explore the impact the use of Council land, assets and planning has on communities and supporting equality and diversity, and how these can be developed.	The draft Healthy City Strategy will explore the use of Council land/ assets for community development.	Healthy City Team

Equality Action Plan 2020

Equality objective	Action	Progress	Lead Team(s)
Break the cycle of inequality and improve health, wellbeing and economic prosperity	4) Support third sector partners addressing priority needs of local communities.	To develop a greater understanding of the needs of the local community, working with service users, volunteers and trustees.	Healthy City Team
Break the cycle of inequality and improve health, wellbeing and economic prosperity	5) Include equality within all Portfolio Holder reports to Council to help promote understanding and awareness to members.	To be developed.	Policy and Communications
Break the cycle of inequality and improve health, wellbeing and economic prosperity	6) Include the equality objectives in Council reports to help improve consideration of equality implications in decision making.	To be developed.	Policy and Communications
Support a diverse workforce by improving the equality data of the recruitment and retention processes	7) Implement iTrent recruitment module. Review and standardise ethnicity categories on recruitment monitoring forms and in iTrent recruitment.	iTrent recruitment module under development to include equality reporting requirements, the target date for implementation is December 2020. The Job application form was updated in May 2020 to standardise equality information questions and include details of Armed Forces service.	Human Resources, Policy and Communications

Equality Action Plan 2020

Equality objective	Action	Progress	Lead Team(s)
Support a diverse workforce by improving the equality data of the recruitment and retention processes	8) Screen gender pay information for issues and identify actions that may need to be taken in response to these.	Data for 2018, 2019 and 2020 included in this report. Further work being undertaken to assess the information and what action may be required.	Human Resources, Policy and Communications
Ensure all people have access to the services they need	9) Assess responses to satisfaction survey and equality questions to identify issues for further development. Review complaint equality monitoring form responses to screen for equality.	This measure has been deferred until later in the year due to the Covid-19 pandemic and it will be reported to Scrutiny and the Executive. Optional equality responses will be monitored to identify areas for investigation. Complaint equality monitoring form responses are referred to in the Complaints section of this report.	Customer Services, Policy and Communications
Ensure people have appropriate access to the services they need	10) To keep the assumptions employed in the Gypsy and Traveller Accommodation Assessment (GTAA) relating to the turnover of Gypsy and Traveller pitches under review	The Cumbrian district councils had agreed to update the GTAA during 2020; however, the tendering process to appoint a consultant to carry out the research has been delayed due to the Covid-19 situation.	Investment and Policy
Ensure people have appropriate access to the services they need	11) To continue developing support to the Armed Forces community and our commitment to the Armed Forces Covenant, including achieving the silver award of the Defence Recognition Scheme.	We achieved the silver award of the Defence Employer Recognition Scheme in August 2020 and will continue to develop our work.	Policy and Communications, Human Resources

Equality Action Plan 2020

Equality objective	Action	Progress	Lead Team(s)
Ensure people have appropriate access to the services they need	12) Develop an accessible version of the Equality Policy.	To be developed by December 2020.	Policy and Communications
Ensure people have appropriate access to the services they need	13) Review available data to identify who is accessing Council services and where.	Data review to be undertaken by July 2021.	Policy and Communications, Customer Services
Celebrate the diversity of our communities and bring people together	14) Continue to review and develop events programme to help celebrate different communities in Carlisle.	The events programme is reviewed and developed annually to continue to celebrate diversity.	Healthy City Team
Celebrate the diversity of our communities and bring people together	15) Ensure children and young people are included in engagement and consultation. Learning from successful consultations to be shared and developed across the Council.	Review Healthy City Team's models for engagement and how these can be developed and shared across the Council.	Policy and Communications, Healthy City Team

Appendix 1

Workforce profile as at 31 March 2020 and latest comparative data for Carlisle

Workforce profile 31 March 2020		Carlisle	
Number of employees 477		Population of Carlisle ¹⁴ 108,678	
Age range	%	Age range ¹⁴	%
0-15		0-15	16.7
16-24	3.6	16-24	10.1
25-34	15.1	25-34	11.6
35-44	23.1	35-44	11.6
45-54	29.1	45-54	14.0
55-64	26.8	55-64	14.2
65+	2.3	65+	21.9
Marital status	%	Marital status ¹⁵	%
Civil Partner	1.3	Civil Partner	0.2
Divorced	3.6	Divorced	9.7
Married	49.1	Married	47.3
Separated	2.3	Separated	2.5
Single	32.9	Single	32.2
Undeclared	9.9	Undeclared	
Widowed	1.0	Widowed	8.2
Ethnicity	%	Ethnicity ¹⁵	%
BAME ¹⁶	1.5	BAME	1.9
White	90.1	White	98.1
Undeclared	8.4	Undeclared	

Workforce profile 31 March 2020		Carlisle	
Gender	%	Gender ¹⁴	%
Female	50.3	Female	51.2
Male	49.7	Male	48.8
Disability (self-declared)	%	Disability and health – day to day activities limited? ¹⁵	%
No	78.8	No	80.0
Yes	4.0	Yes a lot	9.2
Undeclared	17.2	Yes a little	10.0
Sexuality	%	Data not available	
Heterosexual	65.0		
Lesbian, Homosexual, Bisexual or Gay	1.9		
Undeclared	33.1		
Religion	%	Religion ¹⁵	%
Buddhist	0.4	Buddhist	0.3
Christian	37.1	Christian	69.1
Hindu	0	Hindu	0.2
Jewish	0	Jewish	0
Muslim	0	Muslim	0.4
No religion	27.0	No religion	22.9
Other	0.8	Other	0.3
Sikh	0	Sikh	0
Undeclared	34.6	Undeclared	6.8

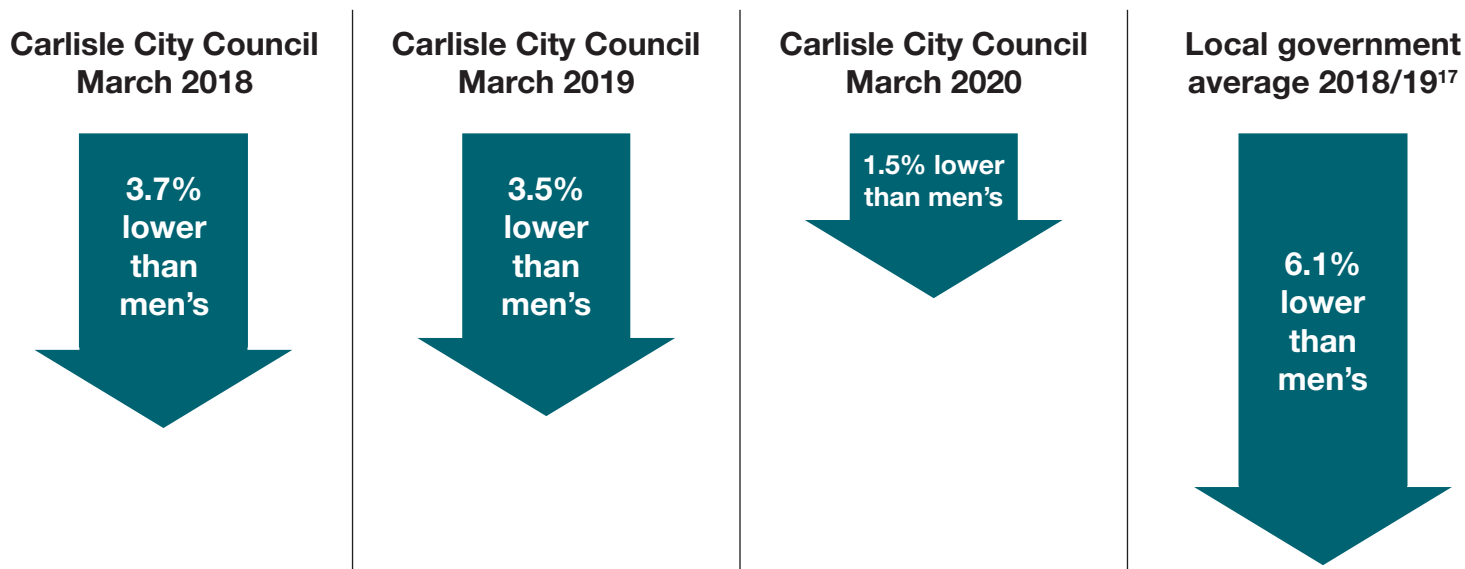
Pregnancy and Maternity

The number of employees who commenced their maternity leave in 2019/20 was 6.

Appendix 2

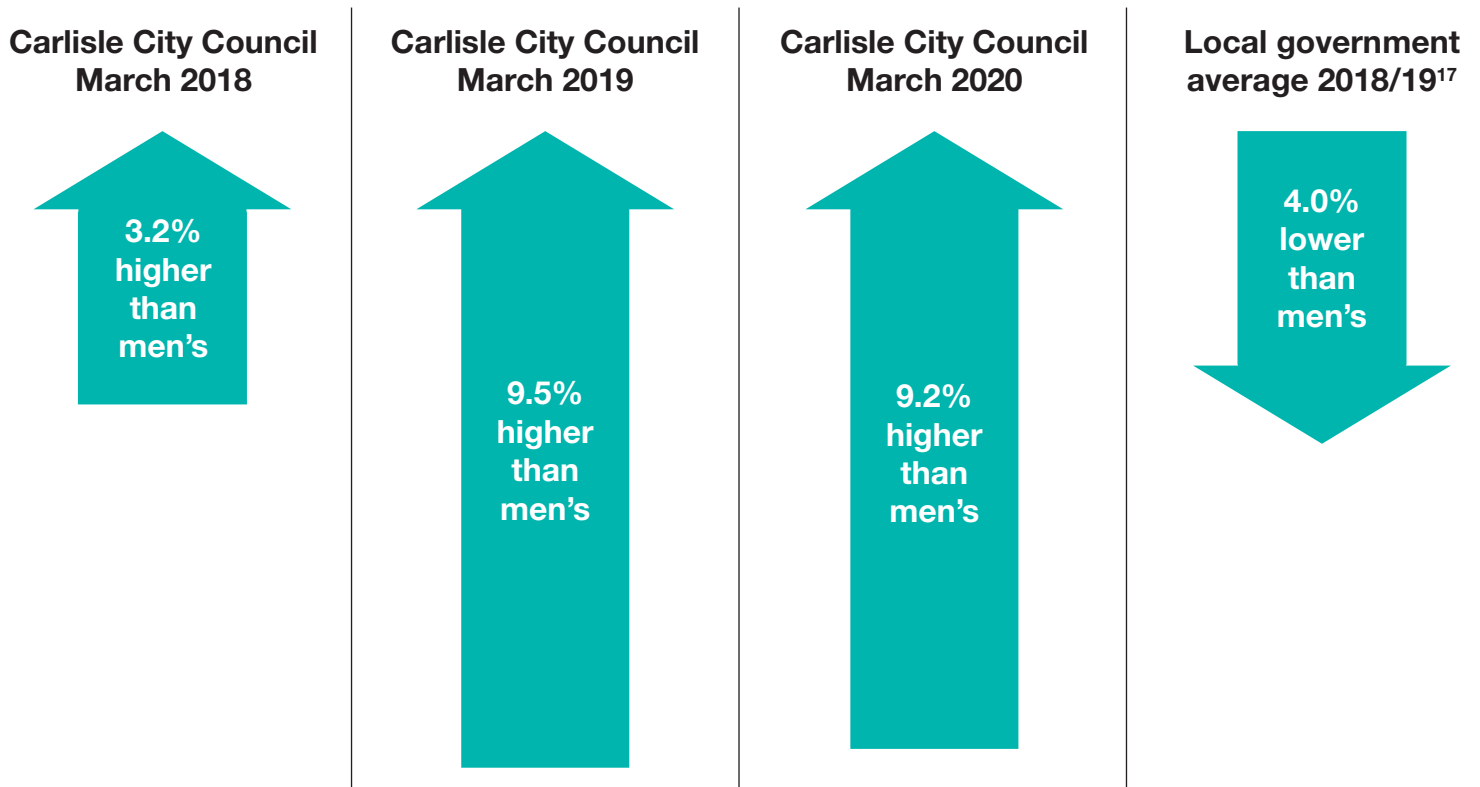
Gender pay figures March 2018, 2019 and 2020

Women's mean hourly rate*



* The mean hourly rate is the average hourly wage across the entire organisation. The mean gender pay gap is a measure of the difference between women's mean hourly wage and men's mean hourly wage.

Women's median hourly rate**



** The median hourly rate is calculated by ranking all employees from the highest paid to the lowest paid, and taking the hourly wage of the person in the middle. The median gender pay gap is the difference between women's median hourly wage (the middle paid woman) and men's median hourly wage (the middle paid man).

For further information on Gender Pay please visit <https://gender-pay-gap.service.gov.uk/>

Gender pay gap quartile figures

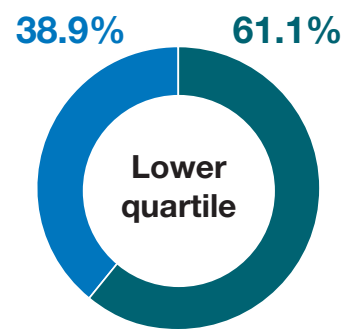
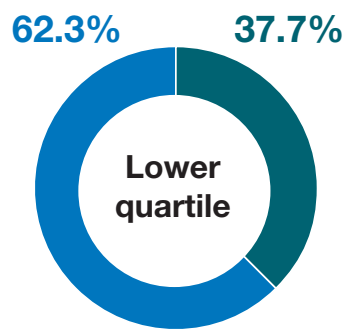
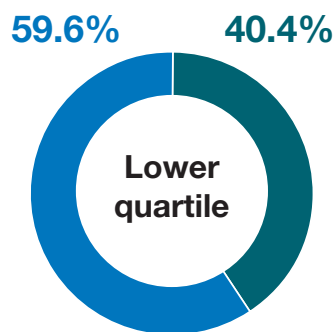
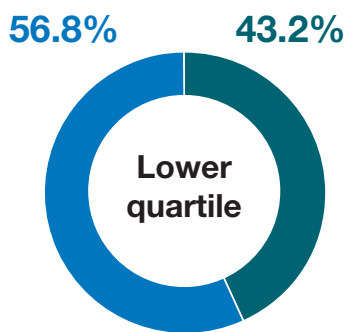
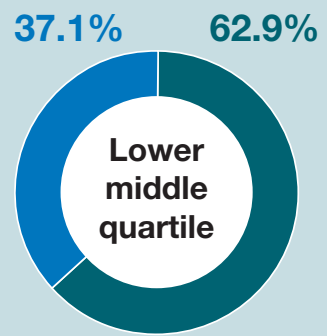
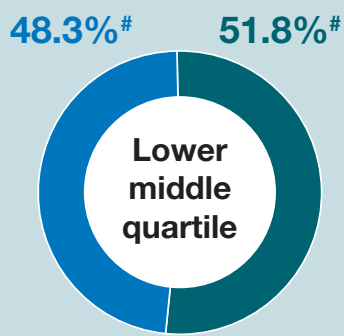
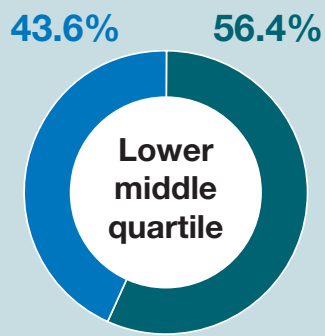
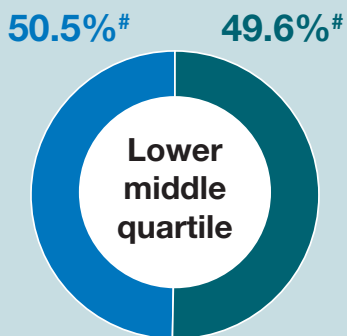
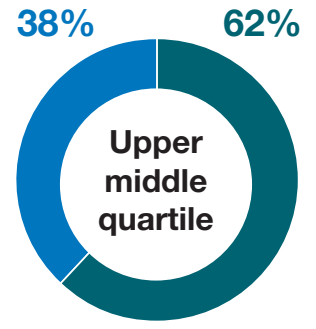
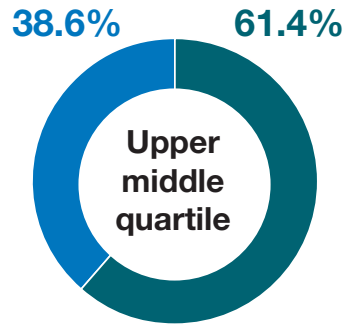
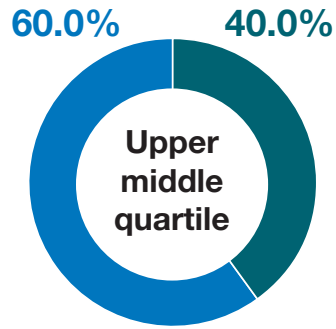
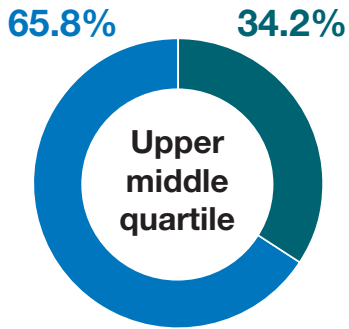
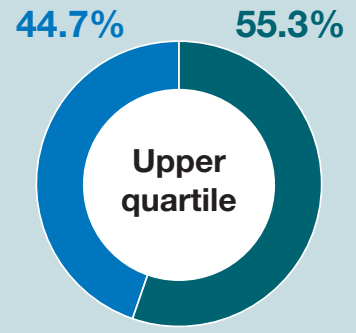
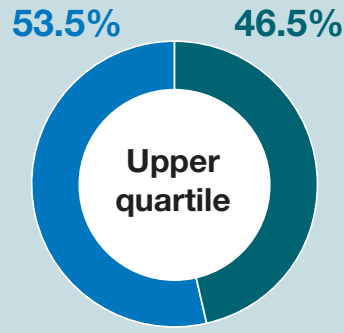
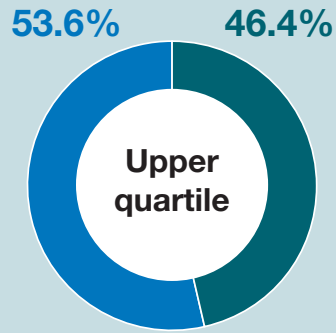
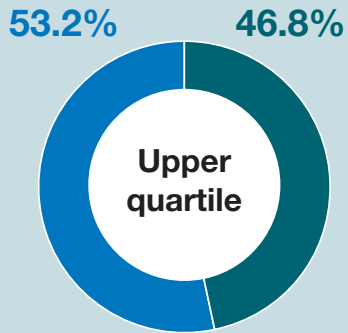
Male Female

Carlisle City Council
March 2018

Carlisle City Council
March 2019

Carlisle City Council
March 2020

Local government
average 2018/19¹⁷



Due to rounding, percentages may not always appear to add up to 100%.

Report to Executive	Agenda Item: A.6
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Meeting Date: 14th September 2020
 Portfolio: Finance, Governance and Resources
 Key Decision: No
 Within Policy and Budget Framework: Yes
 Public / Private: Public

Title: QUARTER 1 PERFORMANCE REPORT 2020/21
 Report of: Policy and Communications Manager
 Report Number: PC 22-20

Purpose / Summary:

This report contains the Quarter 1 2020/21 performance against the current Service Standards and a summary of the Carlisle Plan actions as defined in the ‘plan on a page’. Performance against the 2020/21 Key Performance Indicators (KPIs) are also included.

Recommendations:

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

Tracking

Executive:	14/09/20
Scrutiny:	Health and Wellbeing 27/08/20 Economic Growth 20/08/20 Business and Transformation 03/09/20
Council:	N/A

1. BACKGROUND

This report contains the Quarter 1 2020/21 performance against the Service Standards and a summary of the Carlisle Plan actions as defined in the 'plan on a page'. The Council's Key Performance Indicators (KPIs) are also included as an appendix.

Service Standards are the measures judged to be the most important to our customers and therefore the mostly likely to influence the overall satisfaction with how the Council performs. The following pages contains the Council's performance against the Service Standards.

The updates against the actions in the Carlisle Plan are presented in Section 3. The intention is to give the Executive a brief overview of the current position without duplicating the more detailed reporting that takes place within the Scrutiny agendas and Portfolio Holder reports.

Summary of KPIs and Service Standards:

Service Standards – 2 'red', 0 'amber' and 8 'green'

KPIs – 4 'red', 6 'amber', 35 'green'

Summary of Exceptions (RED)

Measure	Target	Performance
SS03: Percentage of household waste sent for recycling (including bring sites)	50%	41.6% Recycling rates were lower in April due to the temporary suspension of the garden waste collections in order to support priority services during the early stages of the Covid-19 pandemic.
SS05: Proportion of corporate complaints dealt with on time	100%	89.5% Two late replies in Quarter 1 were due to resources reallocated to the Covid-19 response.
CSe14: Actual car parking revenue as a percentage of car parking expenditure (including recharges).	91.1%	17.6% Revenue £286k under target
CSe18: Actual Old Fire Station (OFS) revenue as a percentage of OFS expenditure	27.1%	0% OFS has been closed since March due to Covid-19.

(including recharges).		
CSe22: Actual city centre revenue as a percentage of city centre expenditure (including recharges)	80%	49.8% Revenue £13k under target.
CSe25 Actual Talkin Tarn revenue as a percentage of Talkin Tarn expenditure (including recharges)	83.9%	10.3% Tearoom closed during Q1 due to Covid-19.

2. PROPOSALS

None

3. RISKS

None

4. CONSULTATION

The report was reviewed by the Senior Management Team in July and has been considered at the three Scrutiny Panels.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive are asked to note the Quarter 1 Performance Report.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

Detail in the report.

Contact Officer: Gary Oliver

Ext: 7430

Appendices attached to report:

Performance Dashboard

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:

LEGAL - This report raises no explicit legal issues.

FINANCE – This report raises no explicit financial issues

EQUALITY – This report raises no explicit issues relating to the Public Sector Equality Duty.

INFORMATION GOVERNANCE – This report raises no explicit issues relating to Information Governance.

PROPERTY SERVICES - This report raises no explicit issues relating to Property Services

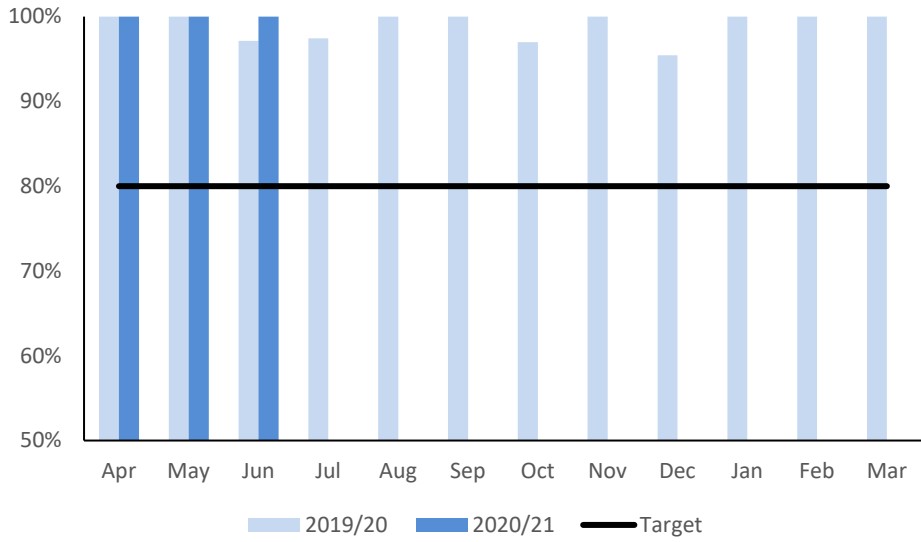
Section 1: Service Standards 2020/21

Service Standards were introduced in 2012 after consultation with Service Managers, DMTs, SMT and JMT. Five further measures were introduced from Quarter 2 2017/18 and all are reviewed during Quarter 3 each year.

Service Standards are the measures judged to be the most important to our customers and therefore the mostly likely to influence the overall satisfaction with how the Council performs.

The following pages contains the Council's performance against the Service Standards.

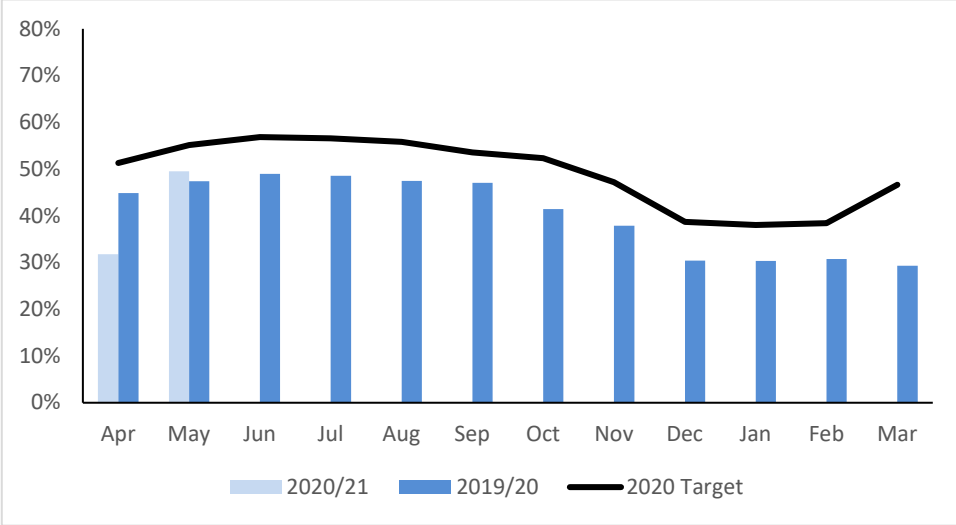
SS01: Percentage of Household Planning Applications processed within eight weeks

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																																				
<p>80% (Nationally set target)</p>	<p>100%</p> <p>(Q1 2019/20: 98.9%)</p>	 <table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>May</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Jun</td><td>97</td><td>100</td><td>80</td></tr> <tr><td>Jul</td><td>97</td><td>100</td><td>80</td></tr> <tr><td>Aug</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Sep</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Oct</td><td>97</td><td>100</td><td>80</td></tr> <tr><td>Nov</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Dec</td><td>95</td><td>100</td><td>80</td></tr> <tr><td>Jan</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Feb</td><td>100</td><td>100</td><td>80</td></tr> <tr><td>Mar</td><td>100</td><td>100</td><td>80</td></tr> </tbody> </table>	Month	2019/20 (%)	2020/21 (%)	Target (%)	Apr	100	100	80	May	100	100	80	Jun	97	100	80	Jul	97	100	80	Aug	100	100	80	Sep	100	100	80	Oct	97	100	80	Nov	100	100	80	Dec	95	100	80	Jan	100	100	80	Feb	100	100	80	Mar	100	100	80	<p>53 household planning applications have been processed in Quarter 1 compared with 88 in the same period last year.</p>
	Month		2019/20 (%)	2020/21 (%)	Target (%)																																																		
	Apr		100	100	80																																																		
May	100	100	80																																																				
Jun	97	100	80																																																				
Jul	97	100	80																																																				
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Mar	100	100	80																																																				
<p>On target?</p>																																																							
<p>✓</p>																																																							

SS02: Proportion of waste or recycling collections missed (valid)

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																																				
40 missed collections per 100,000 (Industry standard)	9.9 (Q1 2019/20: 11.3)	<table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20</th> <th>2020/21</th> <th>Target</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>10</td><td>11</td><td>40</td></tr> <tr><td>May</td><td>12</td><td>10</td><td>40</td></tr> <tr><td>Jun</td><td>12</td><td>10</td><td>40</td></tr> <tr><td>Jul</td><td>13</td><td>0</td><td>40</td></tr> <tr><td>Aug</td><td>5</td><td>0</td><td>40</td></tr> <tr><td>Sep</td><td>8</td><td>0</td><td>40</td></tr> <tr><td>Oct</td><td>7</td><td>0</td><td>40</td></tr> <tr><td>Nov</td><td>9</td><td>0</td><td>40</td></tr> <tr><td>Dec</td><td>5</td><td>0</td><td>40</td></tr> <tr><td>Jan</td><td>15</td><td>0</td><td>40</td></tr> <tr><td>Feb</td><td>12</td><td>0</td><td>40</td></tr> <tr><td>Mar</td><td>12</td><td>0</td><td>40</td></tr> </tbody> </table>	Month	2019/20	2020/21	Target	Apr	10	11	40	May	12	10	40	Jun	12	10	40	Jul	13	0	40	Aug	5	0	40	Sep	8	0	40	Oct	7	0	40	Nov	9	0	40	Dec	5	0	40	Jan	15	0	40	Feb	12	0	40	Mar	12	0	40	Just under one million collections were due to be made in the first quarter of the year. 92 collections were missed meaning the success rate was 99.99%. This figure excludes the temporary suspension of garden waste collections during the early stages of Covid-19.
	Month		2019/20	2020/21	Target																																																		
	Apr		10	11	40																																																		
May	12	10	40																																																				
Jun	12	10	40																																																				
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Jan	15	0	40																																																				
Feb	12	0	40																																																				
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On target?																																																							

SS03: Percentage of household waste sent for recycling (including bring sites)

Service Standard	To end of May 2020	Performance by Month	Further Information																																																				
<p>50% (Nationally set target)</p>	<p>41.6%</p> <p>(end of May 2019: 46.1%)</p>	 <table border="1"> <caption>Monthly Recycling Performance Data</caption> <thead> <tr> <th>Month</th> <th>2020/21 (%)</th> <th>2019/20 (%)</th> <th>2020 Target (%)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>32</td><td>45</td><td>52</td></tr> <tr><td>May</td><td>49</td><td>48</td><td>58</td></tr> <tr><td>Jun</td><td></td><td>49</td><td>58</td></tr> <tr><td>Jul</td><td></td><td>49</td><td>57</td></tr> <tr><td>Aug</td><td></td><td>48</td><td>56</td></tr> <tr><td>Sep</td><td></td><td>47</td><td>55</td></tr> <tr><td>Oct</td><td></td><td>42</td><td>53</td></tr> <tr><td>Nov</td><td></td><td>38</td><td>48</td></tr> <tr><td>Dec</td><td></td><td>30</td><td>39</td></tr> <tr><td>Jan</td><td></td><td>30</td><td>39</td></tr> <tr><td>Feb</td><td></td><td>31</td><td>39</td></tr> <tr><td>Mar</td><td></td><td>29</td><td>47</td></tr> </tbody> </table>	Month	2020/21 (%)	2019/20 (%)	2020 Target (%)	Apr	32	45	52	May	49	48	58	Jun		49	58	Jul		49	57	Aug		48	56	Sep		47	55	Oct		42	53	Nov		38	48	Dec		30	39	Jan		30	39	Feb		31	39	Mar		29	47	<p>Recycling rates were lower in April due to the temporary suspension of the garden waste collections in order to support priority services during the early stages of the Covid-19 pandemic.</p>
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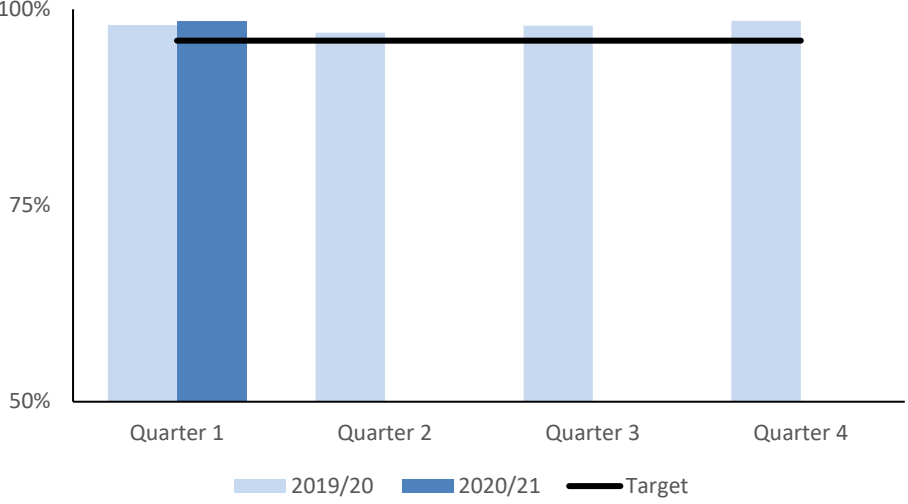

SS04: Average number of working days to process new benefits claims

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																																				
<p>New claims should be processed within 19 days to achieve top two quartiles compared to other local authorities</p>	<p>14.4 days (Q1 2019/20: 20.4 days)</p>	<table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20 (Days)</th> <th>2020/21 (Days)</th> <th>Target (Days)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>22</td><td>17</td><td>19</td></tr> <tr><td>May</td><td>20</td><td>12</td><td>19</td></tr> <tr><td>Jun</td><td>19</td><td>13</td><td>19</td></tr> <tr><td>Jul</td><td>18</td><td>-</td><td>19</td></tr> <tr><td>Aug</td><td>17</td><td>-</td><td>19</td></tr> <tr><td>Sep</td><td>17</td><td>-</td><td>19</td></tr> <tr><td>Oct</td><td>17</td><td>-</td><td>19</td></tr> <tr><td>Nov</td><td>16</td><td>-</td><td>19</td></tr> <tr><td>Dec</td><td>21</td><td>-</td><td>19</td></tr> <tr><td>Jan</td><td>18</td><td>-</td><td>19</td></tr> <tr><td>Feb</td><td>19</td><td>-</td><td>19</td></tr> <tr><td>Mar</td><td>14</td><td>-</td><td>19</td></tr> </tbody> </table>	Month	2019/20 (Days)	2020/21 (Days)	Target (Days)	Apr	22	17	19	May	20	12	19	Jun	19	13	19	Jul	18	-	19	Aug	17	-	19	Sep	17	-	19	Oct	17	-	19	Nov	16	-	19	Dec	21	-	19	Jan	18	-	19	Feb	19	-	19	Mar	14	-	19	<p>883 new claims have been made in 2020/21 up to the end of June 2020. This is a 35% increase on the same period last year.</p>
	Month		2019/20 (Days)	2020/21 (Days)	Target (Days)																																																		
	Apr		22	17	19																																																		
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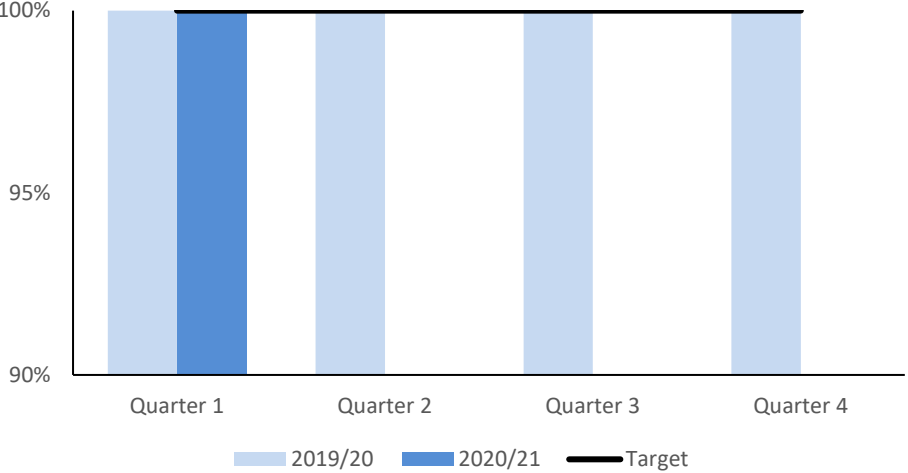

SS05: Proportion of corporate complaints dealt with on time

Service Standard	To end of Quarter 1 2020/21	Performance by Quarter	Further Information																				
Corporate complaints should be dealt with within 15 working days	<p>89.5%</p> <p>(Q1 2019/20: 100%)</p>	<table border="1"> <caption>Performance by Quarter Data</caption> <thead> <tr> <th>Quarter</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr> <td>Quarter 1</td> <td>100</td> <td>89.5</td> <td>100</td> </tr> <tr> <td>Quarter 2</td> <td>100</td> <td>-</td> <td>100</td> </tr> <tr> <td>Quarter 3</td> <td>93</td> <td>-</td> <td>100</td> </tr> <tr> <td>Quarter 4</td> <td>89</td> <td>-</td> <td>100</td> </tr> </tbody> </table>	Quarter	2019/20 (%)	2020/21 (%)	Target (%)	Quarter 1	100	89.5	100	Quarter 2	100	-	100	Quarter 3	93	-	100	Quarter 4	89	-	100	<p>Two late replies in Quarter 1 were due to resources reallocated to the Covid-19 response.</p>
	Quarter		2019/20 (%)	2020/21 (%)	Target (%)																		
	Quarter 1		100	89.5	100																		
Quarter 2	100	-	100																				
Quarter 3	93	-	100																				
Quarter 4	89	-	100																				
<p>On target?</p>																							
<p style="text-align: center; color: red; font-size: 2em;">✘</p>																							

SS06: Proportion of food businesses that are broadly compliant or better with food safety legislation

Service Standard	Rolling figure to end of Quarter 1 2020/21	Performance by Quarter	Further Information																				
<p>Our work with local food businesses should ensure that 96% are at least broadly compliant.</p>	<p>98.5%</p>	 <p>The chart displays performance by quarter for two financial years: 2019/20 (light blue bars) and 2020/21 (dark blue bar). A horizontal black line represents the target at 96%. The 2020/21 performance for Quarter 1 is 98.5%, which is above the target. The 2019/20 performance for all four quarters is approximately 96%, meeting the target.</p> <table border="1"> <caption>Performance by Quarter Data</caption> <thead> <tr> <th>Quarter</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr> <td>Quarter 1</td> <td>~96%</td> <td>98.5%</td> <td>96%</td> </tr> <tr> <td>Quarter 2</td> <td>~96%</td> <td>-</td> <td>96%</td> </tr> <tr> <td>Quarter 3</td> <td>~96%</td> <td>-</td> <td>96%</td> </tr> <tr> <td>Quarter 4</td> <td>~96%</td> <td>-</td> <td>96%</td> </tr> </tbody> </table>	Quarter	2019/20 (%)	2020/21 (%)	Target (%)	Quarter 1	~96%	98.5%	96%	Quarter 2	~96%	-	96%	Quarter 3	~96%	-	96%	Quarter 4	~96%	-	96%	<p>Approximately 200 premises are usually inspected each quarter. All premises are inspected at least once every eighteen months.</p>
	Quarter		2019/20 (%)	2020/21 (%)	Target (%)																		
	Quarter 1		~96%	98.5%	96%																		
Quarter 2	~96%	-	96%																				
Quarter 3	~96%	-	96%																				
Quarter 4	~96%	-	96%																				
<p>On target?</p>																							
																							

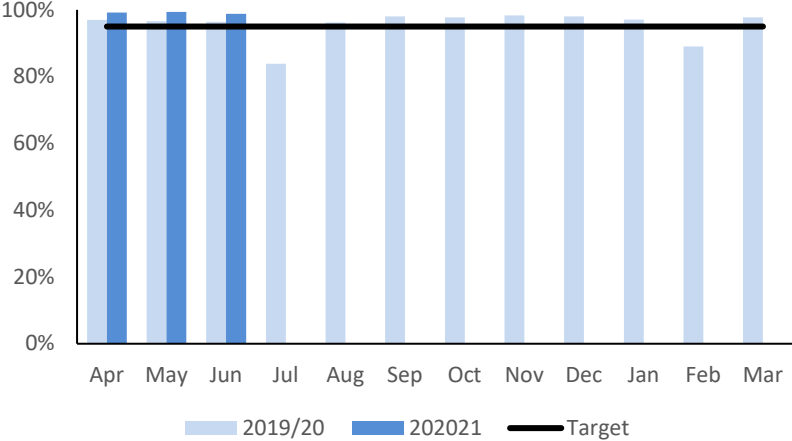
SS07: Proportion of non-contentious licence applications completed on time

Service Standard	To end of Quarter 1 2020/21	Performance by Quarter	Further Information																				
100% of non-contentious licence applications should be completed within 10 working days	100% (Q1 2019/20: 100%)	 <p>The chart displays performance by quarter for two financial years: 2019/20 (light blue bars) and 2020/21 (dark blue bar). A horizontal black line represents the 100% target. All bars for both years reach the 100% target level across all four quarters.</p> <table border="1"> <caption>Performance by Quarter Data</caption> <thead> <tr> <th>Quarter</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr> <td>Quarter 1</td> <td>100</td> <td>100</td> <td>100</td> </tr> <tr> <td>Quarter 2</td> <td>100</td> <td>-</td> <td>100</td> </tr> <tr> <td>Quarter 3</td> <td>100</td> <td>-</td> <td>100</td> </tr> <tr> <td>Quarter 4</td> <td>100</td> <td>-</td> <td>100</td> </tr> </tbody> </table>	Quarter	2019/20 (%)	2020/21 (%)	Target (%)	Quarter 1	100	100	100	Quarter 2	100	-	100	Quarter 3	100	-	100	Quarter 4	100	-	100	105 out of 105 applications completed on time so far in 2020/21.
	Quarter		2019/20 (%)	2020/21 (%)	Target (%)																		
	Quarter 1		100	100	100																		
Quarter 2	100	-	100																				
Quarter 3	100	-	100																				
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On target?																							
																							

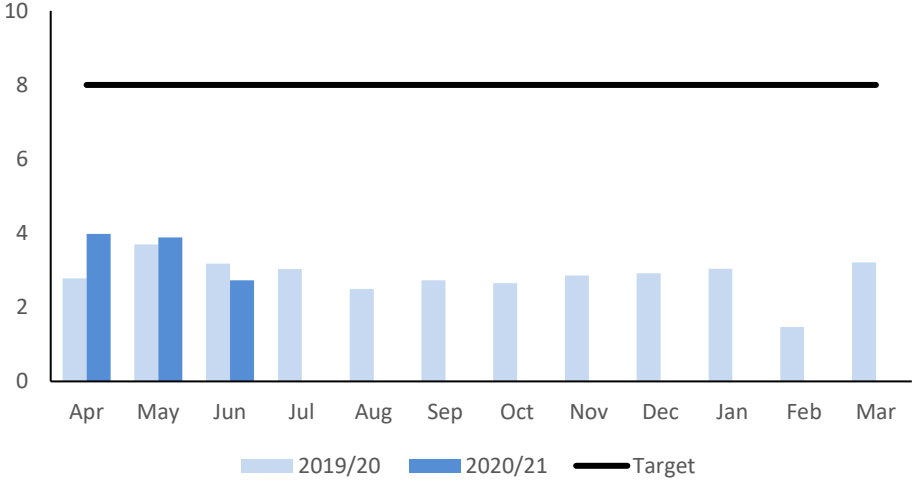
SS08: Proportion of official local authority searches completed on time

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																							
<p>85% of official local authority searches should be completed within 10 working days</p>	<p>90.9%</p> <p>(Q1 2019/20: 95.6%)</p>	<p>The chart displays the percentage of searches completed on time for each month from April to March. The 2020/21 data is only available for April. A target line is set at 85%.</p> <table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>100</td><td>100</td></tr> <tr><td>May</td><td>85</td><td>0</td></tr> <tr><td>Jun</td><td>98</td><td>0</td></tr> <tr><td>Jul</td><td>100</td><td>0</td></tr> <tr><td>Aug</td><td>95</td><td>0</td></tr> <tr><td>Sep</td><td>95</td><td>0</td></tr> <tr><td>Oct</td><td>85</td><td>0</td></tr> <tr><td>Nov</td><td>98</td><td>0</td></tr> <tr><td>Dec</td><td>70</td><td>0</td></tr> <tr><td>Jan</td><td>100</td><td>0</td></tr> <tr><td>Feb</td><td>70</td><td>0</td></tr> <tr><td>Mar</td><td>25</td><td>0</td></tr> </tbody> </table>	Month	2019/20 (%)	2020/21 (%)	Apr	100	100	May	85	0	Jun	98	0	Jul	100	0	Aug	95	0	Sep	95	0	Oct	85	0	Nov	98	0	Dec	70	0	Jan	100	0	Feb	70	0	Mar	25	0	<p>No searches in May and one in June.</p>
	Month		2019/20 (%)	2020/21 (%)																																						
	Apr		100	100																																						
May	85	0																																								
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Feb	70	0																																								
Mar	25	0																																								
<p>On target?</p>																																										
<p>✓</p>																																										

SS09: Proportion of new waste and recycling bins, bags and containers delivered on time (within 10 working days)

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																																				
<p>95% delivered within 10 working days</p>	<p>99.1%</p> <p>(Q1 2019/20: 95.4%)</p>	 <table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20 (%)</th> <th>2020/21 (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>May</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Jun</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Jul</td><td>85</td><td>98</td><td>95</td></tr> <tr><td>Aug</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Sep</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Oct</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Nov</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Dec</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Jan</td><td>95</td><td>98</td><td>95</td></tr> <tr><td>Feb</td><td>90</td><td>98</td><td>95</td></tr> <tr><td>Mar</td><td>95</td><td>98</td><td>95</td></tr> </tbody> </table>	Month	2019/20 (%)	2020/21 (%)	Target (%)	Apr	95	98	95	May	95	98	95	Jun	95	98	95	Jul	85	98	95	Aug	95	98	95	Sep	95	98	95	Oct	95	98	95	Nov	95	98	95	Dec	95	98	95	Jan	95	98	95	Feb	90	98	95	Mar	95	98	95	<p>2297 deliveries were made in Quarter 1.</p>
	Month		2019/20 (%)	2020/21 (%)	Target (%)																																																		
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Mar	95	98	95																																																				
<p>On target?</p>																																																							
<p>✓</p>																																																							

SS10: Average number of working days to process benefit claimants' changes of personal details

Service Standard	To end of Quarter 1 2020/21	Performance by Month	Further Information																																																				
Changes should be processed within 8 days	<p>3.6 days</p> <p>(Q1 2019/20: 3.2 days)</p>	 <table border="1"> <caption>Performance by Month Data</caption> <thead> <tr> <th>Month</th> <th>2019/20 (Days)</th> <th>2020/21 (Days)</th> <th>Target (Days)</th> </tr> </thead> <tbody> <tr><td>Apr</td><td>2.8</td><td>4.0</td><td>8.0</td></tr> <tr><td>May</td><td>3.8</td><td>3.9</td><td>8.0</td></tr> <tr><td>Jun</td><td>3.2</td><td>2.8</td><td>8.0</td></tr> <tr><td>Jul</td><td>3.1</td><td>-</td><td>8.0</td></tr> <tr><td>Aug</td><td>2.6</td><td>-</td><td>8.0</td></tr> <tr><td>Sep</td><td>2.8</td><td>-</td><td>8.0</td></tr> <tr><td>Oct</td><td>2.7</td><td>-</td><td>8.0</td></tr> <tr><td>Nov</td><td>2.9</td><td>-</td><td>8.0</td></tr> <tr><td>Dec</td><td>3.0</td><td>-</td><td>8.0</td></tr> <tr><td>Jan</td><td>3.1</td><td>-</td><td>8.0</td></tr> <tr><td>Feb</td><td>1.5</td><td>-</td><td>8.0</td></tr> <tr><td>Mar</td><td>3.3</td><td>-</td><td>8.0</td></tr> </tbody> </table>	Month	2019/20 (Days)	2020/21 (Days)	Target (Days)	Apr	2.8	4.0	8.0	May	3.8	3.9	8.0	Jun	3.2	2.8	8.0	Jul	3.1	-	8.0	Aug	2.6	-	8.0	Sep	2.8	-	8.0	Oct	2.7	-	8.0	Nov	2.9	-	8.0	Dec	3.0	-	8.0	Jan	3.1	-	8.0	Feb	1.5	-	8.0	Mar	3.3	-	8.0	<p>Over seven thousand changes have been processed in the 2020/21 year to date.</p>
	Month		2019/20 (Days)	2020/21 (Days)	Target (Days)																																																		
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Section 2: Key Performance Indicators (KPIs)

Service Standards are not the only set of measures used to interrogate the performance of the Council. Alongside the review of Service Standards, a set of Key Performance Indicators, derived from the links between the service plans and budget resolution were developed. These are attached as a dashboard.

Throughout 2019/20, a link to the online customer satisfaction survey was available on the Council's website and promoted via social media. The sample size was boosted by emailing the survey link to service users who had accessed City Council services online in the previous twelve months. The following table is a summary of the results. When confidence levels are taken into account, there are no changes to 2018/19 satisfaction levels.

Question	Proportion who answered Very Satisfied/Satisfied for satisfaction questions or Improved/Stayed the Same for change questions	Confidence Interval at 95% Confidence Level	Sample size	2018/19 Performance
Overall satisfaction with how well Carlisle City Council is running things	70.6%	3.8%	650	72.6%
Satisfaction with Carlisle's street cleanliness	68.4%	3.8%	650	70.9%
Perception of changes to customer's neighbourhood street cleanliness over last three years	68.7%	3.9%	617	71.5%
Satisfaction with the Council's Waste and Recycling Collection Service	83.8%	4%	591	86.7%
Perception of changes to the Waste and Recycling Service over the last three years	84.9%	4%	589	86.7%
Satisfaction with the Council's leisure facilities	62.3%	6.9%	199	66.7%
Perception of changes to the leisure facilities over the last three years	64.6%	7%	198	65.9%
Satisfaction with Council-run events	91.1%	5.5%	313	89.2%
Perception of changes to Council-run events over the last three years	86.3%	5.5%	313	87.6%
Satisfaction with the Old Fire Station	96.5%	7.4%	173	95.1%
Satisfaction with the Council's parks and open spaces	88.5%	4.4%	495	90.7%
Perception of changes to the parks and open spaces over the last three years	83.8%	4.4%	495	90.7%

Section 3: Carlisle Plan on a Page Delivery

The current Carlisle Plan covered the period 2016-19 and the majority of the key actions are now either delivered or considered business as usual and feature within existing service plans. These actions were closed by the Executive in 2019/20. Updates to the remaining seven key actions are contained within the following pages.

Priority 1: Support business growth and skills development to improve opportunities and economic prospects for the people of Carlisle

Business Property & Infrastructure:

OUTCOME	<u>2. City Centre redevelopment projects</u>
SMT OWNER	Jane Meek
Scrutiny Panel	Economic Growth / Business & Transformation
Specific – What is the task	Promote development opportunities and regeneration opportunities within the city centre (including Carlisle Station, Caldew Riverside, The Citadel, English Street and The Pools). Set out a strategy for the future vitality and viability of the city centre including development options for the regeneration opportunity sites (Carlisle Station, The Pools, Court Square, Caldew Riverside and the Citadel).
Measurable – How will success be measured?	Production of a city centre masterplan
Achievable – Is it feasible?	Yes
Realistic – Resources available	Consultancy support will be required to produce the masterplan. This will be funded by revenue budgets secured through the MTFP process.
Time Bound – Start/end dates	The preparation of the masterplan will commence Q3 2018-19, with a draft version produced by the end of Q4.
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	Outline business cases are now being prepared for the regeneration of Carlisle Station and the Citadels site to draw down the funding allocated through the Borderlands Inclusive Growth Deal.

	<p>A programme of projects to improve the vitality and viability of the city centre have been developed that will be included in the business case for Future High Street Fund investment.</p> <p>A strategy for the city centre is currently being developed through the Towns Fund programme and will be presented in a Town Investment Plan for the city.</p>
Emerging issues / risks to the project	None

OUTCOME	<u>6. Progress the Borderlands Initiative</u>
SMT OWNER	Jane Meek
Scrutiny Panel	Economic Growth
Specific – What is the task	Progress the Borderlands Initiative
Measurable – How will success be measured?	By way of the successful continuation of the innovative and long-term partnership and the level of additional public and private sector investment secured as a direct result of the initiative.
Achievable – Is it feasible?	Yes. A co-ordinated approach to support regional economic development through partnership working will help to attract additional investment. Progression of ‘The Borderlands Proposal’ will rely on support from both the UK and Scottish Government.
Realistic – Resources available	Corporate Director of Economic Development and Borderlands Project Officer time to support the Initiative. In addition, partners have contributed towards a centralised fund to enable the appointment of consultancy support to develop a suite of strategic outline business cases and other evidence base requirements. It is anticipated that additional financial revenue resources will be required to provide support to move from Heads of Terms to Final Deal, which will be considered as part of the 2019/20 budget process.
Time Bound – Start/end dates	The Borderlands Partnership submitted the Borderlands Inclusive Growth Deal Proposal 2018 to UK and Scottish Government on 28 th September 2018. It is anticipated that a Heads of Terms agreement on a Deal could be reached by the end of the calendar year/early 2019. Thereafter it can typically take twelve months to agree and sign a Deal based on the experience of other areas. The Deal would then progress to the implementation and delivery phase, timescales for which would be dependent on individual projects or programmes.
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	Preparation of the outline business case continues. Options for potential improvements to the Station within the identified budget have been identified. A second consultation on these options took place between 24 January and 14 February 2020.
Emerging issues / risks to the project	None

OUTCOME	<u>7. Infrastructure Delivery Plan</u>
SMT OWNER	Jane Meek
Scrutiny Panel	Economic Growth
Specific – What is the task	Maintain an up to date Infrastructure Delivery Plan and develop proposals to address identified issues.
Measurable – How will success be measured?	Progress and issues will be reported through the annual statutory Authority Monitoring Report.
Achievable – Is it feasible?	Regular dialogue with infrastructure providers set up and maintained.
Realistic – Resources available	Can be delivered within existing staff resource and budget allocation.
Time Bound – Start/end dates	The Plan is aligned to the Carlisle District Local Plan 2015-30. Comprehensive update critical to development of masterplan and delivery strategy for St. Cuthbert’s Garden Village.
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	There is continued engagement with a broad range of infrastructure providers, including through dedicated workshops and one to one sessions, to better understand their needs moving forward not only for St Cuthbert’s Garden Village but for the District as a whole. Session arranged with Education Authority to focus on likely education needs in the Garden Village and the wider area. We continue to pursue funding to implement specific improvement projects. The team has submitted a Full Business Case to secure LGF grant funding from the Cumbria LEP for a highway improvement project for Sewells Lonning in Harraby. We are awaiting a response. A report on Stage 1 of the viability work needed to underpin the masterplan has been received, and the next steps include the need to prepare a brief for the stage 2 viability work which will cover Local Plan viability.
Emerging issues / risks to the project	None

OUTCOME	<u>8. Develop a St Cuthbert's Garden Village Masterplan covering housing, design, employment land, community facilities, transport and infrastructure</u>
SMT OWNER	Jane Meek
Scrutiny Panel	Economic Growth
Specific – What is the task	The development and adoption of a masterplan covering St. Cuthbert's Garden Village.
Measurable – How will success be measured?	Masterplan will be incorporated into a Development Plan Document (DPD) which will require approval by Council. Masterplan to be delivered in 2 parts: Part 1 is visioning and concept framework; Part 2 is detailed framework plans.
Achievable – Is it feasible?	Production of DPD governed by Government Regulations, with policy and guidance also set out nationally
Realistic – Resources available	The project is detailed in the Council's approved Local Development Scheme (LDS). An adequate allocation has followed through the process of the MTFP. Additional funding to accelerate delivery and enhance quality has been forthcoming through inclusion in the Government's Locally Led Garden Villages Programme. Further Garden Village Capacity Funding applied for as and when funding rounds are announced.
Time Bound – Start/end dates	Mandate forthcoming from LDS which was approved in July 2016. Inclusion in Garden Village programme confirmed on 2nd January 2017. Anticipated adoption date of DPD April 2020.
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	Stage 2 Master planning progressing through technical stakeholder consultation towards a final preferred option masterplan framework which is due to be completed by the end of August 2020. Planning application for Carlisle Southern Link Road submitted due to be considered by CuCC in July 2020.. Project specific Grant Determination Agreement for the CSLR Housing Infrastructure Fund grant now received and being reviewed

	<p>Outline housing delivery strategy agreed with Homes England as part of HIF contracting process. Contact made with MHCLG to register interest in Development Corporation Competition (£10m national pot) to explore the feasibility of different development models and drafting of bid well underway with support from Homes England.</p> <p>Garden Village Local Plan preferred option stage currently being drafted after two rounds of initial consultation. Preferred option consultation due winter 2020.</p> <p>Two supplementary planning documents underway to aid the process should any proposals for early land release in the area come forward in advance of the Local Plan being adopted.</p>
<p>Emerging issues / risks to the project</p>	<p>Project risks continue to be monitored and reviewed. A risk register is in place and is actively considered by the Strategic Board and Project Steering Group at their respective meetings. Key risks include:</p> <ul style="list-style-type: none"> - the viability of new development with specialist consultants however on-board to assess and ensure viability considerations are influencing the preferred masterplan option. - premature development proposals in advance of the completion of master planning and a comprehensive planning framework, with the progression of one or a number of Supplementary Planning Documents identified as a mitigating measure - resources available to the project partly mitigated however by the anticipated award of external capacity funding and an increased and recurring MTFP allocation from 2020 onwards.

Priority 2: Further develop sports, arts and cultural facilities to support the health and wellbeing of our residents

Service and Facilities Development:

OUTCOME	<u>12. Develop and deliver the proposed new leisure contract to improve facilities at The Sands Centre in line with the City Sports Facilities Development Plan and enhance the leisure services across the city.</u>
SMT OWNER	Darren Crossley
Scrutiny Panel	Business & Transformation / Health & Wellbeing
Specific – What is the task	<ol style="list-style-type: none"> 1. To retender and award a new leisure contract with a significantly reduced subsidy - COMPLETE 2. Develop Outline Designs and budgetary package and secure approvals for Sands Centre Development. 3. Complete works on cycle track and open the facility – COMPLETE 4. Complete works on tennis canopy and open the facility – Project not progressed due to issues with sewerage pipe located during preliminary works.
Measurable – How will success be measured?	Executive approval for outline designs and consent (inc budgetary provision) to develop detailed design and works.
Achievable – Is it feasible?	Yes
Realistic – Resources available	The project is on schedule and has adequate financial resource to be completed.
Time Bound – Start/end dates	Route to Affordability to be completed by the end of October 2018 and contracts put in place for the Principal Contractor. The designers need to be novated to the Principal Contractor by the end 2018, to maintain programme. Temporary accommodation (or alternative arrangements’) need to be put in place by the end of October 2018 to allow demolition and construction of the Sands Leisure facilities by March 2019. Completion of the project initially scheduled for December 2020.

<p>Progress in Quarter 1 2020/21 against project plan / key milestones achieved</p>	<p>Work has now started on RIBA stage 4B - specialist subcontract design and RIBA Stage 5 - the planning element of the construction phase.</p> <p>The Newman School temporary accommodation has been completed and handed over for a decant. The Events space temporary accommodation is nearing completion.</p> <p>The first phase of the EA flood works (wall strengthening) has also been completed.</p> <p>Asbestos identification and removal is currently taking place in the leisure section of the building.</p> <p>Work is ongoing to de-risk the project price and scope of works. This includes the RAAC plank roof in the main events hall.</p> <p>Planning permission is now in place for all three sites and the Building Regs applications are nearing completion. The F10 notices have been issued for all three sites.</p>
<p>Emerging issues / risks to the project</p>	<p>Focus areas include the technical separation of the two halves of the building, asbestos in the existing Sands building, existing services on both sites, archaeological survey on the main site, further survey work on the existing events centre roof structure and completing the contract documentation and lease documents for all areas.</p>

Healthy City Programme:

OUTCOME	<u>16. Continue to work with key partners to deliver the World Health Organisation Phase VI Healthy City Action Plan</u>
SMT OWNER	Darren Crossley
Scrutiny Panel	Health & Wellbeing
Specific – What is the task	<ul style="list-style-type: none"> - Restructure Healthy City Forum (HCF) and work with partners to deliver on the Phase VI application - Completion of the Annual Reporting Template (ART) - Completion of abstract submissions (Complete 2018) - Develop action plan - Explore next phase (VII) - Deliver Place Standard situational awareness workshop (Complete)
Measurable – How will success be measured?	<ul style="list-style-type: none"> - Number of partners engaged (target will be set as part of the Phase VII criteria) - Completion of ART and feedback received - Number of abstracts accepted (target: 1) - Development of an action plan
Achievable – Is it feasible?	Yes
Realistic – Resources available	Yes
Time Bound – Start/end dates	Phase VI 2014-18 Phase VII details released for review
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	Phase VI activity is now complete. An agenda item and briefing paper on Phase VII was tabled and discussed at the Healthy City Forum (Dec 2019), partners were supportive and keen to advance Phase VII application and activity. The paper outlines the key actions and steps required to drive the agenda forward.

	<p>A paper was taken to JMT which considered the application, process, opportunities and requirements. A draft expression of interest letter has been approved by the Executive and submitted.</p> <p>A SharePoint site has been set up - to allow access to the live working document. This has been further developed (July 20) to allow access to external partners and Teams established.</p> <p>Meetings with strategic partners have been taking place around phase VII and interest. Examples include: University of Cumbria, CHOC, PCNs, ICCs, etc.</p> <p>A development session was held on the 8th July. A future session is scheduled for 21st July. The agenda will now need to consider how Covid and recovery structures dovetail. This is being developed via Carlisle Community Resilience Group.</p> <p>Future Tasks: Set up a task group needs to be set up to look at the application and distribute writing sections, explore funding opportunities, seek letters of support, map activity and horizon scan.</p>
Emerging issues / risks to the project	<p>Several cross cutting agendas running at present - ad hoc system (opportunity for this work to pull this together).</p> <p>Lack of engagement and input from key partners</p> <p>Complexity of submission in terms of number of partners input required</p> <p>Covid agenda (many partners are tied up with Response and Recovery)</p>

OUTCOME	<u>17. Continue to support and develop the Food City Partnership: Local Healthy Eating Options; Carlisle Food Charter; food sector supply chain development; food skills; education and tourism.</u>
SMT OWNER	Darren Crossley
Scrutiny Panel	Health & Wellbeing
Specific – What is the task	Develop work of Food Carlisle and subsequent partnership projects
Measurable – How will success be measured?	<ul style="list-style-type: none"> - Local Food Partnership Officer in post (June 17) (complete) - Development of Local Healthy Options Award - Number of Food Charter sign ups (target exceeded) - Sustainable Food Cities (SFC) Award (complete) - Refresh of partnership steering group and action plan (draft complete)
Achievable – Is it feasible?	Yes - fixed term period SFC funding for an appointed post (July 2017 to July 2018).
Realistic – Resources available	Yes. Further project funding will need to be explored and partnership working to develop shared projects. We also need to be aware that the funding is only available for one year.
Time Bound – Start/end dates	Commenced with appointment to post in June 2017 and projects will continue to be developed.
Progress in Quarter 1 2020/21 against project plan / key milestones achieved	<p>The City Council was successful in its application to Sustainable Food Cities for both the campaigns grant (£5k) and the coordinator grant to move from Bronze to Silver Award (£10k).</p> <p>We have also been successful in achieving an additional £5k and a 6 month extension to the Bronze to Silver Award project due to the current Covid-19 crisis.</p>
Emerging issues / risks to the project	We have been unable to appoint the position to deliver this work due to the Covid-19 crisis.

Carlisle City Council Performance Dashboard Quarter 1 2020/21

Key	
↓	Performance is deteriorating (compared to same period last year)
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→	No change in performance (compared to same period last year)
✗	Off target
▲	Close to target (within 5%)
✓	On target

On Target?	New Code	Measure	Frequency	Performance Q1 2020/21	Performance Q1 2019/20	Trend	Target	Comments
✓	CSe01a	Public satisfaction with Carlisle's street cleanliness	Annual	68.4%	70.9%	→	70.9%	2019/20 annual performance. Based on 650 responses (confidence interval +/-3.8% at 95% confidence level). Service users were either satisfied or very satisfied with the service.
✓	CSe01b	Public perception of changes to customer's neighbourhood street cleanliness over last three years	Annual	68.7%	71.5%	→	71.5%	2019/20 annual performance. Based on 617 responses (confidence interval +/-3.9% at 95% confidence level). Service users felt the service had improved or stayed the same over the last three years.
▲	CSe03	Average weight (Kg) of domestic non-recycled waste collected per house	Monthly	85.8	82.4	↓	82.4	
✓	CSe04	Revenue gained from household waste recycling collected	Quarterly	£ 155,154	£ 122,083	↑	£ 120,898	
N/A	CSe05	Proportion of all Carlisle waste recycled (including partners)	Monthly				Info only	Awaiting partner data
✓	CSe06a	Public satisfaction with the Council's Waste and Recycling Collection Service	Annual	83.8%	85.5%	→	85.5%	2019/20 annual performance. Based on 591 responses (confidence interval +/-4% at 95% confidence level). Service users were either satisfied or very satisfied with the service.
✓	CSe06b	Public perception of changes to the Waste and Recycling Service over the last three years	Annual	84.9%	86.7%	→	86.7%	2019/20 annual performance. Based on 589 responses (confidence interval +/-4% at 95% confidence level). Service users felt the service had improved or stayed the same over the last three years.
✓	CSe08	Litres of fuel used by Council fleet	Monthly	90,837	109,317	↑	109,317	
N/A	CSe09	Number of incidents involving Council fleet.	Annual	110	110	→	Info only	110 incidents reported to Council's insurance
N/A	CSe10a	Number of Fixed Penalty Notices issued for fly tipping	Monthly	2	5	↓	Info only	
N/A	CSe10b	Number of Fixed Penalty Notices issued for littering	Monthly	3	20	↓	Info only	Including 'Littering from a Vehicle'
N/A	CSe10c	Number of Fixed Penalty Notices issued for dog fouling	Monthly	0	0	→	Info only	
N/A	CSe10d	Number of Fixed Penalty Notices issued for abandoned vehicles	Monthly	0	0	→	Info only	
N/A	CSe11a	Number of counts/reports of fly tipping	Monthly	195	114	↑	Info only	
N/A	CSe11b	Number of counts/reports of littering	Monthly	5	16	↓	Info only	
N/A	CSe11c	Number of counts/reports of dog fouling	Monthly	26	53	↓	Info only	
N/A	CSe11d	Number of counts/reports of graffiti	Monthly	0	3	↓	Info only	
N/A	CSe11e	Number of counts/reports of abandoned vehicles	Monthly	60	92	↓	Info only	
▲	CSe12a	Proportion of acts of fly tipping responded to in full within 5 working days	Monthly	99.5%	97.9%	↑	100%	
N/A	CSe12b	Proportion of acts of offensive graffiti responded to in full within 1 working day	Monthly	N/A	N/A	N/A	100%	None reported
▲	CSe12c	Proportion of abandoned vehicles initially investigated within 5 working days	Monthly	98.3%	99.2%	↓	100%	
✓	CSe13a	Public satisfaction with the Council's leisure facilities	Annual	62.3%	66.7%	→	66.7%	2019/20 annual performance. Based on 199 responses (confidence interval +/-6.9% at 95% confidence level). Service users were either satisfied or very satisfied with the facilities.

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On Target?	New Code	Measure	Frequency	Performance Q1 2020/21	Performance Q1 2019/20	Trend	Target	Comments
✓	CSe13b	Public perception of changes to the leisure facilities over the last three years	Annual	64.6%	65.9%	→	65.9%	2019/20 annual performance. Based on 198 responses (confidence interval +/-7% at 95% confidence level). Service users felt the facilities had improved or stayed the same over the last three years.
✗	CSe14	Actual car parking revenue as a percentage of car parking expenditure (including recharges).	Quarterly	17.6%	91.8%	↓	91.1%	Revenue £286k under target
✓	CSe15a	Public satisfaction with Council-run events	Annual	91.1%	89.2%	→	89.2%	2019/20 annual performance. Based on 313 responses (confidence interval +/-5.5% at 95% confidence level). Service users were either satisfied or very satisfied with the events.
✓	CSe15b	Public perception of changes to Council-run events over the last three years	Annual	86.3%	87.6%	→	87.6%	2019/20 annual performance. Based on 313 responses (confidence interval +/-5.5% at 95% confidence level). Service users felt the events had improved or stayed the same over the last three years.
✓	CSe16	Public's perception of the Discover Carlisle website.	Annual	N/A	N/A	N/A	N/A	2019/20 annual performance. Based on 199 responses (confidence interval +/-6.9% at 95% confidence level). Service users were either satisfied or very satisfied with the service.
✗	CSe18	Actual Old Fire Station (OFS) revenue as a percentage of OFS expenditure (including recharges).	Quarterly	0%	22.5%	↓	27.1%	OFS has been closed since March due to Covid-19.
N/A	CSe19	Old Fire Station count of event attendees (direct count of ticket sales)	Quarterly	0	4705	↓	Info only	Excludes visitors to the venue (café or to buy tickets) and private hire room bookings.
✓	CSe20	Public satisfaction with the Old Fire Station	Annual	96.5%	95.1%	→	95.1%	2019/20 annual performance. Based on 173 responses (confidence interval +/-7.4% at 95% confidence level). Service users were either satisfied or very satisfied with the service.
✗	CSe22	Actual city centre revenue as a percentage of city centre expenditure (including recharges)	Quarterly	49.8%	56.9%	↓	80%	Revenue £13k under target.
✓	CSe24	Actual Bereavement Services revenue as a percentage of Bereavement Services expenditure (including recharges)	Quarterly	190.8%	140.9%	↑	155.7%	
✗	CSe25	Actual Talkin Tarn revenue as a percentage of Talkin Tarn expenditure (including recharges)	Quarterly	10.3%	101.7%	↓	83.9%	Tearoom closed during Q1 due to Covid-19.
N/A	CSe26	Proportion of allotment sites that are self-managed.	Quarterly	16.0%	19.0%	↓	Info only	
N/A	CSe27	Proportion of allotment plots that are occupied.	Quarterly	88.0%	88.0%	→	Info only	Excluding self-managed sites.
✓	CSe28a	Public satisfaction with the Council's parks and open spaces	Annual	88.5%	90.7%	→	90.7%	2019/20 annual performance. Based on 495 responses (confidence interval +/-4.4% at 95% confidence level). Service users were either satisfied or very satisfied with the service.
✓	CSe28a	Public perception of changes to the parks and open spaces over the last three years	Annual	83.8%	90.7%	→	90.7%	2019/20 annual performance. Based on 495 responses (confidence interval +/-4.4% at 95% confidence level). Service users felt the events had improved or stayed the same over the last three years.

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On Target?	New Code	Measure	Frequency	Performance Q1 2020/21	Performance Q1 2019/20	Trend	Target	Comments
✓	CSe29	Percentage of play area safety inspection completed on time.	Quarterly	100%	100%	→	100%	
N/A	CSe36a	Social media reach: Facebook post reach - monthly average	Monthly	558000	145000	↑	Info only	The number of people who had a City Council post enter their screen
N/A	CSe36b	Social media reach: Twitter post reach - monthly average	Monthly	303000	102000	↑	Info only	
✓	CSu01	Customer satisfaction with how well Carlisle City Council is running things	Annual	70.6%	72.6%	→	72.6%	2019/20 annual performance. Based on 650 responses (confidence interval +/-3.8% at 95% confidence level). Service users were either satisfied or very satisfied with the Council.
✓	CSu02	Proportion of customer "calls for service" logged in Salesforce completed on-line	Monthly	28.1%	15.6%	↑	16.1%	From calls logged in Salesforce CRM (2751 out of 9805 logs).
▲	CSu04	Percentage of Council Tax collected	Quarterly	28.2%	29.1%	↓	29.1%	
▲	CSu05	Percentage of NNDR collected	Quarterly	28.3%	31.5%	↓	31.5%	
✓	CSu06	Proportion of direct social media messages on Facebook and Twitter responded to within 24 hours (work days)	Monthly	100%	100%	→	100%	
✓	CSu07	Customer Services - Respond to customer emails within 48hrs	Quarterly	98%	95%	↑	90%	
N/A	CSu08	Customer Services - Calls answered within 1 minute	Quarterly	N/A	N/A	N/A	80%	New measure for 2020/21. Unable to measure in Q1 due to temporary telephony system in place while staff work from home.
N/A	CSu09	Customer Services - visitors served within 10 minutes	Quarterly	N/A	N/A	N/A	90%	New measure for 2020/21. Unable to measure in Q1 due to closure of Contact Centre during Covid-19 pandemic.
✓	ED02	Building Control to process S80 demolition notices within six weeks (statutory duty)	Quarterly	100%	100%	→	100%	
✓	ED03b	Building Control to decide 100% of all applications within the statutory period of 5 weeks or 2 calendar months (with the consent of the applicant)	Monthly	100%	100%	→	100%	
✓	ED05	Proportion of major planning applications completed in 13 weeks or within agreed time extension	Monthly	100%	91%	↑	60%	
✓	ED06	Proportion of minor planning applications completed in 8 weeks or within agreed time extension	Monthly	97.7%	98%	↓	80%	
✓	ED07	Proportion of 'other' planning applications completed in 8 weeks or within agreed time extension	Monthly	100%	99%	↑	80%	
N/A	ED08	Proportion of Tree Preservation Orders (TPO) confirmed within 6 months	Monthly	N/A	100%	N/A	100%	None confirmed in the quarter
✓	ED10	Proportion of Tree Preservation Order applications determined within statutory period of 8 weeks	Monthly	100%	100%	→	100%	
✓	ED11	% of valid full plan applications determined or checked by Building Control within 5 working days	Monthly	58.1%	26%	↑	25%	
✓	ED12	% of valid full plan applications determined or checked by Building Control within 15 working days	Monthly	100%	100%	→	95%	

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On Target?	New Code	Measure	Frequency	Performance Q1 2020/21	Performance Q1 2019/20	Trend	Target	Comments
✓	ED13	% of site inspections carried out by Building Control on the date agreed	Monthly	99.1%	99.4%	↓	99%	
✓	FR01	Actual net spend as a percentage of annual net budget.	Quarterly	26.5%	30.7%	↑	29.7%	
✓	FR02	Percentage of all invoices paid within 30 working days	Monthly	99.4%	99.5%	↓	98%	
▲	FR03	Average number of working days lost due to sickness absence per FTE (full-time equivalent) employee.	Monthly	2.1	2.0	↓	2.0	
✓	FR04	Percentage of return to work interviews completed in five working days of returning to work.	Monthly	77%	77%	→	77%	
N/A	FR06	Proportion of debts recovered (sundry debtors)	Quarterly	90.7%	N/A	N/A	N/A	Rolling 12 months to end of May 2020
N/A	GRS04	Proportion of contested licence applications decided on within 50 working days.	Quarterly	N/A	100%	N/A	95%	0 contested applications
✓	GRS05	Proportion of Temporary Event Notices licences processed within 1 working day.	Quarterly	100%	100%	→	100%	3 applications in the quarter
✓	GRS06	Proportion of public health service requests (pest control, noise, smells, house conditions) responded to within the target response times.	Quarterly	93.3%	87%	↑	90%	
✓	GRS10	Proportion of food hygiene inspections completed as scheduled	Quarterly	100%	88%	↑	90%	

EXCERPT FROM THE MINUTES OF THE ECONOMIC GROWTH SCRUTINY PANEL HELD ON 20 AUGUST 2020

EGSP.42/20 QUARTER 1 PERFORMANCE REPORT 2020/21

The Policy and Performance Officer submitted the quarter 1 2020/21 performance against the current Service Standards and a summary of the Carlisle Plan 2015-18 actions as defined in the 'plan on a page'. Performance against the Panel's Key Performance Indicators (KPIs) were also included. (PC.19/20).

The Policy and Performance Officer drew the Panel's attention to the Summary of Exceptions which showed that CSe22 Actual city centre revenue as a percentage of the city centre expenditure was under target due to the pandemic.

The Panel discussed the information in the report and felt that future reports should include information which was relevant to the current circumstances and the impact on performance. The Corporate Director of Economic Development added that this was a good opportunity to look at national indicators and statutory performance indicators which the Council had to report to government. The Panel agreed and asked that further work be undertaken out with the meeting on the future performance information that would be submitted to the Panel.

RESOLVED – 1) That the Quarter 1 Performance Report 2020/21 be noted.

2) That the Chair, Vice Chair, Corporate Director of Economic Development and Policy and Performance Officer meet to discuss the future performance information which would be provided to the Panel with a first draft template submitted to the Panel with the Quarter 2 Performance Report.

EXCERPT FROM THE MINUTES OF THE ECONOMIC GROWTH SCRUTINY PANEL HELD ON 20 AUGUST 2020

EGSP.40/20 LOCAL ENTERPRISE PARTNERSHIP UPDATE

The Chair welcomed Ms Lappin, Chief Executive of the Cumbria Local Enterprise Partnership (CLEP) to the meeting.

The Corporate Director of Economic Development gave a verbal update on the background, role, responsibilities and strategic direction of Cumbria LEP. She highlighted current / recent investments for Carlisle which included £3m of Growth Deal to develop Carlisle Citadels; £4.95m of Growth Deal for Carlisle Airport enhancements; an investment of over £3m in facilities to deliver improved skills provisions including the Advanced Manufacturing Centre at Carlisle College and STEM facilities at the University of Cumbria; investment of £2m to Durranshill Industrial Estate, and investment of approximately £4440,000 to upgrade Sewell's Lonning.

Ms Lappin gave a presentation updating the Panel on the Cumbria LEPs response and recovery plan with regard to the Covid 19 pandemic. A copy of the presentation had been attached to the agenda (ED.31/20). She set out some background to the CLEP, the Governance Structure and the CLEP's role in recovery. The CLEP had chaired the Business and Economy Response and Recovery Group (BERRG) of the Local Resilience Forum, the BERRG's priorities had been set out in the presentation.

The presentation included an Economic Vulnerability Index which demonstrated the Cumbrian workforce by risk category, the impact on employment especially in areas which were heavily reliant on visitor economy, economic contraction since the start of the pandemic in comparison to national figures and the claimant figures for the Furlough and Self Employment Income Support Schemes.

Ms Lappin highlighted the UK Forecast Economic Output and the UK Forecast Unemployment Levels charts and the three scenarios which had been used to model the recovery estimates, she added that the end of the Furlough scheme in October would impact the models and actual figures would be used.

Ms Lappin took the Panel through the CLEP's recovery planning model of Restart, Reboot and Rethink along with a headline summary of one of the recovery plans. The presentation set out the Local Industrial Strategy strategic priorities, the short, medium and longer term impact of the priorities and the priority activity. The Transport Investment Priorities, which had been presented to government as medium to short term priorities for investment in Cumbria, were set out in the presentation and Ms Lappin highlighted the priorities relevant to Carlisle.

The presentation set out the rethink priorities which would be progressed with partners and an update on the work being carried out by the CLEP with regard to Brexit.

In considering the CLEP update Members raised the following comments and questions:

- How would the CLEP engage with the Centre for Local Economic Strategies (CLES) to develop and implement reboot Cumbria's commitment to inclusive growth? Was it, and would it remain, a priority for the CLEP?

Ms Lappin confirmed that the CLEP had a commitment for inclusive growth and felt strongly that nobody should be left behind. The Local Industrial Strategy had three touchstones, Inclusive Growth; Decarbonisation and Productivity. The CLEP felt that those that were furthest away from the labour market pre Covid would now be even further away and, as part of the recovery plan, the CLEP was considering how inclusive growth would look in the future. Work had been undertaken with CLES, who had prepared a draft report. Discussions were scheduled to consider the report and how it would be taken forward.

In response to a comment Ms Lappin clarified that the CLEP, as part of the Internationalisation Strategy, were looking at Cumbria's supply chains and opportunities for a wider market.

- What is the CLEPs role in the Freeport?

Ms Lappin responded that the Freeport was at the development stage, the CLEP understood the challenge that would arise due to the strong competition for a Freeport as there were only ten Freeports in the UK. The CLEP had proposed a multi centre, multi modal Freeport which would increase the volume of goods that could be put through and encourage the Government to select the area. The project was at the consultation stage and the application process had not yet opened. The CLEP were encouraging all MPs in the area to promote the Freeport and the interests of Cumbria. The City Council were working closely with the CLEP regarding the airport and it would be part of a Cumbria wide offer.

- A Member asked for an update on the CLEPs role in the airport following the loss of the commercial provider.

Ms Lappin reminded the Panel that it was an unprecedented time for the airline industry and the CLEP needed to remain a patient, sensitive investor. The CLEP would continue to support the airport and would do everything they could to encourage new providers to the airport and gain support from the Department for Transport.

- Was the £60m funding for the CLEP annual and would the Brexit deal result in any lost funding for the CLEP?

Ms Lappin clarified that the £60m funding had been a six year deal which would end in March 2021. The Government had awarded an interim allocation of £10.5m from March 2021 to March 2022. The CLEP had received EU funding through the European Structural and Investment Funds (ESIF) but it had been difficult to spend the funding due to restrictions which resulted in key sectors in Cumbria not being eligible to access it. The CLEP had been promoting Cumbria's reputation for delivery and this had resulted in other funding being

secured to deliver projects such as the Borderland Inclusive Growth Deal. The CLEP were lobbying government to provide replacement funding through the Shared Prosperity Fund, an announcement had been expected in July, this had not yet happened.

- What work was required to establish the Public Service Obligation (PSO) and what could be done to move that work along?

Ms Lappin felt that Carlisle had done everything it could to support the PSO at this point in time. The City Council and local MPs were using all of their influence to push the Department for Transport to make a decision.

- The presentation highlighted the importance of road and rail links and set out the priorities, one area of investment not addressed was the rail link from the west coast to the east coast.

Ms Lappin understood the need for an improved west coast/ east coast rail link and reminded the Panel that the priorities had been determined as it was believed that they could be agreed by the Department of Transport. She added that, if it was felt to be a priority, the CLEP would work with the City Council and County Council to add the matter to the agenda.

- What support was available for new business set up and for existing businesses post Covid 19 who already provided jobs?

Ms Lappin reported that the CLEP contracted the Chamber of Commerce to provide start up advice for new businesses through the Growth Hub and the European Regional Development Fund. With regard to existing business she commented that the 'bounce back loans' had been important in providing cash flow for businesses and the furlough scheme had taken the pressure off businesses, however, the CLEP had serious concerns about the support for the businesses when the loans needed to be paid back and when the furlough scheme ended. The CLEP were in conversation with government to determine how best to support those businesses.

- Referring to business recovery a Member asked if there had been any positives recorded from the recovery activity and how would it shape the economic development in Cumbria in the long term.

Ms Lappin responded that there had been some opportunities for local businesses, the CLEP had seen businesses react very quickly to meet new market needs and had moved to online sales, home delivery and some had changed their business to produce PPE. In addition the visitor economy had seen individuals and families visiting the area who had never been before, the Rethink agenda looked at these changes and considered where the opportunities were.

In response to a further question Ms Lappin explained that the CLEP wanted local authorities to work with BERRG so that the recovery plan involved everyone, and the roles were clear.

- The Economy, Enterprise and Housing Portfolio Holder sought assurance that the CLEPs Skills Programme was still a priority.

Ms Lappin reassured the Portfolio Holder that the CLEP continued to provide the same resources and commitment to link education and work. The CLEP were in conversation with the DWP to make sure that local engagement was agile and made the link between people coming out of work and opportunities in the economy.

- Was there a break down of the emerging skills need and of job loss by sector in Cumbria available?

Ms Lappin explained that there had been a good break down of skills need pre Covid, however, the impact on employment and businesses was not yet known. Once the unemployment figures were known the CLEP would have a better understanding of the emerging skills need and employment issues.

- Did the CLEP have any influence in the provision of broadband to rural areas?

Ms Lappin responded that Cumbria had 95% coverage which was good for a rural area. She highlighted the Borderlands Inclusive Growth Deal Digital Voucher Scheme which offered funding to help eligible rural businesses and residents to connect to gigabit capable broadband.

The Corporate Director of Economic Development acknowledged that the broadband coverage was in place, however, there needed to be greater speed and connectivity to attract people and businesses into the area. The broadband needed to be competitive especially in the current climate which had seen a move to more working from home.

RESOLVED – 1) That Ms Lappin be thanked for her informative and detailed presentation (ED.31/20) on the Cumbria Local Enterprise Partnership;

2) That the Panel request that the Executive promote engagement with the Business and Economy Response and Recovery Group (BERRG) of the Local Resilience Forum, particularly in developing a recovery plan;

3) That the Cumbria Local Enterprise Partnership provide an update briefing note to the Panel Members with key data on impacts of Covid-19 on economic growth in Carlisle;

4) That the Corporate Director of Economic Development liaise with the Chair and the CLEP to link the work of the Economic Growth Scrutiny Panel into the Council's contribution to the CLEP's scrutiny function.

Report to Executive	Agenda Item: A.8
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Meeting Date: 14 September 2020

Portfolio: **ECONOMY, ENTERPRISE & HOUSING**

Key Decision: YES

Within Policy and
Budget Framework NO

Public / Private Public

Title: Update of Private Sector Housing Enforcement Policy
Electrical Safety and Minimum Energy Efficiency Standards
Report of: Corporate Director of Governance and Regulatory Services
Report Number: GD 35/20

Purpose / Summary:

The purpose of this report is to put forward an updated Private Sector Housing Enforcement Policy which was previously approved by Executive. The update is required to reflect the legislative challenges introduced to further improve health and safety standards in the private rented sector and reflect the best practice guidance available to respond to our statutory duties.

The Policy also includes an update to accommodate changes in legislation in future and to enable small amendments to be made in conjunction with the Service Director and the Portfolio Holder which would be documented in an Officer Decision Notice.

Recommendations: To approve the updated enforcement policy including the new charges specified therein.

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. BACKGROUND

- 1.1 In 2014, the Executive approved the adoption of the Private Sector Housing Enforcement Policy. The Policy acts as a backdrop to the work within the Private Sector Housing and provides clear direction for those Officers authorised to undertake enforcement. It also sets out clearly to all stakeholders how the Council will deal with Housing Standards and its approach to enforcement.
- 1.2 The policy has been updated since it was first introduced as additional legislation has been brought in, the previous updates were in 2016 and 2018 and most recently in May 2020 to respond to the COVID-19 pandemic and relevant regulations.
- 1.3 The latest update is to reflect new powers enacted by Her Majesty's Government to improve electrical safety and, in separate legislation, energy efficiency standards in the private rented sector.

2. PROPOSED CHANGES TO THE POLICY

- 2.1 The **Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015** were introduced to tackle the least energy-efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard for privately rented property, affecting new tenancies from 1 April 2018 and all tenancies from 1 April 2020.

The rationale behind this is that EPC F and G rated properties waste energy. They impose unnecessary cost on tenants and the wider economy, and they contribute to avoidable greenhouse gas emissions. Increasing the energy efficiency of our domestic rental stock can help:

- manage the energy costs of tenants, including some of the most vulnerable;
- improve the condition of properties and help reduce maintenance costs;
- smooth seasonal peaks in energy demand, and thereby increase our energy security;
- reduce greenhouse gas emissions at relatively low cost.

The regulations cite specific instances where landlords and agents might seek exemptions to letting properties below an EPC "E" rating but also require such exemptions to be registered on the national EPC Exemptions register.

The process for enforcing these regulations is found in Part 5 of the policy (Appendix A of this report)

- 2.2 The **Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020** came into force on the 1st June 2020 and aim to improve safety in all residential premises and particularly in the private rented sector.

The Regulations apply to new tenancies from 1st July 2020 and existing tenancies from 1st April 2020.

They require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of the electrical safety report to their tenants, and to their local authority if requested.

These regulations have been included in Part 4 of the policy document (Appendix A of this report).

- 2.3 The update to the Policy to allow amendments by the Portfolio Holder and Director is required due to the large amount of private sector housing legislation coming through in recent years and the need to keep updating the Policy.

3. RISKS

- 3.1 **In order to enforce the legislation we need to have an adopted an enforcement policy, without this in place we risk a legal challenge should we choose to take enforcement.**

4. CONSULTATION

- 4.1 As these are non-statutory changes not issued under the Housing Act 2004 Section 9 ,then there is no requirement to consult widely.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1 The revised enforcement policy will enable officers to apply enforcement in a fair and consistent manor in recognition of the Enforcement Concordat and the Regulators' Compliance Code. The Policy is also a foundation for the future of private sector housing enforcement at the Council.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

It is considered the proposals will support the following priorities:-

- Address current and future housing needs to protect and improve residents' quality of life.

- None

CORPORATE IMPLICATIONS:

Contact Officer: Amelia Morphet

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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:

Finance – The costs of implementing and monitoring this Private Sector Housing Enforcement Policy can be met from within existing base budgets under the control of the Governance and Regulatory Services Directorate. Any changes to approved charges must be approved by the Executive (Financial Procedure Rule D31).

Equality: The service manager has considered the Public Sector Equality Duty when updating this policy. The rules for decision making and taking action will take account of the ‘Vulnerability of current occupiers’.

LEGAL –

PROPERTY SERVICES - N/A

INFORMATION GOVERNANCE –

**CARLISLE
CITY COUNCIL**



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Private Sector Housing Enforcement Policy

**This document sets out the Councils policy framework for
dealing with the enforcement of housing legislation**

Executive Report, Appendix 1

Document Revision July 2020

1. Introduction

A key factor which has enabled the Council to achieve its aim of addressing current and future housing needs, is having the ability to protect and improve resident's quality of life, through the regulation of Housing conditions in Carlisle and district.

The Private Sector Housing function is to improve the standard of private sector properties through, education, advice and enforcement. The Council has a statutory duty to enforce the provisions of the Housing Act (and other) Acts and this is undertaken by Officers in the Environmental Health team. The team deals with a wide range of housing issues, from the licensing and inspection of Houses in Multiple Occupation (HMO) to complaints from tenants regarding housing standards.

The team receives over 70 service requests a year, concerning housing conditions in the private rented sector, with a total number of reactive and proactive inspections in total for the team around 700. The team offers advice and assistance to landlords, tenants, owner occupiers, empty property owners and stakeholders on wide range of housing issues, from overcrowding, cold in the home, damp and licensing matters.

2. Scope of the Policy

The Private Sector Housing function is responsible for ensuring all statutory powers and duties specific to private sector housing are implemented. The purpose of this policy is to set out clearly, the way in which the Council intends to secure effective compliance with legislation while minimising the burden to the Council, individuals, organisations and businesses. This policy is intended to provide guidance on the principles and processes that will apply when Officers consider the options available for dealing with a case. It sets out what owners, landlords, lettings agents and tenants of private sector properties can expect from Officers.

The Council will in all cases work jointly with other departments where necessary and we will target our resources to ensure the most serious cases are tackled as a priority. In most cases the Council will direct the tenant to liaise with the landlord regarding the Housing Standards and only in the event of inaction or unreasonable delays will the Council, investigate a housing standards complaint.

Although the function is named the Private Sector Housing, the Private Sector covers a host of properties, including Registered Providers (RP) properties, owner occupied properties and the private rented sector. If enquiries are beyond the remit of the Team advice and signposting will be offered.

Any areas that are not included within the policy will be determined on a case-by-case basis having regard to relevant legislation and guidance available.

3. Enforcement Framework

Carlisle City Council must have regard to the government Enforcement Concordat and the Regulators Compliance Code, these documents set out what business and others being regulated can expect from enforcement Officers. This Policy compliments the principles laid

down in national policies to ensure the Officers are fair when exercising their enforcement duties.

3.1 Openness

We will provide information in plain English and publicise the availability of our Services. We will be open about our priorities, policies and procedures. We will ensure that Officers explain the options available to stakeholders, and their reasoning for pursuing any given course of action. Officers will clearly distinguish between legal requirements and good practice, both in terms of their own work, and what is expected of stakeholders.

3.2 Proportionality

Enforcement Action will be proportionate to the seriousness of the offence. Where we have discretion, we will consider whether other measures will lead to effective resolution of the matter. We will apply the enforcement policy in each and every case and make a decision about whether to proceed to formal enforcement having consideration of individual circumstances of the case and any other relevant factors, such as harm caused or potential for harm to be caused to individuals the public and the environment as appropriate.

3.3 Consistency

We will have clear procedures in place to ensure consistency throughout the team with the approach to enforcement, to ensure similar matters are dealt with in the same way, whilst taking into account individual circumstances.

3.4 Co-ordinated working

More often than not a single housing matter can trigger enforcement responsibility for several departments, both inside and outside the Council. We will therefore take a comprehensive approach to enforcement wherever possible by;

- Co-ordinating action between Council departments and with other agencies
- Ensuring that the Council takes the most effective action by deciding which department should lead enforcement action, depending upon the offence committed and the powers available.
- Sharing information.
- Working together on joint prevention strategies.
- Aiming to speak with a single voice.

PART 1: GENERAL ENFORCEMENT

The following range of enforcement options will be applied to private sector housing enforcement:

- No action
- Informal Action
- Statutory Notices
- Simple Caution
- Prosecution
- Civil Penalties
- Banning orders

- Rent Repayment Orders
- Works in Default
- Emergency Measures

No action

Before considering taking any action in respect of a tenanted property, the tenants will normally be required to contact their landlord about the issues they are experiencing first. This applies to all tenants. Legislation covering landlord and tenant relationships requires that tenants notify their landlord of any problems in the property, this is because the landlord can only undertake their obligations when notified of a problem.

In certain situations tenants will not be required to write to the landlord;

- If the issues represents an imminent risk to the health or safety of the occupier
- If there is a history of harassment or bad management practice
- If the tenants is defined as vulnerable and a referral is being made by a third party
- If the tenants written English is poor and they require assistance to communicate

Informal action

Authorised Officers may use informal procedures when they believe that such an approach will secure compliance with the requirements of the appropriate legislation within a reasonable timescale. Informal action will usually involve discussion with the stakeholders. Written details will be sent by the authorised Officer to the stakeholders confirming what has been agreed and any informal action will usually precede any formal or statutory action and will be appropriate where;

- There is no legislative requirement to serve a formal notice
- The circumstances are not serious enough to warrant formal action
- Past history suggests that informal action can reasonably be expected to achieve compliance
- There is confidence in the landlord/person responsible
- The consequences of non-compliance will not pose a significant risk to occupiers or other affected persons
- Remedial work within a suitable timescale can be agreed

All informal action will be based on the principles described in the Enforcement Framework.

The service standards for the Councils response to Housing Complaints is contained within **Appendix 1**

Statutory action

The Council will consider serving a statutory notice in any of the following circumstances;

- Attempts to resolve the situation informally have failed
- There are serious contraventions of legislation which pose significant risk to public health.

- There is a lack of confidence that there will be a suitable response to an informal approach
- There is a history of non-compliance with informal action
- Officers have been unable to contact the owner
- Where the legislation requires service of a notice to take further statutory action
- A situation exists which places a mandatory duty on the Council to serve a statutory notice
- Although it is intended to prosecute, effective action needs to be taken as quickly as possible to remedy the conditions, which pose an imminent risk to public health/safety or the environment
- A notice is required to formalise an agreed course of action.

Statutory notices will specify:

- The reasons for the enforcement action being taken including an explanation of what the defects are in the property or the specific area of legislative noncompliance, what is needed to put things right and what will happen if the notice is not complied with.
- A reasonable timescale for compliance having regard to the seriousness of the defects or contraventions
- Information regarding the right of appeal where necessary.

Simple Caution

A Simple Caution will be considered when the circumstances of the offence satisfy the following criteria:

- The offence is serious to warrant prosecution and it is a first offence.
- The Officer believes that a caution will prevent further offences.
- To divert less serious offences away from the Courts, and

A Simple Caution will only be offered where:

- There is evidence of the offenders guilt sufficient to give a realistic prospect of conviction
- The offender admits the offence
- The offender will accept the formal caution and understands its significance.
- clearly understands the significance of the Caution and gives informed consent to being cautioned, and
- It is considered to be in the public interest

Prosecution

Legal proceedings may be instigated in the following circumstances;

- Where the offence involves a flagrant breach of the law such that health, safety or the environment has been placed at serious risk.
- Where the offence involves a failure to comply with a statutory notice
- Where there is a history of similar offences involving serious risk to the public.
- Where an individual is unwilling to prevent a reoccurrence or resolve the matter.
- Where an Officer has been obstructed in the course of their duties.

Civil Penalties

The Housing and Planning Act, s126 amends the Housing Act 2004 to allow civil penalties to be imposed as an alternative to prosecution for certain offences. The Council can impose a penalty of up to £30,000 per offence. The level of the financial penalty will be calculated with reference to the guidelines set out in **Appendix 5**.

These offences include,

Section 30 (failure to comply with Improvement Notice)

Section 72 (licensing of HMOs)

Section 95 (licensing of houses under Part 3)

Section 139(7) (failure to comply with overcrowding notice)

Section 234 (management regulations in respect of HMOs)

If the Council wishes to impose a civil penalty as an alternative to prosecution, it must first issue a notice of intent. This must set out the reasons for the proposed penalty and the amount of the proposed penalty. The person who has been given the notice then has 28 days to make representations. At the end of this 28 day period, the Council must decide if it wishes to impose a penalty, and if it does, it must issue a final notice. Any penalty must be paid within 28 days. The final notice must set out the amount of the penalty, the reasons for imposing the penalty, the period for paying the penalty, information on how to pay, information on rights of appeal, and the consequences of failure to comply. A person on whom a final notice is served has a right of appeal to the First Tier Tribunal. If an appeal is made, the notice is suspended until the outcome of the appeal is determined. The penalty may be recovered through the county court as if it were payable under an order of that court. The financial penalties may be retained by the local authority and may be used to meet the costs of enforcement action associated with the private rented sector.

Banning Orders

Part 2 of the Housing and Planning Act provides for the establishment of a database of rogue landlords and property agents. The Secretary of State must establish such a database and introduce banning order offences. If a landlord is convicted of a banning order offence, then the local authority may apply to the First Tier Tribunal for a banning order to be granted. If a banning order is granted, the person against whom the order is granted is prohibited from letting property or engaging in letting agency or property management work. The order must last for at least 12 months. Breach of a banning order is an imprisonable offence.

If the local authority pursue a banning order then they must make an entry on the database of rogue landlords when a person is subject to a banning order.

Enforcement of Private Sector Housing Standards

Part 1, Housing Standards

Part 1 of The Housing Act 2004 requires local authorities to base their enforcement decisions in respect of all types of residential property on assessments under the Housing Health and Safety Rating System (HHSRS). The system is based on twenty-nine possible hazards, and is structured around an evidence based risk assessment process. Local Authorities must inspect properties to determine whether there are Category 1 or Category 2 hazards present, using the method prescribed by regulations, having regard to Operating Guidance issued by the Secretary of State.

Assessment of hazards is a two stage process, addressing first the likelihood of an occurrence and then the range of probable harm outcomes. These two factors are combined using a standard method to give a score in respect of each hazard identified. The decision to take enforcement action is based on three considerations:

- (a) the hazard rating score determined under HHSRS;
- (b) whether the Council has a duty or power to act, determined by the presence of a hazard score above or below a threshold prescribed in the regulations, and
- (c) the Councils, judgement as to 'the most appropriate course of action' to remove or reduce the hazard taking into account the most vulnerable potential occupant and the actual occupants.

Duties and Powers

The Council must take appropriate action in respect of a Category 1 hazard (bands A-C) and may do so in respect of a Category 2 hazard (bands D-J).

The courses of action available to the Council where it has either a duty or a power to act are to:

- Serve an Improvement Notice requiring remedial works.
- Make a Prohibition Order, which closes the whole or part of a dwelling or restricts the number or class of permitted occupants
- Suspend the Improvement Notice or Prohibition Order for a maximum period of 12 months
- Serve a Hazard Awareness Notice
- Take Emergency Remedial Action (Category 1 hazards only)
- Serve an Emergency Prohibition Order (Category 1 hazards only)
- Make a Demolition Order (Category 1 hazards only)
- Declare a Clearance Area (Category 1 hazards only)

For the purposes of assessing the hazard, it is assumed that the dwelling is occupied by the most vulnerable household (irrespective of what household is actually in occupation or indeed if

it is empty). However, for the purposes of deciding the most appropriate course of action, regard is had to the actual household in occupation.

Where a Council takes action and the property owner does not comply, the Council has the powers available to Councils to act in default. Default action will only be undertaken where an imminent risk to the individual's health is and the consequences of not taking any action would be unacceptable.

The Council can reclaim the cost of the works in default including administration costs. In most cases costs can be registered as a charge on the property and can be recovered through the Courts.

Decision Rules

The Council will have regard to the statutory guidance document 'The Housing Health and Safety Rating System: Enforcement Guidance' when deciding the most appropriate course of action.

Whether the Council has a duty to act in respect of a Category 1 hazard, or the power to act in respect of a Category 2 hazard, in either case the Council is obliged to give a formal statement of reasons for the action it intends to take.

The Council will take account of factors such as:

- Extent, severity and location of hazard
- Proportionality - cost and practicability of remedial works
- Multiple hazards
- The extent of control an occupier has over works to the dwelling
- Vulnerability of current occupiers
- Likelihood of occupancy changing
- The views of the current occupiers

Consideration must also be given to whether consultation is required with other enforcing bodies. In particular where the hazard of fire is identified there is a duty to consult with the fire authority as prescribed under section 10 of the 2004 Act.

Category 1 Hazards

Where an assessment and rating of a property has resulted in a Category 1 hazard, the Council has a duty to take the most appropriate course of action. This will be determined by the authorised Officer following the inspection, taking into account all the available information, the landlord and the tenants views.

Category 2 Hazards

In addition to the Council's duty to take action where a Category 1 hazard exists, the Council will generally exercise its discretion to take the most appropriate course of action where a Category 2 hazard exists in the following situations:

(a) Band D and E Hazards

There will be a general presumption that where a Band D and E hazard exist, Officers will consider action under the Housing Act 2004 unless that would not be the most appropriate course of action.

(b) Multiple Hazards,

Where a number of hazards at Band D or below create a more serious situation, where a property appears to be in a dilapidated condition, or where the conditions are such as to be affecting the material comfort of an occupying tenant.

Reducing hazards to an acceptable level

The Housing Act 2004 requires only that the Council takes the most appropriate course of action to reduce a Category 1 hazard to Category 2 hazard. For example Band C and Band A hazards need only be reduced to Band D. The Council will generally seek to specify works which achieve a significant reduction in the hazard level and in particular will be to a standard that should ensure that no further intervention should be required for a minimum period of twelve months.

Tenure

In considering the most appropriate course of action, the Council will have regard to the extent of control that an occupier has over works required to the dwelling. In normal circumstances, this will mean taking the most appropriate course of action against a private landlord and in most cases this will involve requiring works to be carried out.

Registered Providers

Registered Providers (RPs) (Housing Associations) are also subject to enforcement, however the Council will liaise as appropriate with the landlord over any works necessary to deal with Category 1 and 2 hazards in advance of any planned improvements.

If an RP is planning works which would deal with the hazard, depending on the risk to the tenants, it may be appropriate to issue a Suspended Improvement Notice rather than an Improvement Notice, or to allow extra time on an Improvement Notice.

However, if the RP fails to respond to any such request for information, or if the proposed timescale is not considered acceptable based on the severity of the hazard, the Council will consider the need to pursue more urgent action.

Owner occupiers

With owner occupiers, in most cases they will not be required to carry out works to their own home and the requirement to take the most appropriate course of action will be satisfied by the service of a Hazard Awareness Notice.

However, the Council may in certain circumstances require works to be carried out, or to use Emergency Remedial Action or serve an Emergency Prohibition Order, in respect of an owner occupied dwelling. This is likely to be where there is an imminent risk of serious harm to the occupiers themselves or to others outside the household, or where the condition of the dwelling is such that it may adversely affect the health and safety of others outside the property. This may be because of a serious, dangerous deficiency at the property. Another example is a

requirement to carry out fire precaution works to a flat on long leasehold in a block in multiple occupation.

Vacated Properties with Statutory Notice

In cases where properties are subject to a statutory notice and the property is subsequently vacated, all notices or orders will be reviewed to consider whether the notices or orders may be varied, suspended or revoked. The Council will seek to deter landlords from undertaking retaliatory eviction and will not consider that removal of a tenant achieves compliance with any Notice served, except in overcrowding situations where it was a specific requirement of the notice.

Additional powers within the Housing Act

Action by Agreement

The Act also makes provision for remedial works to be carried out by agreement. This is where the local authority arranges for the works to be carried out at the request of the person responsible and they are then charged for the full cost. If the costs incurred cannot be paid they must be placed as a charge against the property. Interest will be charged on the monies owed and the arrangement will be reviewed annually. Action by agreement will normally be considered and will require to be authorised by the Director of Economic Development.

Powers of Entry

Most of the legislation enforced by the Private Sector Housing Team includes the power for authorised officers of the Council to gain entry into a property for the purpose of carrying out the authorities duties under that legislation.

If an Officer is unsuccessful in gaining entry to a property by informal means, the Council will consider obtaining a warrant from the Justice of the Peace to provide for the power of entry by force is necessary. If prior warning of entry is likely to defeat the purpose of entry, then a warrant can be obtained.

The Council also has the power to require documents to be produced in connection with its enforcement by a notice. The notice will specify the consequences of not complying.

Power to Charge for Enforcement Action

In line with Sections 49 and 50 of the Housing Act 2004, the Council reserves the right to charge and recover the reasonable costs incurred in taking the most appropriate course of action.

The Council will charge where a formal notice or order is required to remove hazards, or when emergency remedial action is necessary, with charges levied on the basis of actual time spent by Officers on individual tasks. The hourly rate will be reviewed and be incorporated in the charges report.

This charge may be waived if the landlord makes representations and agrees the extent of the works and timescales prior to the service of the notice. If there is an appeal against the

Notice then the charge will not be applied until the appeal is resolved and if the notice is upheld.

A demand for payment of the charge must be served on the person from whom the Council seek to recover it. The demand becomes operative, if no appeal is brought against the underlying notice or order, at the end of the period of twenty-one days beginning with the date of service of the demand. A charge will be placed on the property until the sum is paid in full.

Costs incurred in carrying out emergency remedial action may be recovered separately in line with guidance prescribed by the Secretary of State.

Works in Default

The Council may carry out works in default of a statutory notice. The cost of the works, plus the Councils reasonable administration charges based on an officer hourly rate, will be charged to the responsible party and recovered through the civil court.

Charges may be made for abortive costs in preparing to carry out work in default where an order has been placed and the owner then carries out the work required. Where there is no prospect of the money being recovered, the debt may be placed on the property as a land charge.

Emergency Measures

The Council may use emergency enforcement powers under housing legislation where there is an imminent risk of serious harm. In such circumstances the Council will take whatever remedial action it considers necessary to remove an imminent risk of serious harm. This could include taking remedial action in respect of a hazard and the subsequent recovery of reasonable expenses or prohibiting the use of all or part of a property.

Such emergency measures will only be taken where the use of emergency powers is the most appropriate course of action. Where emergency measures are taken, the owner of the property or other relevant person will be advised of the method of appeal against the action taken.

Part 2: Licensing of Houses in Multiple Occupation

Part 2 of the Housing Act 2004 introduces mandatory licensing of certain types of HMO. Mandatory licensing applies to houses occupied by five or more persons, over three or more storeys and comprising of two or more households.

Duty to Licence Houses in Multiple Occupation (HMO)

The Council must take all reasonable steps to ensure property owners make licence applications. A charge will be made for HMO licence applications, this charge will be published and reviewed annually.

Each licence application will be dealt with systematically and will require a degree of checking before a licence can be issued. Checks will be carried out within agreed timescales and a Notice either granting or refusing a licence will be issued.

Amenity standards within HMOs

The Council will require the provision of amenities in all HMOs to be in accordance with House in Multiple Occupation Management Regulations and for licenced HMO properties, the Licensing and Management of Houses in Multiple Occupation and other houses (Miscellaneous Provisions) (England) Regulations 2006 as amended.

In order to provide some basic guidance to landlords for amenities in relation to the legislation. The Council has adopted an amenity standards document is referenced in **Appendix 2**. This document sets out the expected standards in licensed HMO's and should also be used as a reference for compliance for non-licensed HMO's where there are a higher number of letting units. If a landlord is not able to comply with the requirements and the property does not lend itself to adaptation or there is no evidence of the tenants being inconvenienced then a lesser standard maybe accepted, but this will be reviewed at each inspection.

HHSRS and its Link to HMO Licensing

The Council does not need to consider HHSRS before an HMO licence is issued. However, if during the licensing process the Council has reason to be concerned about the likelihood of Category 1 or 2 hazards, it may elected to carry out an inspection before the licence is issued.

The assessment of hazards in HMO's is made for each unit of accommodation, but will take into account the common parts and other areas connected to the unit of accommodation. If an enforcement notice is served on an HMO and it reverts to single occupation, the Council will consider whether the impact of the hazard is now relevant to the change of use. For example, the hazard of Fire in an HMO property.

Fit and Proper Person and Management

The purpose of HMO licensing is to ensure that the most high risk and poorly managed properties are appropriately managed. Part 2 of the Housing Act 2004, requires licence holders to be a fit and proper person. The Act stipulates criteria that the licence holder must meet to be regarded as fit and proper. Where the proposed manager or licence holder is not a fit and proper person, the applicant will be given the opportunity to develop proposals to meet the fit and proper person test. If this is not possible, it may be necessary to refuse the licence.

Provision of False or Misleading Information

It is an offence under the Act to provide false or misleading information. On conviction a fine of up to £5000 can in be incurred.

Where the HMO licence application form has been signed this is a declaration that information provided is correct. Should contradictory information come to light, prosecution will be considered.

Granting a Licence

Where an application for a licence has been received and the Council is satisfied that the proposed licence holder is fit and proper, that the house is suitable for multiple occupation and the application submitted is valid, the Council must grant a licence. Each licence must only relate to one HMO and can last for up to five years. In some cases in may be necessary to grant the licence for less than five years.

Refusing a Licence

A licence can be refused if the Council is not satisfied that the criteria stipulated in the Act have been met.

If a licence is to be refused, the Council will give serious consideration to the consequences of this decision. Depending on the reasons for the refusal it may be appropriate to consider the options available for dealing with the property.

Where a licence is refused the Council has a duty to take on the management of the property by serving an Interim Management Order. A management order will be the last resort and other avenues will be considered before instigating this action, including a Temporary Exemption Notice.

The Council will take all reasonable steps to assist the proposed licence holder or owner of the property to take action to enable the property to become licensed or to take the property out of use as an HMO.

Revoking a Licence

The Council may revoke a licence in line with circumstances stipulated under Part 2 of the Housing Act 2004. If the property is to remain a licensable HMO the Council must make an interim management order. If it is no longer an HMO no further action is required.

Varying a Licence

A licence may be varied where either the licence holder makes a request or the Council feels it is relevant to do so. It may be varied where there has been a change in circumstances, which also includes the discovery of new information.

Penalties

There are a number of possible offences relating to HMO licensing. The Council will consider taking action where there is evidence of an offence and it is appropriate to take such action. Offences include:

- (a) Managing or having control of an unlicensed HMO that should have a licence. Prosecution can result in fines of up to £20,000.
- (b) Allowing the HMO to become occupied by more than the agreed number of households or persons on the licence. Prosecution can result in fines of up to £20,000.
- (c) Breaching licence conditions. A breach of licence conditions can lead to prosecution and can result in fines of up to £5,000 per breach.

Other penalties include:

Rent Repayment Orders - if a person does not have licence for an HMO that requires a licence, then the Council or tenants can apply for a rent repayment order to the First Tier Tribunal (Property Chamber).

Termination of Tenancies - Landlords will not be able to issue any section 21 notices under the Housing Act 1988 (recovery of possession on termination of a short hold tenancy), whilst the HMO is unlicensed.

Changes to HMO licensing under the Planning and Housing Act

The Housing and Planning Act will introduce changes to the definition of a House in Multiple Occupation from October 2017, it is proposed that the existing procedures will be adopted, including applications process, procedures and setting of licence fees annually for licensable activity under the Act or subsequent legislation, taking into account good practice.

Interim Management Orders and Final Management Orders

The Council has a duty to make an Interim Management Order in respect of an HMO where there is no reasonable prospect of it being licensed in the near future or it is necessary to protect the health, safety and welfare of the occupants. An order can also be served in circumstances that the Council thinks are appropriate with a view to ensuring the proper management of the house pending the licence being granted.

If a licence has been revoked for any reason and there is no reasonable prospect of the property regaining its licence. The Council must make an Interim Management Order. The order requires the Council has to take over the management of the property for up to 12 months. This includes carrying out any remedial works necessary to deal with the immediate risks to health and safety. If there is still no prospect of a licence being granted after twelve months then a final management order must be made which may be in force for up to five years. If after five years there is no prospect of the property being licensed a further management order must be made. Management order can be varied or revoked at any time as a result of a request from the owner or by the Council.

The Council will instigate this action as a last resort, where necessary.

The Council will take all practical steps to assist the owner of the property to satisfy the licensing requirements.

Temporary Exemption Notices

The Council will consider issuing Temporary Exemption Notice (TEN) in response to a request from the owner or managing agent to exempt the property from licensing on the grounds that is no longer going to be used as an HMO. A TEN remains in force for a period of three months, after which the property must have a license if it is still in such a condition as to require one. If further notification is received and the authority considers that there are exceptional circumstances a second TEN may be served which will remain in force for a further three months.

Additional and Selective Licensing

Local Authorities may also introduce Additional and Selective licensing schemes within their area. These schemes are not currently operated in Carlisle and are discretionary. In 2015 amendments were made to the legislation which widens the criteria for licensing, to include areas with a high proportion of private rented properties with poor housing conditions.

The Councils adoption of any selective licensing scheme, would involve a lengthy period of consultation with local stakeholders, to inform decision making and implementation.

Part 3 Smoke Detection and CO Regulations

On the 1st October 2015 the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 came into force which requires both smoke alarms and carbon monoxide alarms to be installed in rented residential accommodation. The Regulations apply both to houses and flats. Failure to comply can lead to a civil penalty being imposed of up to £5,000.

Requirement for Smoke alarms

During any period beginning on or after 1st October 2015 while the premises are occupied under a tenancy (or licence) the landlord must ensure that a smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation.

The Regulations do not stipulate what kind of smoke alarm is required, both mains wired and battery detection is acceptable.

Cumbria Fire and Rescue Services have a limited supply of free smoke detectors and tenants can also request free Home Safety Checks from the Fire Service.

Requirement for Carbon monoxide alarms

During any period beginning on or after 1st October 2015 when the premises are occupied under a tenancy or a licence a carbon monoxide alarm must be provided by the landlord in any room in premises which is used wholly or partly as living accommodation which contains a solid fuel burning combustion appliance. This applies to any kind of wood burning stove or an open coal fire.

Mains wired and battery detection will be acceptable.

Checks

The landlord is specifically required to carry out a checks to ensure that smoke alarms or carbon monoxide alarms installed to comply with the Regulations are in proper working order on the day a tenancy begins with effect from 1st October 2015.

Although the need to undertake checks on detection only applies to new tenancies after the 1st October 2015, all landlords are required to install detectors and alarms in their tenanted properties.

Enforcement

The Council will serve a remedial notice within 21 days when they have reason to believe that the landlord is in breach of any of these duties relating to smoke alarms or carbon monoxide alarms. The remedial notice must specify the action to be taken within 28 days of the date of the service of the notice and It allows the landlord 28 days to make representations against the notice.

If the landlord fails to take action then the Council can fit the smoke alarms and CO detectors as works in default. This does however require the consent of the occupiers as there is no right of entry for compliance.

Penalties

If a landlord breaches the Notice, the Council will serve a penalty charge notice in line with its current charging policy for civil penalties. This has been set at £1000 and has been adopted by all the Cumbrian District Councils.

In line with other areas of penalty and fee charging within housing, Carlisle and the other five Cumbrian districts Councils have collectively opted to introduce a proposed minimum fee for fines at £1000 per offence. The level of fine is calculated on Officer time and a reflection of other fines issued for housing offences in the courts. **Appendix 3** details the fine structure which must be adopted by the authority under the regulations.

If the Council are satisfied a breach exists then a penalty charge notice will be served within six weeks from when it was made aware the breach had occurred. A right to make representations against the penalty notice is given and any representations for a reduction in fine levied, taking into account any extenuating circumstances are made to the Director and Portfolio Holder. The penalty fines received by the authority may be used by the authority for any of its functions.

Appeals

If the local authority upholds a penalty charge notice there is a right to appeal for the landlord to the First Tier Tribunal. The Grounds of Appeal are:-

- Local authority has made an error of fact or law
- The amount of penalty charge is unreasonable
- The decision to impose a penalty is unreasonable for any other reason

Payment of the penalty is suspended pending any appeal.

Part 4 Electrical Safety Standards

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force on the 1st June 202 and will apply to new tenancies from 1 July 2020 and existing tenancies from 1 April 2021.

If a private tenant has a right to occupy a property as their only or main residence and pays rent, then the Regulations apply. This includes assured shorthold tenancies and licenses to occupy. (Exceptions are set out in [Schedule 1 of the Regulations](#).)

Requirements

The Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of the electrical safety report to their tenants, and if requested to the Council.

Landlords of privately rented accommodation must:

- Ensure national standards for electrical safety are met. These are set out in the [18th edition of the 'Wiring Regulations'](#), which are published as British Standard 7671.
-
- Ensure all electrical installations in their rented properties are inspected and tested by a qualified and competent person at least every 5 years.
- Obtain a report from the person conducting the inspection and test which gives the results and sets a date for the next inspection and test.
- Supply a copy of this report to the existing tenant within 28 days of the inspection and test.
- Supply a copy of this report to a new tenant before they occupy the premises.
- Supply a copy of this report to any prospective tenant within 28 days of receiving a request for the report.
- Supply the Council with a copy of this report within 7 days of receiving a written request for a copy.
- Retain a copy of the report to give to the inspector and tester who will undertake the next inspection and test.
- Where the report shows that further investigative or remedial work is necessary, complete this work within 28 days or any shorter period if specified as necessary in the report.
- Supply written confirmation of the completion of the further investigative or remedial works from the electrician to the tenant and the Council within 28 days of completion of the works.

Results of the inspection and testing

As set out above, landlords must obtain a report giving the results of the test and setting a date for the next inspection. Landlords must comply within 7 days with a written request from the Council for a copy of the report and must also supply the Council with confirmation of any remedial or further investigative works required by a report.

The Council may request reports following inspections of properties to ascertain the condition of the electrical installation and confirm the landlord is complying with the Regulations.

Inspectors will use the following classification codes to indicate where a landlord must undertake remedial work. More information can be found in the 18th edition of the Wiring Regulations.

- **Code 1 (C1): Danger present.** Risk of injury.
- **Code 2 (C2): Potentially dangerous.**
- Further Investigation (FI): Further investigation required without delay.
- **Code 3 (C3): Improvement recommended.** Further remedial work is not required for the report to be deemed satisfactory.

If the report contains a code C1, C2 or FI, then the landlord must ensure that further investigative or remedial work is carried out by a qualified person within 28 days, or less if specified in the report.

The C3 classification code does not indicate remedial work is required, only that improvement is recommended.

Enforcement

If the Council is satisfied that on the balance of probabilities that a landlord has not complied with one or more of their duties under the Regulations the Council must serve a remedial notice. The notice must be served within 21 days of the decision that the landlord has not complied with their duties.

If the Council has reasonable grounds to believe a landlord is in breach of one or more of the duties in the Regulations and the report indicates urgent remedial action is required, the Council may, with the consent of the tenant or tenants, arrange for a qualified person to take the urgent remedial action and recover their costs.

Otherwise, they must serve a remedial notice requiring the landlord to take remedial action within 28 days. Should a landlord not comply with the notice the Council may, with the tenant's consent, arrange for any remedial action to be taken themselves.

Remedial notice

The remedial notice should:

- specify the premises to which the notice relates
- specify what the Council believes the landlord has failed to do
- specify what needs to be done
- require the landlord to take action within 28 days from the day the notice is served
- explain the landlord's entitlement to make written representations within 21 days
- specify the person and address, or email address, that representations can be sent to
- explain provisions about financial penalties and rights of appeal

Remedial action

The Council may, with the consent of the tenant, arrange to carry out remedial work in the following circumstances:

- If a landlord does not comply with a remedial notice.
- If the report indicates that urgent remedial action is required and the landlord has not carried this out within the period specified in the report.

The Council must authorise a qualified and competent person in writing to undertake the remedial action.

The Regulations require that the authorised person must give at least 48 hours' notice to the tenant. They may be asked by the tenant and the landlord to produce evidence of their identity and a letter from the Council confirming their authority to carry out the required works.

The Council can recover the costs incurred.

Remedial action following non-compliance with a remedial notice

Before arranging remedial action following non-compliance with a remedial notice, the Council must give the landlord notice that they are going to do work. This notice must specify:

- the address of the property where the work will be undertaken
- the power under which the remedial action is to be taken
- the date when the remedial action will be undertaken (at least 28 days from the date served)
- the right of appeal against this decision

The Council must arrange for an authorised person to take the remedial action within 28 days of the end of the notice period. Where there is an appeal, remedial action must be arranged within 28 days of the appeal decision confirming or varying the decision of the Council.

Urgent remedial action

Within 7 days of the authorised person starting to take the urgent remedial action the Council must either:

- serve a notice on the landlord and all occupiers of the premises in relation to which the authorised person is taking urgent remedial action; or
- fix a notice to the premises

The notice must specify:

- what action is going to be undertaken
- the address of the property where the action will be undertaken
- the legal power
- the date when that urgent remedial action was or will be started
- rights of appeal and the period of time within which an appeal may be made
- details of any financial penalty and the right of appeal against the financial penalty

Landlords who aren't able to comply with a remedial notice

A landlord is **not in breach** of the duty to comply with a remedial notice if the landlord can show they have taken all reasonable steps to comply.

A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange to carry out the work, including any replies they have had. Landlords may also want to provide other evidence they have that the electrical installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous condition reports.

A landlord who has been prevented from accessing the premises will not be required to begin legal proceedings against their tenant in order to show that all reasonable steps have been taken to comply with their duties.

Penalties

The Council can impose a financial penalty of up to £30,000 on a landlord who fails to comply with the regulations. The Council will, in the first place, serve a penalty charge notice in line with its current charging policy for civil penalties. This has been set at £1000 and has been adopted by all the Cumbrian District Councils. In line with other areas of penalty and fee charging within housing, Carlisle and the other five Cumbrian districts Councils have collectively opted to introduce a proposed minimum fee for fines at £1000 per offence. The level of fine is calculated on Officer time and a reflection of other fines issued for housing offences in the courts. **Appendix 3** details the fine structure which must be adopted by the authority under the regulations.

Appeals

In the first instance, landlords can make written representations to a Council within:

- 21 days, against a remedial notice
- 28 days, against the intention to impose a financial penalty

The Council has 7 days to respond to the representations.

Landlords then have the following rights of appeal to the First-tier Tribunal. The Tribunal may confirm, quash or vary notices served by the Council.

Appeals against remedial action

An appeal must be made to the First-Tier Tribunal within 28 days from the day on which a remedial notice is served. The Tribunal may allow an appeal to be made after this date if it is satisfied there are good reasons for the failure to appeal on time.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance when the notice was served. If a landlord appeals, the remedial notice is suspended until the appeal is finally determined or withdrawn.

Appeals against urgent remedial action

An appeal to the First-Tier Tribunal must be made within 28 days from the date the urgent remedial action was, or was to be, started.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance when the urgent remedial action started.

Appeals against demands for the recovery of costs

An appeal must be made with 21 days from the day on which the demand is served.

Landlords can appeal on the grounds that all reasonable steps had been taken to comply or reasonable progress had been made towards compliance with the notice when the Council gave notice of their intention to enter and take the remedial action.

Appeals against a financial penalty

An appeal must be made within 28 days beginning with the day after that on which a final notice to impose a financial penalty was served.

Landlords can appeal the decision to impose the penalty or the amount of the penalty. On appeal the final notice is suspended until the appeal is determined or withdrawn.

Part 5 Minimum Energy Efficiency Standards

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015¹ were introduced in 2015 to tackle the least energy-efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard of energy efficiency for privately rented property, affecting new tenancies from 1 April 2018 and all tenancies from April 2020. In accordance with Regulation 33 and 34 Local Authorities are responsible for enforcing the minimum level of energy provisions within their area.

In the first instance the Council will informally inform Landlords who rent properties with an EPC of F or G that they do not meet the minimum energy efficiency standard. The Council will offer advice how the standards can be met and request Landlords to register an exemption if appropriate.

Landlords will be given an appropriate time to make the necessary changes but will be warned that if they continue to be in breach after the time given, an investigation will follow and formal enforcement action will be considered

The Council may in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.

Requirements: Prohibition on letting sub-standard property.

- a) from the 1st April 2018, landlords of relevant domestic private rented properties may not grant a tenancy to new or existing tenants if their property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property);
- b) from the 1st April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating of band F or G (as shown on a valid Energy Performance Certificate for the property).

Exemptions

In certain circumstances landlords *may* be able to claim an exemption from this prohibition on letting sub-standard property; this includes situations where the landlord is unable to obtain funding to cover the cost of making improvements, or where all improvements which can be made have been made, and the property remains below an EPC rating of Band E.

¹ This policy has regard to the guidance published by the Department for Business Energy and Industrial Strategy.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882957/Domestic_Private_Rented_Property_Minimum_Standard_-_Landlord_Guidance_2020.pdf

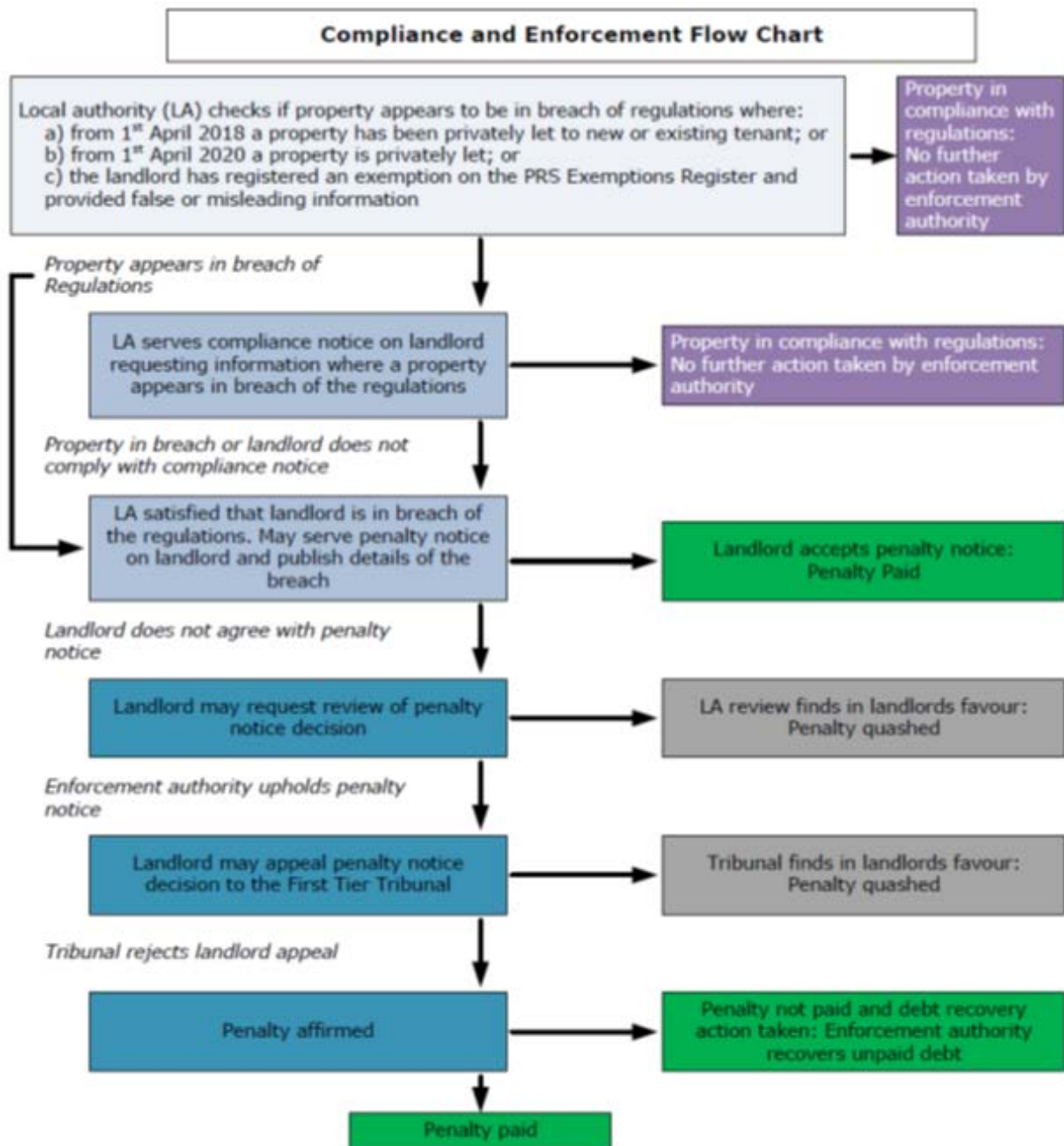
Where a valid exemption applies, landlords must register the exemption on the national PRS Exemptions Register.

Enforcement

The Council may check for different forms of non-compliance, including one or more of the following:

- a newly tenanted property was let in breach of the Regulations after 1 April 2018
- a tenanted property was let in breach of the regulations after 1 April 2020,
- false or misleading information was entered on the PRS Exemptions Register

The table below outlines the process of compliance and enforcement of these regulations.



Compliance Notice

If the Council suspect a breach has taken place they may serve a compliance notice requesting information to help them decide whether a breach has occurred. They may serve a compliance notice up to 12 months after a suspected breach occurred.

A compliance notice may request information on:

- the EPC that was valid for the time when the property was let
- the tenancy agreement used for letting the property
- information on energy efficiency improvements made
- any Energy Advice Report in relation to the property
- any other relevant document

Penalties

If a property is (or has been) let in breach of the Regulations the Council may serve a notice on the landlord or agent letting the property and impose a financial penalty up to 18 months after the breach and/or publish details of the breach on the national PRS Exemptions Register for at least 12 months.

Local authorities can decide on the level of the penalty having regard to the guidance:

Guideline for financial penalties for breaches of the regulations	
Breach	Penalty
Letting a sub-standard property for less than 3 months	up to £2,000 plus a publication penalty
Letting a sub-standard property for 3 months or more,	up to £4,000 plus a publication penalty
Registering false or misleading information on the PRS Exemptions Register,	up to £1,000 plus a publication penalty
Failing to comply with compliance notice	up to £2,000 plus a publication penalty
Maximum penalty to be applied against an individual property (NB This penalty can be repeated if the property remains sub standard and is let on a new tenancy).	up to £5,000

Right of review and right of appeal

A landlord can ask the Council to review its decision. They can withdraw the penalty notice if:

- new evidence shows a breach has not occurred
- a breach has occurred, but evidence shows the landlord took all reasonable steps to avoid the breach
- they decide that because of the circumstances of the case, it was not appropriate to issue a penalty

If the Council decides to uphold a penalty notice, a landlord may appeal to the First-tier Tribunal if they think that:

- the penalty notice was based on an error of fact or an error of law
- the penalty notice does not comply with a requirement imposed by the Regulations
- it was inappropriate to serve a penalty notice in the particular circumstances

The First-tier Tribunal will review the decision may:

- finds in the landlord's favour and the penalty is quashed, or
- rejects the landlord's appeal, and the penalty is affirmed. The landlord will then have to pay the penalty, or the Council take debt recovery action

Part 6 Tenancy Redress Scheme

People involved in letting agency work or/and property management work in the private rented sector, are required to be registered with an approved redress scheme under **The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014**

The Council is the enforcing authority for this statutory requirement and we are required to take enforcement action where we are made aware a person is engaged in letting agency or property management work and they are not registered with an approved redress scheme.

Currently there are 3 schemes approved by the National Trading Standards (Estate Agency Team):

A financial penalty of up to £5,000 can be levied by the Council for non-compliance. The guidance on fines under the regulations stipulates that the fine level should be set at £5000 automatically and then the individual organizations will have 28 days in which to make representations to the Council. Factors that may have an impact on the decision will include; lack of awareness, if a £5,000 fine is disproportionate to the turnover/scale of the business or would lead to an organisation going out of business.

It is proposed that any representations for a reduction in fine taking into account any extenuating circumstances are made to the Director and Portfolio Holder, who will have the final say on any fine levied. The penalty fines received by the enforcement authority may be used by the authority for any of its functions.

The enforcement authority can impose further penalties if a lettings agent or property manager continues to fail to join a redress scheme despite having previously had a penalty imposed. There is no limit to the number of penalties that may be imposed on an individual lettings agent or property manager, so further penalties can be applied if they continue to be in breach of the legislation.

Guidance on the enforcement route that must be followed is referenced in **Appendix 4** of this document.

Part 7 Changes to Tenancies under the Deregulation Act 2015

The Deregulation Act 2015 was passed on 26 March 2015 and covers various points of law, which have an impact on the Private Sector Housing and Homeless Service, the regulations will affect how the teams deal with private sector complaints, advice offered to landlords and how the Council deals with evictions from the private sector.

Tenancy Deposit Protection Schemes

The Deregulation Act 2015, which received Royal Assent on 26th March 2015, contains important changes to Tenancy Deposit Protection Scheme legislation that attempts to clarify the issues created by the court cases of Superstrike vs Rodrigues and Charalambous vs Ng.

The main changes, relate to deposits taken under any assured short hold tenancy. There is now a requirement for all deposits to be protected even applying to those tenancies previous to April 2007.

Landlords who have not complied will not be able to serve a Section 21 notice and WILL be liable for penalties for non-compliance in the Civil Courts if deposits are not protected.

Retaliatory evictions

The Deregulation Act introduces new provisions which came into force on 1 October 2015, to protect tenants from eviction in England only.

These provisions restrict a landlord's ability to serve a Section 21 notice in circumstances where the tenant has complained about the condition of the premises or the common parts of a building of which the premises form part, and the landlord either did not respond within 14 day or they have not provided an inadequate response.

The tenant can complain to the Council if they are not satisfied and the Council may investigate the matter for breaches of legislation under the Housing Act. In the event that the Council serves an enforcement notice on the landlord, the landlord will not be able to serve a Section 21 notice within six months of the date of the notice.

Although the legislation infers that tenants should contact the Council to make complaints regarding housing standards and that this action will result in immediate enforcement action. This is not in the spirit of the Councils approach in dealing with complaints under the Housing Act 2004 and each case will be dealt with on an individual basis. The overall aim is to ensure a satisfactory outcome for all parties and secure the accommodation through a preventative approach, rather than enforcement.

The provisions will apply to all Assured Shorthold Tenancies (AST) granted on or after 1 October 2015. They will not apply to a fixed term AST granted prior to that date even if, after 1 October 2015, the fixed term AST becomes a statutory periodic tenancy. The position changes, however, after the end of the period of three years, at which point the provisions will apply to any AST in existence.

Section 21 Notices

On the 1 July 2015 the Secretary of State introduced regulations prescribing the form on which a Section 21 notice must be served, this makes the procedure for serving a Section 21 notice much simpler and clearer and landlords will be required to comply with these requirement before serving a notice.

From 1 October 2015 in England, there will be no requirement for the date specified in the Section 21 notice to be the last day of a period of the tenancy and a landlord will not be able to serve a Section 21 notice within the first four months of the tenancy. In addition there is now

statutory right for the tenant to claim back rent paid in advance (calculated on a daily basis) where a Section 21 notice brings the tenancy to an end before the end of a payment period.

The new rules will apply to ASTs granted on or after the 1st October 2015, they will not apply to all fixed term AST granted prior to this date even if, after the relevant date, the fixed term AST becomes a statutory periodic tenancy.

The position changes, however in respect of these provisions after a period of three years, at which point it will apply to all tenancies. In respect of the prescribed information about the rights and responsibilities of the landlord and tenant under the AST, this will apply from 1st October 2015.

The prescribed requirements are set out in the regulations and relate to the condition of dwelling houses and their common parts, the health and safety of occupiers of dwelling houses, and the energy performance of dwelling houses.

Part 8 Protection from Eviction

Offences Dealt With By the Homeless Service

The Homeless Service takes the lead responsibility for enforcing various offences to do with the behaviour of landlords towards tenants and the requirement for landlords to provide information to tenants relating to their tenancy.

The most serious of such offences dealt with by the Council are to do with the harassment and illegal eviction of tenants (Protection from Eviction Act 1977). The Council generally regards these offences as very serious because of its commitment to:

- a. Protecting the interests of vulnerable people
- b. Promoting respect for the individual's home.
- c. Preventing homelessness

The law provides grounds for landlords to lawfully regain possession of their premises and these procedures must be followed when a landlord wants a tenant (or licensee) to leave. Where an allegation is made that an offence has been committed under the Protection from Eviction Act 1977, the Council will investigate with a view to:

- Informing the landlord and occupier of their rights and responsibilities where appropriate.
- Prosecuting offences where there is sufficient evidence and where it is in the public interest to do so.

Prosecution of offences dealt with by the Homeless team and the issue of Simple Cautions will be dealt with in accordance with this policy.

Part 9 Right to Rent Legislation

On 1st February 2016, legislation will be rolled out across England, requiring landlords and letting agents to conduct checks on prospective tenants to ensure they only let property to those with a right to rent in the UK. If they do not conduct checks and are found to be renting out to someone without that right, then they may face a civil penalty.

The Council will have a role to play in raising awareness of the scheme among landlords, letting agents and tenants.

Part 10, Other areas of legislation

Environmental Protection Act 1990

Private Sector Housing Officers can use sections 79 and 80 of the Act to tackle premises that are deemed to be a nuisance/prejudicial to health. Prejudicial to health is defined as injurious or likely to cause injury or health. This typically includes properties that are damp or have mould growth; these can have an effect on people's health. A nuisance is taken to be anything that interferes with the use and enjoyment of a neighbouring property or which materially affects the comfort and quality of life of the public at large. An examples of nuisances include defective guttering serving the roof of one property allowing rain to penetrate through and affect the neighbouring property.

Officers can serve a Notice under section 80 of the Act requiring the abatement of the statutory nuisance within certain time limits. Failure to comply with such as Notice is a criminal offence, with a maximum penalty of £5000.

Local Government (Miscellaneous Provisions) Acts 1976, 1982

Section 16 Local Government (Miscellaneous Provisions) Act 1976 gives the Council the power to issue 'Requisition for Information Notices'. When the Council need to obtain information about a property in respect of which we are proposing to take enforcement action, we will serve a requisition for information Notice on the occupier and/or any person who has a legal interest in it, or who directly or indirectly receives rent, or is authorised to manage or to arrange for its letting.

Section 29 of the Local Government (Miscellaneous Provisions) Act 1982 gives the Council power to require the owner to board up a property to prevent unauthorised access, and to carry out the work in default of the owner if they fail to comply or cannot be found.

Part 11 Empty Properties

In conjunction with the Empty Property Strategy the following options will be available for consideration when dealing with long term empty properties;

Enforced sale

Where the Council have carried out works on an empty property, the owner of the property will normally be billed for the costs of the works. If the owner cannot or will not pay the

Council for the work it has done. The Council will seek to register the debt initially and then can look at selling the property to recover costs.

Empty Dwelling Management Orders

If a property has been empty for at least two years, and the owner has not responded to requests from the Council to repair and re-occupy the property, the Council can apply to the First Tier Property Chamber for an Interim Empty Dwelling Management Order and subsequently serve an Empty Dwelling Management Order. This Order allows the Council to take over the property, carry out any repair work that may be necessary, and then rent it out to tenants. The owner of the property will only get any income that remains once the Council has recovered its costs in bringing the property up to a decent standard, and as well as its costs in managing the property.

The Council will only consider applying for an Empty Dwelling Management Order as the last resort.

Boarding up of empty dwellings

See Local Government (Miscellaneous Provisions) Act in referenced in part 8.

Part 12 General Information

Planned enforcement activity

The Councils approach to the regulation of Housing Standards will be evidence based. Inspections will be undertaken to actively target those properties and areas where we believe we should be addressing priority risks. This approach will be documented annually in the directorate service plan.

Improving standards in property management through Landlord Accreditation

In May 2014, the Council adopted the Cumbria Landlord Accreditation Scheme, the scheme set up a joint Cumbrian approach to landlord accreditation in partnership with the National Landlord Association. The scheme's approach is to drive improvement in the sector through education of landlords, to improve property standards and management.

Media coverage

Media coverage will normally be sought in the following cases:

- The offence is widespread in the area and coverage will assist in securing compliance by others
- To draw attention to particular serious hazards
- The offence is serious and/or was committed wilfully and the Council wishes to draw attention to its willingness to take a hard line in such cases
- Coverage is otherwise in the public interest

A press release will also be issued about convictions where it is considered that publicity will bring benefits by promoting compliance with those statutory requirements designed to protect the health, safety and welfare of customers, residents, workers and visitors as well as the environment.

Complaints

In the event that an individual or company is not satisfied with the Service or they do not agree with the action taken by the investigating officer, they should first contact the Principal Health and Housing Officer who will escalate the complaint to a Senior Manager if appropriate. If this does not resolve your complaint the Council also has a formal complaints system.

Review

We will monitor and consider the effectiveness of this policy and it will be subject to reviews as and when appropriate and also to accommodate changes in legislation and as local needs dictate.

Due to recent changes in the private rented sector, all future small amendments will be made in conjunction with the Service Director and the Portfolio Holder and documented in a Officer Decision Notice.

If you have any comments please contact the Environmental Health Team on 01228 817320 or e-mail environmetalhealth@carlisle.gov.uk

Additions to the Enforcement Policy March 2020 (response to COVID19)

In March 2020 the Government introduced a guide for Local Authorities on the enforcement around the private rented sector in light of the global coronavirus outbreak. This guidance will be incorporated in our existing risk assessments which have been put in place by the Local Authority to prevent the spread of the virus, protect our staff and our communities.

Although the information issued is non statutory guidance under section 9 of the Housing Act 2004, the Local Authority welcomes the guidance issued by Ministry of Housing, Communities and Local Government and will use the document to assist us in supporting landlords and tenants during the unprecedented challenges posed by the COVID-19 outbreak. **(Appendix 6)**

The main updates are below

Updates to Inspections and investigations

A decision at this time to inspect a rented property might be made because:

- There is a duty to act because there is an imminent risk to health due to a serious hazard.
- A serious hazard was previously identified and may still exist.
- The local authority has been made aware that a tenant is vulnerable and it is not clear if they are aware of the presence of hazardous conditions.

This list is not exhaustive and should not be treated as conclusive. Practically however it might not be possible to inspect a property due to tenants self-isolating or refusing to allow access to the property. Officers should therefore ensure that reasonable efforts are made to engage with all parties, including any third-party organisations who maybe able to offer assistance.

Officers may also assist in the process without the need to carry out a physical inspection, inspection will be dealt with on a case by case basis and a decision will be made to defer any complaints that are lower risk. Officers were possible should ask the complainant to provide photographs, video or even consider the use of live broadcasting, through Council enabled software.

In cases of extremely hazardous conditions, alternative accommodation might be considered as an alternative to emergency remedial action. Officers must liaise directly with Homeless Services around practical solutions in the climate.

Enforcement Action

Enforcement action which is non-urgent or not legally required may be delayed until restrictions ease.

- Legal notices served under the Housing Act 2004 may, if the notice provides for this, be suspended for a period due to difficulties in completing the works.
- Work in default may be deferred.
- Other forms of enforcement action may be considered for the most serious hazards, e.g. a Prohibition Order covering part of a property may be used instead of Emergency Remedial Action.
- Steps may be taken to isolate or contain rather than remedy hazardous conditions.

All decisions should be made on the merits of the individual case and based on an assessment of risk and the latest government advice around the outbreak.