

AGENDA

EXECUTIVE

MONDAY 22 JUNE 2020 at 4.00 PM

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

VIRTUAL MEETING – LINK TO VIEW

This meeting will be a virtual meeting and therefore will not take place in a physical location following guidelines set out in Section 78 of the Coronavirus Act 2020.

Register of Attendance and Declarations of Interest

A roll call of persons in attendance will be taken and 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.

PART A

To be considered when the Public and Press are present

A.1 2019/20 PROVISIONAL OUTTURN REPORTS

(Key Decision – KD.05/20)

(a) Provisional General Fund Revenue Outturn 2019/20 **1 - 26**

The Corporate Director of Finance and Resources to submit a report summarising the 2019/20 provisional outturn for the General Fund revenue budget and giving reasons for variances.

(Copy Report RD.01/20 herewith)

(b) Provisional Capital Outturn 2019/20 and Revised Capital Programme 2020/21 **27 - 44**

The Corporate Director of Finance and Resources to submit a report summarising the 2019/20 provisional outturn for the capital budget and providing details of the revised Capital Programme for 2020/21.

(Copy Report RD.02/20 herewith)

(c) Treasury Management Outturn 2019/20 **45 - 62**

The Corporate Director of Finance and Resources to submit a report providing the annual report on Treasury Management, together with the regular report on Treasury Transactions.

(Copy Report RD.03/20 herewith)

(d) Council Tax and NNDR Provisional Outturn 2019/20 **63 - 74**

The Corporate Director of Finance and Resources to submit a report summarising the 2019/20 provisional outturn and performance position for Council Tax and NNDR.

(Copy Report RD.04/20 herewith)

(e) Elected Members' Allowances – Provisional Outturn Report for 2019/20

75 - 80

The Corporate Director of Finance and Resources to submit a report setting out the amount of allowances paid to Members as part of the Elected Members' Allowances Scheme for 2019/20.

(Copy Report RD.05/20 herewith)

A.2 FOOD LAW ENFORCEMENT SERVICE PLAN 2020/21

81 - 106

(Key Decision – KD.08/20)

Pursuant to Minute EX.45/20, the Corporate Director of Governance and Regulatory Services to submit a report setting out how Regulatory Services will deploy its resources in 2020 – 2021 to improve hygiene standards, prevent food borne diseases, and help people live healthier lives. The Health and Wellbeing Scrutiny Panel received the report for information only.

(Copy Report GD.20/20 herewith)

A.3 SOLWAY COAST AONB MANAGEMENT PLAN

107 - 180

(Key Decision – KD.16/20)

The Corporate Director of Economic Development to submit a report concerning the Solway Coast AONB Management Plan.

(Copy Report ED.21/20 herewith)

A.4 NOTICE OF EXECUTIVE KEY DECISIONS

181 - 194

(Non Key Decision)

The Notice of Executive Key Decisions, published on 22 May 2020, is submitted for information.

(Copy Notice herewith)

A.5 SCHEDULE OF DECISIONS TAKEN BY PORTFOLIO HOLDERS

195 - 196

(Non Key Decision)

A Schedule detailing a decision taken by the Culture, Heritage and Leisure Portfolio Holder under delegated powers is attached for information.

(Copy Schedule herewith)

Background Papers – as detailed within the Schedule

A.6 SCHEDULE OF DECISIONS TAKEN BY OFFICERS

197 - 200

(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.7 JOINT MANAGEMENT TEAM

201 - 202

(Non Key Decision)

The Minutes of the meeting of the Joint Management Team held on 26 May 2020 are submitted for information.

(Copy Minutes herewith)

A.8 POTENTIAL DESIGNATION OF CONSERVATION AREAS AT BRISCO AND WREAY

203 - 274

(Non Key Decision)

The Corporate Director of Economic Development to submit a report presenting the work undertaken to progress the proposed conservation area designations for the villages of Brisco and Wreay.

(Copy Report ED.24/20 herewith)

Background Papers –

- The Planning (Listed Buildings and Conservation Areas) Act 1990
<http://www.legislation.gov.uk/ukpga/1990/9/contents>
 - National Planning Policy Framework (2019)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
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A.9 REFERENCE FROM THE CITY COUNCIL – NOTICE OF MOTION – FLOOD PROTECTION AND RESILIENCE **275 - 278**

(Non Key Decision)

Pursuant to Minute C.53/20(c), to consider a reference from the City Council requesting that the Executive undertake work in relation to flood protection and resilience.

(Copy Minute Excerpt herewith)

A.10 END OF YEAR PERFORMANCE REPORT 2019/20 **279 - 308**

(Non Key Decision)

The Policy and Communications Manager to submit a report containing the end of year 2019/20 performance against the current Service Standards, together with a summary of the Carlisle Plan 2015-18 actions as defined in the 'plan on a page'. Performance against the 2019/20 Key Performance Indicators is also included

(Copy Report PC.14/20 herewith)

A.11 NEW ALLOCATIONS POLICY AND EQUALITY IMPACT ASSESSMENT

(Non Key Decision)

309 - 426

The Corporate Director of Governance and Regulatory Services to submit a report concerning the new Allocations Policy and Equality Impact Assessment.

(Copy Report GD.22/20 herewith)

Background Papers –

Homeless and Rough Sleeping Strategy for Carlisle 2015-20

<https://www.carlisle.gov.uk/LinkClick.aspx?fileticket=O7JyYfUVyt4%3d&tabid=1888&portalid=0&mid=8408>

Homelessness Reduction Act 2017

<http://www.legislation.gov.uk/ukpga/2017/13/contents/enacted>

PART B

To be considered in Private

- NIL -

Members of the Executive:

Councillor J Mallinson (Leader's Portfolio)
Councillor G Ellis (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 2 July 2020

Report to Executive

Agenda
Item:

A.1(a)

Meeting Date: 22nd June 2020
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD.05/20
Within Policy and Budget Framework YES
Public / Private Public

Title: PROVISIONAL GENERAL FUND REVENUE OUTTURN 2019/20
Report of: CORPORATE DIRECTOR OF FINANCE AND RESOURCES
Report Number: RD 01/20

Purpose / Summary: This report summarises the 2019/20 provisional outturn for the General Fund revenue budget and gives reasons for the variances. The outturn position will result in returning £485,000 to General fund reserves (as set out in paragraph 5.3).

Requests are made to carry forward committed expenditure of £811,000, net transfers to/from reserves and provisions of £1,510,437 and transfer to the building control reserve of £60,247, which, if approved, will result in an overall net underspend position of £69,095 on Council Services; however it is estimated that additional funding from Business Rates income of £475,000 will be realised (subject to the completion of the NNDR3 return and confirmation of any pooling gains).

Following completion of the NNDR3 return and final confirmation of the Business Rates Pooling, £237,600 of the additional funding from business rates will be used to support the capital programme and will not be returned to general fund reserves. This will be confirmed as part of the report to Council in July.

It should be noted that the information contained in this report is provisional, subject to the formal audit process. The Draft Statement of Accounts for 2019/20 will be presented to the Audit Committee on 30 July, with final approval of the audited accounts on 27 October.

Recommendations:

The Executive is asked to:

- (i) Note the net underspend of £2,390,532 for Council Services as at 31 March 2020;

- (ii) Note the committed expenditure totalling £811,000, to be incurred in 2020/21 which has been approved by the Corporate Director of Finance and Resources under delegated powers, and the release of £811,000 from the General Fund Reserve in 2020/21 as detailed in Appendix D1 of the report for recommendation to Council;
- (iii) Approve the creation of new reserves and transfers into and from the new and existing reserves of £1,425,837, in addition to the transfer to the building control reserve of £60,247 as detailed in paragraphs 5.1 and 5.2 and Appendix D2 of the report for recommendation to Council;
- (iv) Approve the creation of new provisions and transfers into the new provisions of £84,600 as detailed in paragraph 5.1 and Appendix D2 of the report for recommendation to Council.

Tracking

Executive:	22 June 2020
Scrutiny:	BTSP 23 July 2020
Audit Committee:	30 July 2020 (for information only)
Council:	14 July 2020

1. BACKGROUND

- 1.1 In accordance with the City Council's Financial Procedure Rules, the Corporate Director of Finance and Resources is required to report to the Executive on the overall budget position, the monitoring and control of expenditure against budget allocations and the exercise of virement on a regular basis. Further details of virements processed can be found in **Appendix A**. It is the responsibility of individual Directors to control income and expenditure within their service areas and to monitor performance, taking account of financial information provided by the Corporate Director of Finance and Resources.
- 1.2 This report shows the provisional outturn position for the General Fund Revenue budgets for 2019/20.
- 1.3 A summary of the overall position is shown in paragraph 2. Further details for each directorate are included in **Appendices B1 – B7** as follows:
- (i) A comparison of the outturn position against the budget.
 - (ii) An analysis of the major variances relating to both income and expenditure, with comments from the Directors.
 - (iii) The items of carry forwards to cover committed expenditure to be expended in line with the original purpose. These requests follow the procedure agreed by Council with every form being signed off by the relevant Director after discussion with the Portfolio holder, and the Corporate Director of Finance and Resources.
 - (iv) Reserves to be established and/or increased to support possible future funding obligations.
- 1.4 Members should note that the information contained in this report is provisional and subject to the formal audit process. The draft Statement of Accounts for 2019/20 will be presented to the Audit Committee on 30 July, with formal approval of the audited accounts on 27 October. Any significant changes required following the approval of the 2019/20 accounts will, if necessary, be reported to a future Executive meeting.
- 1.5 Please note that throughout this report:
- (i) the use of a bracket represents a favourable position i.e. either an underspend or additional income received,
 - (ii) the term 'underspend' is taken to include both reduced expenditure and/or increased income,
 - (iii) the term 'overspend' includes both spending above budget and/or reduced income levels.

2. SUMMARY REVENUE OUTTURN 2019/20

- 2.1 The provisional outturn position for the General Fund is summarised below and explanations for the main variances are provided in the appendices. The significant variances and key issues are highlighted in paragraph 3:

Directorate / Appendix	Original Budget £	Net Updated Budget £	Net Spend to Date £	Variance £	Carry Forwards £	Reserves/ Provisions £	Adjusted Variance £
Community Services (B1)	8,523,900	9,742,800	9,817,903	75,103	55,300	126,474	256,877
Corporate Support (B2)	3,081,500	1,502,500	1,331,312	(171,188)	0	0	(171,188)
Economic Development (B3)	977,600	1,649,900	1,256,185	(393,715)	65,000	631,505	302,790
Finance & Resources (B4)	3,331,200	1,618,000	956,938	(661,062)	12,700	24,100	(624,262)
Governance & Regulatory Services (B5)	536,600	1,126,700	821,514	(305,186)	110,300	532,358	337,472
Corporate Management (B6)	(2,095,700)	(156,600)	(586,882)	(430,282)	23,700	196,000	(210,582)
Exceptional Items (B7)	0	500,000	(4,202)	(504,202)	544,000	0	39,798
Service Expenditure	14,355,100	15,983,300	13,592,768	(2,390,532)	811,000	1,510,437	(69,095)
Transformation & Base Budget Savings	(734,100)	0	0	0	0	0	0
Service Expenditure	13,621,000	15,983,300	13,592,768	(2,390,532)	811,000	1,510,437	(69,095)
Parish Precepts	637,600	637,600	637,627	27	0	0	27
Total	14,258,600	16,620,900	14,230,395	(2,390,505)	811,000	1,510,437	(69,068)
Transfers to/(from) Reserves							
Transformation Reserve	(152,100)	(152,100)	(152,100)	0	0	0	0
Welfare Reform Reserve	(200,000)	(200,000)	(200,000)	0	0	0	0
Asset Investment Reserve	(47,600)	(47,600)	(47,643)	(43)	0	0	(43)
Revenues and Benefits Reserve	(338,400)	(338,400)	(338,385)	15	0	0	15
Building Control Reserve	0	(44,600)	(44,600)	0	0	0	0
Cremator Replacement Reserve	0	117,400	117,441	41	0	0	41
Carry Forward Reserve	47,600	14,900	14,943	43	0	0	43
Revenue Grants Reserve	0	(354,600)	(354,665)	(65)	0	0	(65)
General Fund Reserve	(558,600)	(1,465,300)	1,400,619	2,865,919	(811,000)	(1,510,437)	544,482
Planning Services Reserve	0	46,300	46,300	0	0	0	0
GLL Reserve	0	(273,000)	(272,820)	180	0	0	180
Flood Reserve	0	(159,600)	(159,600)	0	0	0	0
City Centre Reserve	0	(4,600)	(4,600)	0	0	0	0
Economic Investment Reserve	0	(6,100)	(6,100)	0	0	0	0
Promoting Carlisle Reserve	0	(10,000)	(10,000)	0	0	0	0
Total Transfer to/(from) Reserves	(1,249,100)	(2,877,300)	(11,210)	2,866,090	(811,000)	(1,510,437)	544,653
Financed by:							
Precept from Collection Fund	(7,870,700)	(7,870,700)	(7,870,724)	(24)	0	0	(24)
Business Rate Retention	(5,138,800)	(5,872,900)	(6,348,461)	(475,561)	0	0	(475,561)
Total Grants	(13,009,500)	(13,743,600)	(14,219,185)	(475,585)	0	0	(475,585)
Total	(14,258,600)	(16,620,900)	(14,230,395)	2,390,505	(811,000)	(1,510,437)	69,068

2.2 The table above details the net Council budget. The Council's original gross budget for 2019/20 was £57.71m and although there are many individual variances as detailed by directorates in **Appendices B1 – B7**, the net underspend equates to 0.12% of this budget. The main variances are summarised in the table below.

Budget Area		Underspend £	Overspend £
Recycling & Waste Management Income	B1	0	223,430
Special Events	B1	0	53,823
Car Parking Income	B1	0	111,866
Garage Services	B1	0	69,663
Grounds Maintenance	B1	(68,153)	0
Healthy Cities	B1	(55,903)	0
ICT Services	B2	(121,030)	0
Business Interaction Centre	B3	0	68,608
Development Control Fee Income	B3	0	266,783
Loan Interest (including new borrowing)	B4	(569,162)	0
Insurance Premiums	B4	(72,950)	0
HR Advisory Services	B4	56,974	0
Legal Services	B5	0	73,233
Lanes Rent	B5	0	197,348
Building & Facilities Services	B5	(44,245)	0
Civic Centre	B5	0	84,361
Enterprise Centre	B5	(47,588)	0
Other Rental Properties Income	B5	0	64,033
Homeless Accommodation	B5	0	114,488
Regulatory Services	B5	(182,739)	0
Salary Turnover Savings	B6	(216,700)	0

3. EXPLANATION OF SIGNIFICANT VARIANCES & KEY ISSUES

3.1 The provisional outturn position for 2019/20 is an underspend of £69,095 after taking into account carry forward requests of £811,000 as set out in paragraph 4, and transfers to/from earmarked reserves and provisions totalling £1,510,437, as set out in paragraph 5.

3.2 Some of the **significant** service expenditure and income variances are set out below. Many of these have been reported throughout the year in budget monitoring reports and further explanations are provided in the appendices.

- A shortfall from income from the sale of recyclates due to a fall in the price of plastic and a shortfall in income from the sale of Garden Waste.
- A shortfall in income from lamp post and digital banner advertising (Special Events budget B1).
- A shortfall in car parking income from tickets, permits and penalty charge notices.

- A net overspend in Garage Services as a result of a shortfall in trading income.
- A net underspend in Grounds Maintenance due to underspends on transport related expenditure and supplies and services.
- An underspend in the Health and Wellbeing Team due to staff vacancies in the team.
- A net underspend in ICT Services due to reduced expenditure on software maintenance and payments to consultants.
- A net overspend at the Business Interaction Centre due to a shortfall in income and there being no budgets identified to fund the monthly running costs.
- A shortfall from Development Control fee income due to slower progression on new sites and construction slowing down.
- A saving from interest on borrowing due to the level and rate of new borrowing arrangements entered into and the date the new arrangements commenced.
- An underspend relating to reduced insurance premiums as a result of the retender exercise.
- An overspend on HR Advisory Services employee costs.
- An overspend on Legal Services employee costs and a shortfall from Land Charges fee income.
- A shortfall in Lanes rental for the year. The shortfall for 2019/20 is £325,000 due to current market conditions as there remains great uncertainty in the high street with few active enquiries and where any new lettings are agreed, these are often on short-term flexible agreements that do not produce significant and certain rental receipts. However, the 2018/19 Head Rent reconciliations have been reconciled which resulted in an additional payment to the Council and reduced the year end shortfall.
- An underspend on Building and Facilities Services mainly due to reduced spend on premises expenditure.
- An overspend on premises rental at the Civic Centre partly offset by underspends on utility costs. Also, a shortfall in rental income achieved.
- Additional rental income achieved at the Enterprise Centre.
- Shortfall in rental income from Other Properties mainly from vacant properties that are being considered for disposal. Further pressures are due to vacant units and downward rent reviews.
- An overspend of £59,378 on expenditure on Homeless Accommodation mainly relating to a shortfall in savings required to offset the loss of the supporting people funding. Also, a shortfall in income of £55,110 due to some units being vacant for refurbishment.
- A net underspend in Regulatory Services due to increased levels of Licence fee income, HMO registration fee income and Home Improvement fee income. Civil

Penalties income has also been received and is intended to be utilised in part to enhance the stock condition survey.

- Additional salary turnover achieved against the budget.

3.3 A subjective analysis of the summarised outturn position is shown in **Appendix C**.

3.4 The reallocation of central departments' balances to service areas still has to be carried out, which explains many of the small balances held on some management and support service cost centres. This reallocation will be completed before the Statement of Accounts is prepared but has no impact on the overall out-turn position.

3.5 Members are regularly updated on the budget position throughout the year, with quarterly reports being considered by the Executive and scrutinised by Business and Transformation Scrutiny Panel. Many of the variances shown in the Appendices have previously been reported with any necessary steps to mitigate the impact on the future budget position dealt with as part of the 2020/21 budget. However, some pressures may have an ongoing impact which must be addressed during the forthcoming 2021/22 budget process.

4. CARRY FORWARD REQUESTS

4.1 In accordance with the Council's Constitution, any net underspending/savings on service estimates under the control of the Director may be carried forward. This is to facilitate the achievement of more strategic five year budgeting which requires greater flexibility of budgets between years as set out in the Medium Term Financial Plan. Approval of carry forwards is subject to the following as contained in the Council's Constitution:

- *the authorisation of the Corporate Director of Finance and Resources where the request relates to a specific committed item of expenditure where, due to external or other factors, the Director has been unable to spend the approved budget by 31 March. The use of the resource will be restricted to the purpose for which the estimate was originally intended. The carry forward will only be approved by the Corporate Director of Finance and Resources if the expenditure is within both the Directorate's and the Authority's budget as approved for that year. Any carry forward which would result in an over-spend for the Authority will require authorisation by the Council.*
- *any overspending on service estimates in total on budgets under the control of the Director must be carried forward to the following year, and will constitute the first call on service budgets in the following year, unless the Council determines*

otherwise by way of a supplementary estimate. The Corporate Director of Finance and Resources will report the extent of overspending carried forward to the Executive, Business and Transformation Scrutiny Panel and to the Council.

The delegated power applies only in so far as the carry forwards do not take the Council into an overspend position.

- 4.2 Details of the carry forward requests, which itemise committed expenditure, are contained within **Appendix D1**. The requests have been subject to the scrutiny of the relevant Director and Portfolio Holder prior to formal consideration by SMT and the Corporate Director of Finance and Resources who is satisfied that budgets of £811,000 should be carried forward into 2020/21. Although some Directorates have expended in excess of their budgets or have suffered reduced income as detailed in the individual appendices, once committed expenditure is taken into account there is an overall underspend across the authority.

The relevant Director will be able to give further details of carry forward requests if required at the meeting.

- 4.3 For information, the table below provides details of the outturn position (excluding funding) and level of carry forward requests over the last five years for illustrative purposes:

	2019/20 Provisional £	2018/19 £	2017/18 £	2016/17 £	2015/16 £
Variance at 31 March	(2,390,532)	18,685	(1,539,526)	(1,242,132)	(2,612,443)
Carry forward requests	811,000	406,700	663,800	393,000	593,900
Final Variance	(1,579,532)	425,385	(875,726)	(849,132)	(2,018,543)
Less Transfers	<u>1,510,437</u>	<u>206,275</u>	<u>1,276,247</u>	<u>407,300</u>	<u>1,993,500</u>
Service Expenditure variance	(69,095)	631,660	400,521	(441,832)	(25,043)
Percentage variance on service expenditure of original gross budget	(0.12)%	1.15%	0.71%	(0.75)%	(0.04)%

5. RESERVES AND PROVISIONS

- 5.1 Details of transfers into and from new/existing reserves and provisions requested as part of the outturn process are contained within **Appendix D2** and are summarised below.

	Net Approval Requested £
Waverley Viaduct Reserve (new)	30,000
Apprentice Infrastructure	24,100
Flood Reserve	94,000
Carry Forward Reserve	126,900
Revenue Grants Reserve	1,150,837
Total Additional Transfers to Reserves	1,425,837
Working Directive Provision (new)	62,000
Civil Penalties Provision (new)	22,600
Total Additional Transfers to Provisions	84,600
Total Additional Transfers	1,510,437

The creation of the Waverley Viaduct Reserve is to hold allocated budgets for the development of the Waverley Viaduct.

- 5.2 In accordance with statutory requirements any surplus generated by the Building Control function is required to be held as an identified earmarked reserve and can only be utilised for Building Control. In 2019/20 the required amount to be transferred to the Building Control Reserve is £60,247. This is in addition to £44,600 released during 2019/20 to fund eligible costs.
- 5.3 The level of Council reserves was approved by Council in February. Due to the level of underspend identified within this report and if all of the carry forward requests and transfers to/from earmarked reserves are approved, an additional £485,000 will be returned to the General Fund Reserve as a result of the 2019/20 outturn (subject to the completion of the NNDR3 return and final confirmation of any pooling gains).

	31/03/2020 £'000s	31/03/2021 £'000s	31/03/2022 £'000s	31/03/2023 £'000s	31/03/2024 £'000s	31/03/2025 £'000s
Prudent Level of Reserves	(3,100)	(3,100)	(3,100)	(3,100)	(3,100)	(3,100)
Council Resolution General Fund Reserve	(3,681)	(3,225)	(2,974)	(3,035)	(3,156)	(3,336)
Funding released for Covid-19	500	500	500	500	500	500
Revised Level of Reserves	(3,181)	(2,725)	(2,474)	(2,535)	(2,656)	(2,836)
Underspend position to be returned to Reserves	(2,391)					
Additional Funding from Business Rates	(475)					
Transfer (from)/to earmarked reserves & provisions: ⁽¹⁾						
- see paragraph 5.1	1,510					
- see paragraph 5.2	60					
Committed Carry Forwards	0	811	0	0	0	0
Revised Reserves Balance	(4,477)	(3,210)	(2,959)	(3,020)	(3,141)	(3,321)

Note 1: Transfers to/(from) earmarked reserves subject to approval

Note 2: The Final Reserves Balance will be dependent on additional transfer as part of the Statement of Accounts including the final position on Business Rates.

- 5.4 The Carry Forward Reserve is retained as a general reserve rather than an earmarked reserve as budgets will be released back into the General Fund Reserve if the expenditure incurred in line with the original requests can be met from within base budgets.

6. BAD DEBT PROVISION

- 6.1 The Council's bad debt provision has been increased in respect of sundry debtors and reduced in respect of penalty charge notices and housing benefit overpayments, and this has been allocated directly to the services. Further details can be found in report RD04/20 elsewhere on the agenda.

7. BALANCE SHEET

- 7.1 In line with suggested best practice, information relating to significant items on the Council's balance sheet has been reported regularly to Members during the course of the year. The Council's balance sheet as at 31 March 2020 forms part of the annual Statement of Accounts that will be considered by the Audit Committee on 30 July, with final approval of the audited accounts on 27 October.
- 7.2 The VAT partial exemption calculation has been finalised for 2019/20 resulting in 2.85% for the year which is well below the 5% limit set by HMRC. However, this will increase as expenditure is incurred on the capital programme especially on VAT exempt activities i.e. Civic Centre reinstatement.

- 7.3 The 2019/20 Council Tax Collection Fund projected surplus has decreased from £562,578 to £23,143 (Council share decreased from £69,394 to £2,842).
- 7.4 2019/20 is the seventh year of the Business Rate Retention Scheme and the Collection Fund Accounting Regulations and the sixth year the Council has participated in the Cumbria Pooling arrangement.
- 7.5 The detailed figures for Business rates are considered elsewhere on the agenda in report RD04/20. The Council budgeted for additional income of £2,484,000, and the provisional outturn shows that an additional £475,000 on top of this has been achieved in 2019/20 (subject to the completion of the NNDR3 return and final confirmation of any pooling gains). This surplus on the budget will be an additional contribution to General Fund Reserves.

However, following completion of the NNDR3 return and final confirmation of the Business Rates Pooling, £237,600 of the additional funding from business rates will be used to support the capital programme and will not be returned to general fund reserves. This will be confirmed as part of the report to Council in July.

The Council Tax and NNDR Provisional outturn report provides further details and is considered elsewhere on the agenda (RD04/20).

8. COVID-19

- 8.1 COVID-19 has had minimum impact on the financial position as at 31st March 2020; however, emergency funding of £1.132million has been received to support Council services in 2020/21 in terms of additional expenditure and loss of income. Monthly returns are being submitted to the MHCLG to identify potential costs, with the hope that further funding will be made available to local authorities. Early indications are that the estimated full year costs of COVID-19 equates to approximately £4.9million; however, any loss of income from Business Rates and Council Tax will add to this sum and is being closely monitored.

9 RISKS

- 9.1 Risks to future years' budget and development of ongoing impact of issues identified will be monitored carefully in budget monitoring reports and appropriate action taken. The impact on COVID-19 on the Council's resources is the greatest risk to ensuring that the Medium-Term Financial Plan is able to support service delivery whilst ensuring that reserves are maintained. The completion of the NNDR3 return and final confirmation of any pooling gains is needed before any funding is released to support Council projects.

10. CONSULTATION

10.1 Consultation to date.

Portfolio Holders and SMT have considered the issues raised in this report.

10.2 Consultation Proposed.

Business and Transformation Scrutiny Panel will consider the report on 23 July 2020.

11. CONCLUSION AND REASONS FOR RECOMMENDATIONS

11.1 The Executive is asked to:

- (i) Note the net underspend of £2,390,532 for Council Services as at 31 March 2020;
- (ii) Note the committed expenditure totalling £811,000, to be incurred in 2020/21 which has been approved by the Corporate Director of Finance and Resources under delegated powers, and the release of £811,000 from the General Fund Reserve in 2020/21 as detailed in Appendix D1 of the report for recommendation to Council;
- (iii) Approve the creation of new reserves and transfers into and from the new and existing reserves of £1,425,837, in addition to the transfer to the building control reserve of £60,247 as detailed in paragraphs 5.1 and 5.2 and Appendix D2 of the report for recommendation to Council;
- (iv) Approve the creation of new provisions and transfers into the new provisions of £84,600 as detailed in paragraph 5.1 and Appendix D2 of the report for recommendation to Council.

12. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

12.1 The Council's budget is set in accordance with the priorities of the Carlisle Plan and the 2019/20 outturn shows the delivery of these priorities within budget.

Contact Officer: Emma Gillespie

Ext: 7289

**Appendices A, B1 to B7, C and D1 to D2.
attached to report:**

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

- None

CORPORATE IMPLICATIONS:

LEGAL – The Council has a fiduciary duty to manage its finances properly and the proper reporting of the outturn figures is part of this process. Approval of full Council is required for the use of revenue reserves to fund expenditure commitments as set out in the report.

PROPERTY SERVICES – Property asset implications are contained within the main body of the report.

FINANCE – Financial implications are contained within the main body of the report.

EQUALITY – This report raises no explicit issues relating to the public sector Equality Duty.

INFORMATION GOVERNANCE – There are no information governance implications.

REVENUE BUDGET MONITORING 2019/20

VIREMENTS PROCESSED FOR PERIOD JANUARY TO MARCH 2020

Date	Virement Details	Recurring/ Non-recurring	Value	Authorised By
Requested by Officers (under £35,000 or delegated authority)				
Jan-20	Release of City Centre Reserve re Festive Lighting	Non-recurring	4,600	Town Clerk & Chief Executive OD.96/18
Jan-20	Release of funding from Revenue Grants Reserve for Homelessness Prevention	Non-recurring	32,700	Corporate Director of Finance and Resources
Feb-20	Revenue contribution to capital from sale of waste receptacles to provide additional funding for the purchase of new items	Non-recurring	4,100	Neighbourhood Services Manager
Feb-20	Virement from Salary Turnover Savings to fund Central Plaza resilience grants	Non-recurring	15,300	Corporate Director of Finance and Resources
Feb-20	Release of funding from Revenue Grants Reserve for Homelife	Non-recurring	1,400	Corporate Director of Finance and Resources
Mar-20	Release of General Fund Reserve to fund emergency expenditure in relation to the Coronavirus pandemic	Non-recurring	500,000	Corporate Director of Finance and Resources OD.45/20
Mar-20	Revenue contribution to capital from Carlisle Pageant budgets towards the cost of the replacement Digital Banner	Non-recurring	5,700	Health & Wellbeing Manager
Mar-20	Release of funding from Revenue Grant Reserve for Healthy Cities	Non-recurring	1,600	Corporate Director of Finance and Resources
Mar-20	Release of funding from Revenue Grant Reserve for Sugar Smart Campaign	Non-recurring	1,200	Corporate Director of Finance and Resources
Mar-20	Release of funding from Revenue Grant Reserve for Doorstep Walks	Non-recurring	200	Corporate Director of Finance and Resources
Mar-20	Release of funding from Revenue Grant Reserve for One Public Estate	Non-recurring	8,500	Corporate Director of Finance and Resources
Mar-20	Release of funding from Revenue Grant Reserve for Homelessness	Non-recurring	4,900	Corporate Director of Finance and Resources
Mar-20	Virement from Revenues and Benefits to Revenues and Benefits Shared ICT Service	Non-recurring	21,900	Revenues and Benefits Operations Manager
Mar-20	Virement from Salary underspends to cover additional pension costs	Non-recurring	39,600	Health & Wellbeing Manager
Mar-20	Release of funding from Economic Investment Reserve to fund Central Plaza resilience grants	Non-recurring	6,100	Town Clerk & Chief Executive OD.51/20
Mar-20	Release of funding from Promoting Carlisle Reserve to fund Central Plaza resilience grants	Non-recurring	10,000	Portfolio Holder Decision Notice PF.3/20
Mar-20	Release of funding from Planning Services Reserve to fund Development Control expenditure	Non-recurring	31,400	Town Clerk & Chief Executive OD.53/20
Approved by Executive (£35,000 to £70,000 or delegated authority)				
Approved by Council (over £70,000)				

REVENUE BUDGET MONITORING 2019/20

COMMUNITY SERVICES	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	18,913,700	(6,420,600)	(2,750,300)			9,742,800
Budget to date	18,913,700	(6,010,600)	(3,160,300)			9,742,800
Total Actual	18,678,343	(5,758,336)	(3,102,104)			9,817,903
Variance	(235,357)	252,264	58,196			75,103
Carry Forwards/Reserves & Provisions				55,300	126,474	181,774
Adjusted Variance	(235,357)	252,264	58,196	55,300	126,474	256,877

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions (A)	Adjusted Variance
Service	Note	£	£	£	£	£	£
Car Parking	1	(29,603)	115,667	42	0	0	86,106
Garage Services	2	(10,785)	13,341	66,807	300	0	69,663
Grounds Maintenance	3	(67,455)	(699)	0	0	0	(68,153)
Special Events	4	3,979	49,844	0	0	0	53,823
Healthy Cities	5	(57,493)	(13,510)	0	15,100	0	(55,903)
Recycling and Waste Services	6	(27,123)	223,430	(8,800)	36,100	24,100	247,707
Miscellaneous	7	(46,877)	(135,810)	147	3,800	102,374	(76,366)
Total Variance to date		(235,357)	252,264	58,196	55,300	126,474	256,877

Note	Community Services - Comments
1.	Shortfall in ticket income, contract income and penalty charge notice income.
2.	Various minor underspends including employee related expenses; shortfall in trading income.
3.	Underspend on transport related expenditure and supplies and services.
4.	Shortfall in income from lamp post and digital banner advertising.
5.	Underspend on Sports Development & overspend on Children and Young People expenditure; Additional sale income received.
6.	Budget shortfall of £25,500 towards the capital costs of replacement vehicles, underspends on transport costs; shortfall in income from sale of recyclates and Garden Waste.
7.	Minor underspends, surplus income and a shortfall in recharges across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

CORPORATE SUPPORT	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	6,638,300	(1,554,500)	(3,581,300)			1,502,500
Budget to date	6,638,300	(1,554,500)	(3,581,300)			1,502,500
Total Actual	6,456,526	(1,534,633)	(3,590,581)			1,331,312
Variance	(181,774)	19,867	(9,281)			(171,188)
Carry Forwards/Reserves & Provisions				0	0	0
Adjusted Variance	(181,774)	19,867	(9,281)	0	0	(171,188)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
ICT Services	1	(102,504)	(9,244)	(9,281)	0	0	(121,030)
Miscellaneous	2	(79,270)	29,111	0	0	0	(50,158)
Total Variance to date		(181,774)	19,867	(9,281)	0	0	(171,188)

Note	Corporate Support - Comments
1.	Underspends on software maintenance and payment of consultants fees.
2.	Minor underspends and shortfall in income across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

ECONOMIC DEVELOPMENT	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	4,418,600	(2,028,000)	(740,700)			1,649,900
Budget to date	4,418,600	(2,028,000)	(740,700)			1,649,900
Total Actual	4,280,238	(2,283,353)	(740,700)			1,256,185
Variance	(138,362)	(255,353)	0			(393,715)
Carry Forwards/Reserves & Provisions				65,000	631,505	696,505
Adjusted Variance	(138,362)	(255,353)	0	65,000	631,505	302,790

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
Business Interaction Centre	1	62,096	6,511	0	0	0	68,608
Development Control	2	(27,834)	266,783	0	0	0	238,949
Building Control	3	(31,216)	(19,051)	0	0	0	(50,268)
Regeneration	4	(17,382)	(267,193)	0	24,700	265,509	5,634
Carlisle South	5	(79,448)	(290,700)	0	27,900	340,650	(1,598)
Miscellaneous	6	(44,578)	48,297	0	12,400	25,346	41,465
Total Variance to date		(138,362)	(255,353)	0	65,000	631,505	302,790

Note	Economic Development - Comments
1.	Overspend on monthly running costs which do not have budgets identified; shortfall in income.
2.	Underspend on advertising and payment of consultant fees; shortfall in fee income.
3.	Underspend on employee related salary expenditure; increased fee income received.
4.	Grant income received in advance of expenditure.
5.	Underspend on third party payments; grant income received in advance of expenditure.
6.	Minor underspends and a shortfall in income across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

FINANCE AND RESOURCES	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	27,664,600	(22,826,800)	(3,219,800)			1,618,000
Budget to date	27,664,600	(22,826,800)	(3,219,800)			1,618,000
Total Actual	27,047,756	(22,888,645)	(3,202,173)			956,938
Variance	(616,844)	(61,845)	17,627			(661,062)
Carry Forwards/Reserves & Provisions				12,700	24,100	36,800
Adjusted Variance	(616,844)	(61,845)	17,627	12,700	24,100	(624,262)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
Treasury and Debt Management	1	(563,234)	827	10,501	0	0	(551,906)
Insurance	2	(73,004)	0	55	0	0	(72,950)
HR Advisory Services	3	44,921	(648)	0	12,700	0	56,974
Miscellaneous	4	(25,527)	(62,024)	7,071	0	24,100	(56,380)
Total Variance to date		(616,844)	(61,845)	17,627	12,700	24,100	(624,262)

Note	Finance and Resources - Comments
1.	Savings on borrowing costs due to the level and rate of new borrowing arrangements entered into and the date new arrangements commenced.
2.	Underspend relating to reduced insurance premiums from the recent tender process.
3.	Overspend on employee related expenditure.
4.	Minor underspends and surplus income across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

GOVERNANCE AND REGULATORY	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	11,242,500	(6,796,700)	(3,319,100)			1,126,700
Budget to date	11,242,500	(6,796,700)	(3,319,100)			1,126,700
Total Actual	11,241,984	(7,113,716)	(3,306,754)			821,514
Variance	(516)	(317,016)	12,346			(305,186)
Carry Forwards/Reserves & Provisions				110,300	532,358	642,658
Adjusted Variance	(516)	(317,016)	12,346	110,300	532,358	337,472

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
Legal Services	1	56,393	16,841	0	0	0	73,233
The Lanes	2	0	197,348	0	0	0	197,348
Buildings & Facilities Services	3	(140,425)	(910)	13,590	0	83,500	(44,245)
Civic Centre	4	69,829	14,532	0	0	0	84,361
Enterprise Centre	5	(1,588)	(46,000)	0	0	0	(47,588)
Other Rental Properties	6	17,346	64,033	0	0	0	81,379
Homeless Accommodation	7	59,378	(49,722)	0	0	104,832	114,488
Homeless Prevention and Welfare	8	(76,032)	(292,170)	0	64,900	285,501	(17,801)
Regulatory Services	9	(11,248)	(222,772)	(1,244)	0	52,525	(182,739)
Miscellaneous	10	25,832	1,804	0	45,400	6,000	79,037
Total Variance to date		(516)	(317,016)	12,346	110,300	532,358	337,472

Note	Governance & Regulatory Services - Comments
1.	Overspend on employee expenditure; shortfall in Land Charges fee income.
2.	Shortfall in rent income for 2019/20. Annual deficit of £325,000 projected although the previous year head rents have been reconciled which resulted in an additional payment to the Council.
3.	Underspend on premises expenditure; shortfall in trading income.
4.	Overspend on premises rental offset by underspends on utility costs; shortfall in rental income.
5.	Additional rental income received.
6.	Overspend on surveyor fees and void costs; Shortfall in rental income due to vacant properties. Additional pressures are anticipated due to downward rent reviews.
7.	Shortfall on budget savings required due to the loss of Supporting People funding & overspend on employee expenditure; shortfall in income due to units being vacant for refurbishment, grant income received in advance of spend.
8.	Underspend on general grants paid out (carry forward request); grant income received in advance of spend.
9.	Minor underspends on supplies and services; Additional licence income and agency fee income received.
10.	Minor overspends and shortfalls in income across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

CORPORATE MANAGEMENT	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	1,688,800	(1,845,400)	0			(156,600)
Budget to date	1,688,800	(1,845,400)	0			(156,600)
Total Actual	1,251,411	(1,838,293)	0			(586,882)
Variance	(437,389)	7,107	0			(430,282)
Carry Forwards/Reserves & Provisions				23,700	196,000	219,700
Adjusted Variance	(437,389)	7,107	0	23,700	196,000	(210,582)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
Other Financial Costs	1	(282,534)	7,106	0	0	102,000	(173,428)
Direct Revenue Financing	2	(114,393)	0	0	23,700	94,000	3,307
Miscellaneous	3	(40,462)	1	0	0	0	(40,461)
Total Variance to date		(437,389)	7,107	0	23,700	196,000	(210,582)

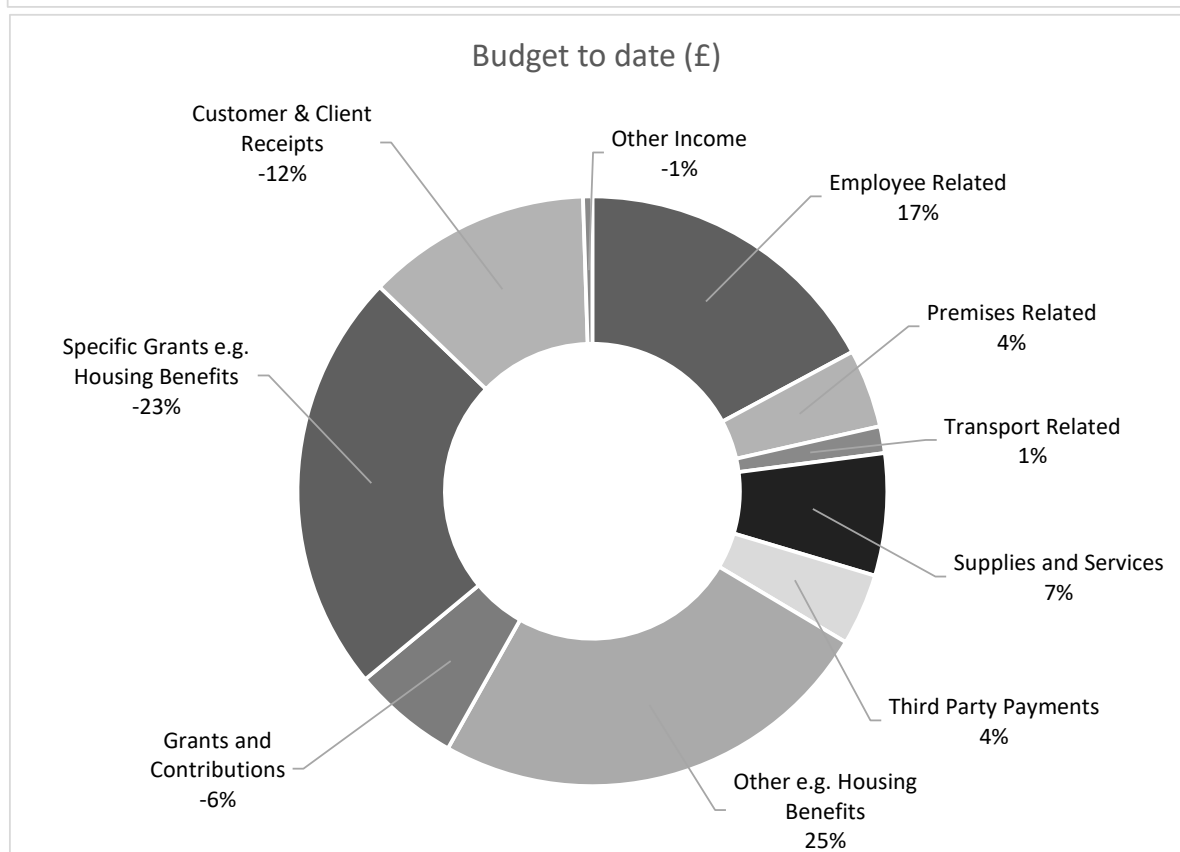
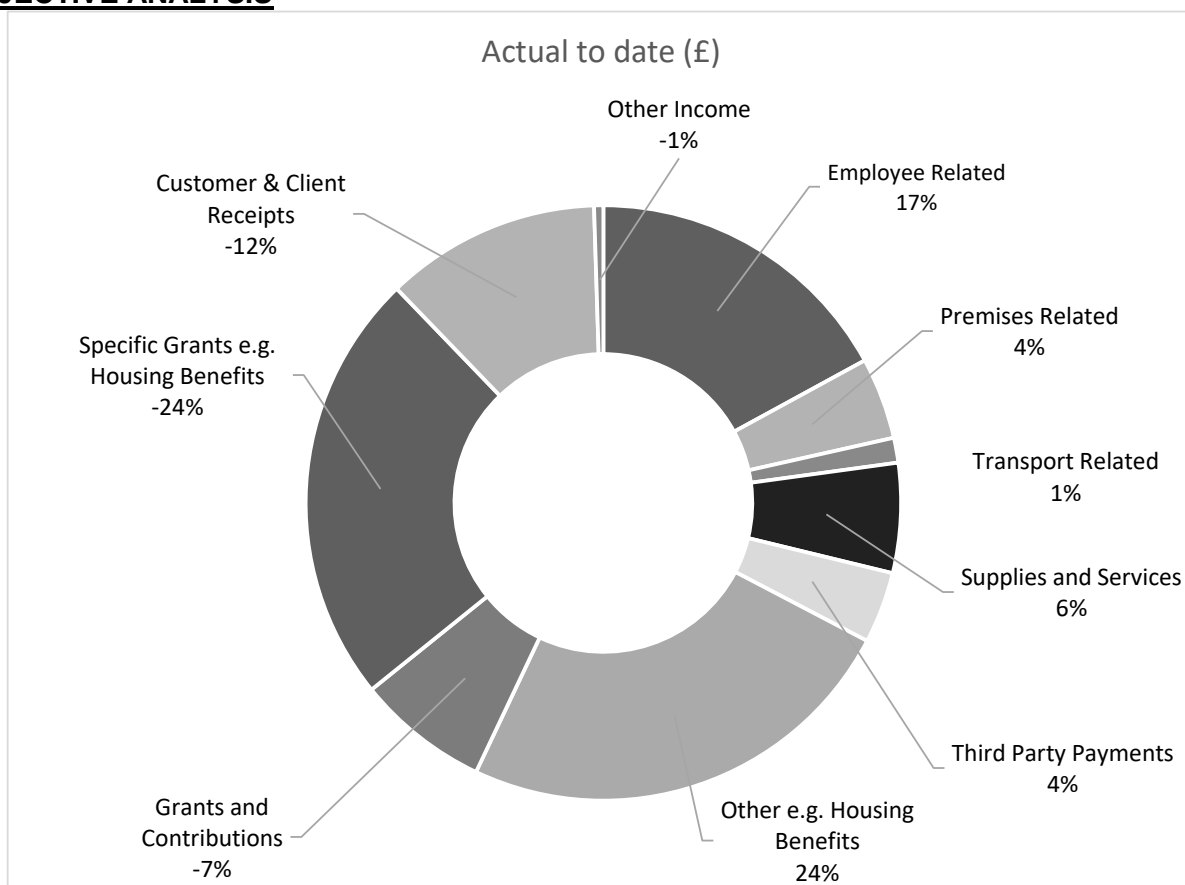
Note	Corporate Management - Comments
1.	Improvements in savings for Salary Turnover (£216,700) and change to employers liability provision (£50,000); Reduced government grants received.
2.	Carry forward to fund continuing capital schemes and transfer to Flood Reserve to fund Bitts Park expenditure.
3.	Minor underspends across other services within the Directorate.

REVENUE BUDGET MONITORING 2019/20

EXCEPTIONAL ITEMS	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Total
Position as at 31 March 2020	£	£	£	£	£	£
Annual Budget	500,000	0	0			500,000
Budget to date	500,000	0	0			500,000
Total Actual	55,066	(59,268)	0			(4,202)
Variance	(444,934)	(59,268)	0			(504,202)
Carry Forwards/Reserves & Provisions				544,000	0	544,000
Adjusted Variance	(444,934)	(59,268)	0	544,000	0	39,798

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Reserves / Provisions	Adjusted Variance
Service	Note	£	£	£	£	£	£
Corona Virus	1	(485,253)	(58,738)	0	544,000	0	9
Flood Recovery	2	40,319	(530)	0	0	0	39,789
Miscellaneous		(0)	0	0	0	0	0
Total Variance to date		(444,934)	(59,268)	0	544,000	0	39,798

Note	Exceptional Items - Comments
1.	Underspend against release of £500,000 and additional grant income received. Carry forward of balance to help support on-going pressures in 2020/21.
2.	Overspend in relation to uninsured and reinstatement costs as a result of flooding caused by Storm Ciara.

SUBJECTIVE ANALYSIS

Directorate/Section	Description	Requests into
		2020/21 £
<u>Corporate Support</u>		
		0
<u>Finance and Resources</u>		
Human Resources	Funding for the remaining period of a fixed term post.	12,700
		12,700
<u>Corporate Management</u>		
Direct Revenue Financing	Budgets allocated to fund capital programme where expenditure has slipped into 2020/21 and resources are required to be carried	23,700
		23,700
<u>Community Services</u>		
Policy & Communications	Funding for the remaining period of a fixed term Apprentice post.	3,800
Healthy Cities	To fund committed works to remove former 'Urban Adventure' High Ropes Course (Bitts Park) which have been delayed due to the flooding which took place in February 2020.	10,600
Neighbourhood Services	Funding for the remaining period of 3 fixed term Apprentice posts (1 within the Technical Team and 2 within Garage Services).	36,400
Small Scale Community Projects	Due to unforeseen events in 2019/20 some projects have slipped into 2020/21.	4,500
		55,300
<u>Economic Development</u>		
Community Infrastructure Levy	Required to honour existing commitments to undertake district wide CIL viability assessments as well as the viability assessments of the Stage 2 Masterplan options and preferred option.	12,400
Hadrian's Wall Heritage Site	This budget has been identified as the City Council's contribution to the preparation of the Outline Business Case (OBC) for the Hadrian's Wall Project that forms part of the wider Destination Programme that is being progressed and funded through the Borderlands Inclusive Growth Deal.	15,000
Borderlands	To undertake a masterplanning and capacity study for the Caldew Riverside site in relation to the Borderlands Citadels and Station Gateway Project.	9,700
St Cuthberts Garden Village	Required to honour existing commitments related to the St Cuthbert's Garden Village Project.	27,900
		65,000
<u>Governance & Regulatory</u>		
Homelessness Prevention Funding	To support prevention duties and activities; carry out homelessness activities in line with the principles of the Homeless Reduction Act.	64,900
Asset Disposal	Funding for the continuation of fixed term posts to enable the Asset Disposal programme to proceed as planned.	45,400
		110,300
<u>Exceptional Items</u>		
CoronaVirus Actions	The Corporate Director of Finance and Resources approved the release of an initial £500,000 from General Fund Reserves to fund any expenditure in relation to the Coronavirus pandemic which is outwith the current budgetary provisions.	544,000
		544,000
Total General Fund Carry Forward Requests		811,000

2019/20 REVENUE RESERVE REQUESTS

APPENDIX D2

Reserve/Provision	Purpose	Management of the Reserve	Approval to Release Funds	2020/21 In to Reserve £	Total £
NEW Waverley Viaduct	A reserve to earmark funds towards the development of the Waverley Viaduct.	Management of the Reserve rests with the Corporate Director of Governance and Regulatory Services	Approval to release funds from the reserve only be given by the Corporate Director of Governance and Regulatory Services.	30,000	30,000
EXISTING Apprentice Infrastructure	A reserve for the committed balances from the annual Apprentice Infrastructure budget that will be required in future years of the employment contracts.	Management of the Reserve rests with the Corporate Director of Finance and Resources	Approval to release funds from the reserve only be given by the Chief Finance Officer in consultation with the relevant Chief Officer.	24,100	24,100
Flood Reserve	A reserve to contribute towards flood recovery costs that are not recoverable from insurers	Management of the Reserve rests with the Corporate Director of Finance and Resources	Approval to release funds from the reserve only be given by an Officer Decision Notice by the Corporate Director of Finance and Resources.	94,000	94,000
Carry Forward Reserve	A reserve to hold carry forward budgets. Any expenditure in relation to a carry forward listed will if possible be funded from base budgets but can be called from this reserve if the section is likely to be in an overspend position at year end. Emergency Planning: Multi Agency Food Plan Environmental Support: Environmental clean up and enforcement England Originals: proposed match funding to grant application submitted to Discover England Fund Town Twinning: events take place every 2 years Building & Facilities: Planned and Reactive Maintenance	Management of the Reserve rests with the Corporate Director of Finance and Resources	Approval to release funds from the reserve only be given by the Corporate Director of Finance and Resources and/or The Chief Executive.	5,400 24,100 7,900 6,000 83,500	126,900
Revenue Grants Reserve	A reserve to hold revenue grant funds received by the Council which have not yet been utilised.	Management of the Reserve rests with the Corporate Director of Finance and Resources	Approval to release funds from the reserve only be given by the Corporate Director of Finance and Resources in consultation with the relevant Chief Officer.		1,150,837
Community Services	Health and Wellbeing: Grazing Land Management			44,700	
Community Services	Partnerships: Your Place funding for Place Co-ordinator			52,274	
Governance & Regulatory Services	Regulatory Services: Warm Homes Fund			3,698	
Governance & Regulatory Services	Regulatory Services: Community Neighbours			24,258	
Governance & Regulatory Services	Regulatory Services: Gas Safe 2019/20			1,969	
Governance & Regulatory Services	Homeless Prevention and Accommodation: Rough Sleeping Initiative			68,314	

2019/20 REVENUE RESERVE REQUESTS

APPENDIX D2

Reserve/Provision	Purpose	Management of the Reserve	Approval to Release Funds	2020/21 In to Reserve £	Total £
Governance & Regulatory Services	Homeless Prevention and Accomodation: Rapid Rehousing Pathway			108,382	
Governance & Regulatory Services	Homeless Prevention and Accomodation: Flexible Homelessness Support Grant			87,225	
Governance & Regulatory Services	Homeless Prevention and Accomodation: Homeless Reduction Act New Burdens Grant			21,580	
Governance & Regulatory Services	Homeless Prevention and Accomodation: Housing Related Support			104,832	
Economic Development	Investment & Policy: St Cuthberts Garden Village			340,650	
Economic Development	Investment & Policy: Self/Custom Build 2019/20 Burden Funding			15,000	
Economic Development	Investment & Policy: Brownfield Register and PIP Burden Funding			2,446	
Economic Development	Regeneration: Future High Street Fund			67,313	
Economic Development	Regeneration: Town Deals grant			172,848	
Economic Development	Regeneration: Hadrian's Wall Partnership Grant Year 1			25,348	
Corporate Management	Corporate Management: EU Exit preparations			10,000	
	TOTAL RESERVE REQUESTS			1,425,837	1,425,837
NEW PROVISIONS					
Working Directive Provision	To establish a provision in relation to costs associated with approved Working Directives			62,000	62,000
Civil Penalties Provision	To establish a provision in relation to costs to be funded from Civil Penalties income as per the Housing and Planning Act 2016			22,600	22,600
	TOTAL PROVISION REQUESTS			84,600	84,600
	TOTAL REQUESTS FOR RESERVES & PROVISIONS			1,510,437	1,510,437

Report to Executive

Agenda
Item:

A.1(b)

Meeting Date: 22nd June 2020
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD.05/20
Within Policy and Budget Framework YES
Public / Private Public

Title: PROVISIONAL CAPITAL OUTTURN 2019/20 AND REVISED CAPITAL PROGRAMME 2020/21
Report of: CORPORATE DIRECTOR OF FINANCE AND RESOURCES
Report Number: RD.02/20

Purpose / Summary:

This report summarises the 2019/20 provisional out-turn for the capital budget and provides details of the revised capital programme for 2020/21. The out-turn shows that the net underspend for Council Services as at 31 March 2020 once committed expenditure totalling £2,568,500 is taken into account is £10,171.

It should be noted that the information contained in this report is provisional subject to the formal audit process. The draft Statement of Accounts for 2019/20 will be presented to the Audit Committee on 30 July, with final approval of the audited accounts on 27 October.

Recommendations:

The Executive is asked to:

- (i) Note the net underspend as at 31 March 2020 of £10,171 which includes committed expenditure to be met totalling £2,568,500, which is recommended by the Corporate Director of Finance and Resources for approval to Council;
- (ii) Consider the revised programme for 2020/21, together with the proposed methods of financing and proposed carry forward into 2021/22, as detailed at paragraph 5 and Appendix B, for recommendation to Council.

Tracking

Executive:	22 June 2020
Scrutiny:	BTSP 23 July 2020
Audit Committee:	30 July 2020 (for information only)
Council:	14 July 2020

1. BACKGROUND

1.1 This report sets out the summarised financial out-turn for the Council's Capital Programme as follows:

- (i) the out-turn for individual schemes for 2019/20, summarised in **Appendix A**
- (ii) the revised programme for 2020/21, and the provisional programme for 2021/22 to 2024/25, summarised in **Appendix B**.

1.2 The report sets out the financial implications arising from the out-turn including the impact on capital resources for 2020/21. Members should note that the information contained in this report is provisional and subject to the formal audit process. Any significant changes required following the approval of the 2019/20 accounts will, if required, be reported to a future Executive meeting.

1.3 Please note that throughout this report the use of brackets indicates a favourable variance i.e. either an underspend or additional income received.

2. PROPOSALS

2.1 The original capital programme of £25,071,200 for 2019/20 was approved in February 2019. Since then, a review of the capital programme has been undertaken and the capital funding has been revised. In accordance with proper accounting practices it has been necessary to gross up the expenditure budgets to properly reflect the total cost of the schemes including those fully funded from external grant/contributions.

The revised programme for 2019/20 of £10,689,700 is a result of the following funding streams:

2019/20 Capital Budget	£
Original 2019/20 Programme (approved Feb 2019)	25,071,200
Carry forwards from 2018/19 (RD36/18 Council 05/03/19)	982,100
Reprofiling of Sands Centre Redevelopment (CS17/19 Council 25/06/19)	(5,572,200)
Carry forwards from 2018/19 (RD14/19 Council 16/07/19)	2,253,900
Additional Disabled Facilities Grant (RD14/19 Council 16/07/19)	432,500
S106 contributions towards Affordable Homes (OD.028/19)	4,000
Revenue contribution towards Digital Banner Replacement	26,200
Revenue contribution towards Customer Contact Centre (OD.067/19)	7,000
Revenue contribution towards Bitts Park Tennis Court (OD.075/19)	23,900
Release of capital funding for Emergency Works at Central Plaza (ED03/20 Council 07/01/20)	1,350,000
S106 contribution towards Play Area Improvements	23,500
S106 contribution towards Play Area Improvements (OD.101/19)	16,000
S106 contribution towards Open Space Improvements (OD.107/19)	11,600
Revenue contribution towards Vehicle Replacement	30,000
Revenue contribution towards purchase of Waste Receptacles	9,000
Increased contribution to Digital Banner from sale of equipment	8,000
Realignment of IT budget into future years (City Council budget Council 04/02/20)	(69,500)
Agreed Carry Forwards into 2020/21 (RD60/19 Council 03/03/20)	(10,952,800)
Agreed Carry Forwards into 2021/22 (RD60/19 Council 03/03/20)	(3,542,200)
Revenue contribution towards Bitts Park Electrical Work (OD.07/20)	22,900
Revenue contribution towards Bitts Park Demolition (OD.44/20)	14,700
Revenue contribution and external grant towards Play Area Improvements	31,800
External contributions towards Sands Centre Redevelopment	206,500
Ringfenced capital receipt towards repayment of grant at Durranshill	180,000
Additional contributions towards Disabled Facilities Grants	37,300
Revenue contribution towards Flood Reinstatement costs (OD.69/20)	84,300
Revised 2019/20 Capital Programme	10,689,700
Less Capital Reserves to be released by Executive	0
Revised 2019/20 Capital Programme (released)	10,689,700

2.2 The provisional out-turn position for the 2019/20 capital programme is shown below:

Directorate	Revised Annual Budget	Total Expenditure	Variance	Carry Forwards (Committed)	Revised Variance
	£	£	£	£	£
Community Services	4,148,400	2,356,405	(1,791,995)	1,697,900	(94,095)
Corporate Support	54,400	24,673	(29,727)	29,700	(27)
Economic Development	1,730,400	1,649,823	(80,577)	162,300	81,723
Governance & Regulatory Services	4,678,800	4,025,205	(653,595)	656,700	3,105
Total	10,612,000	8,056,106	(2,555,894)	2,546,600	(9,294)
Capital Exceptional Items	77,700	54,923	(22,777)	21,900	(877)
Total	10,689,700	8,111,029	(2,578,671)	2,568,500	(10,171)
Reserves to be released	0	0	0	0	0
Total	10,689,700	8,111,029	(2,578,671)	2,568,500	(10,171)

- 2.3 The position for 2019/20 after committed carry forwards have been taken into account is an underspend of £10,171.
- 2.4 There main variances after carry forwards are summarised below:
- An overspend of £49,764 on the purchase of Waste Receptacles.
 - An underspend of £49,746 on vehicle replacements. The replacement plan has been managed to take account of the overspend on Waste Receptacles.
 - An underspend of £94,000 on Bitts Park/Tennis Facilities project. The budget for the Bitts Park Reinstatement project (£94,000) is to be removed from the programme and a request is made within the Revenue Outturn report (elsewhere on this agenda) to transfer the £94,000 Council's revenue contribution into the Flood Reserve.
 - An overspend of £81,744 at Durrhill Industrial Estate. Expenditure is in relation to footpath works and the repayment of a previous capital grant received. A capital receipt of £120,000 was earmarked at the end of 2018/19 which can be used to cover these additional costs.
- 2.5 Otherwise schemes are progressing within budget, although some schemes have not been completed to the original timescales which has resulted in the request for carry forwards.
- 2.6 Further details for each directorate are included in **Appendices A1-A5**.
- 2.7 The 2019/20 programme has been kept to a level that takes account of the Council's ability to deliver schemes with regard to capacity and available resources.

Work has been carried out throughout the year to monitor the profiling of budgets and these have been adjusted to reflect progress in current capital schemes. The year end position for the capital programme is improved from previous years due to the implementation of the corporate reserves procedure and the improved profiling.

3. CARRY FORWARD REQUESTS

3.1 In accordance with the Council's Constitution, any net underspending/savings on service estimates under the control of the Director may be carried forward. This is to facilitate greater flexibility of budgets between years as set out in the Medium-Term Financial Plan. Approval of carry forwards is subject to the following as contained in the Council's Constitution:

- *the authorisation of the Corporate Director of Finance and Resources where the request relates to a specific committed item of expenditure where, due to external or other factors, the Director has been unable to spend the approved budget by 31 March. The use of the resource will be restricted to the purpose for which the estimate was originally intended. The carry forward will only be approved by the Corporate Director of Finance and Resources if the expenditure is within both the Directorate's and the Authority's budget as approved for that year. Any carry forward which would result in an over-spend for the Authority will require authorisation by the Council.*
- *any overspending on service estimates in total on budgets under the control of the Director must be carried forward to the following year and will constitute the first call on service budgets in the following year, unless the Council determines otherwise by way of a supplementary estimate. The Corporate Director of Finance and Resources will report the extent of overspending carried forward to the Executive, Business and Transformation Scrutiny Panel and to the Council.*

The delegated power applies only in so far as the carry forwards do not take the Council into an overspend position.

Carry forwards at the end of the year have been analysed to assess the year of potential expenditure to enable better profiling of budgets for future years. Of the committed carry forwards shown in paragraph 2.2, it is estimated that the full £2,568,500 will be spent in 2020/21.

4. FINANCING OF CAPITAL PROGRAMME 2019/20

4.1 Utilisation of resources to fund the 2019/20 Capital Programme in light of the out-turn is provisionally estimated as follows:

	Revised Budget £	Provisional Out-turn £
Capital Programme expenditure in year	10,689,700	8,111,029
Financed by:		
Capital Receipts (including PRTB receipts) (note 1)	3,445,000	3,299,000
Capital Grants		
• Disabled Facilities Grant	1,899,800	1,899,764
• General (note 2)	60,200	6,970
Reserves & Balances (note 3)		
• Direct Revenue Financing	1,856,200	1,741,807
Contributions from other bodies incl S106 (note 4)	424,300	327,689
Borrowing Requirement (In Year)	3,004,200	835,799
Total Financing	10,689,700	8,111,029

Notes:

1. There were no usable capital receipts carried forward from 2018/19. Capital receipts generated during the year amount to £3,299,000 compared to the revised estimate figure of £3,445,000, a decrease of £146,000.

The total sum available, £3,299,000 has been used to fund the Capital Programme in 2019/20, with the balance of funding required (£835,799) being financed from a borrowing requirement that is significantly lower than anticipated.

2. £53,200 of funding from capital grants has been carried forward into 2020/21 to allow the schemes to complete
3. The use of capital receipts has been optimised in order to fund 2019/20 capital expenditure. Direct revenue funding, S106 receipts and earmarked reserves and provisions specifically set up to fund capital expenditure have also been used to fund capital expenditure in 2019/20. Capital receipts are the last source of funding applied to finance the capital programme; external funding is always applied first.
4. Additional contributions were received towards DFGs, Play Areas, Open Space Improvements, Affordable Homes and Sands Centre redevelopment. £96,700 has been carried forward into 2020/21 to allow the schemes to complete.

5. FIVE YEAR CAPITAL PROGRAMME

5.1 A five-year Capital Programme for 2020/21 to 2024/25 is detailed in **Appendices B1-B2**.

5.2 The programme for **2020/21** totalling £29,915,800 is based upon the programme as agreed by Council in February 2020 of £14,160,600, the commitments brought forward from 2019/20 as identified above of £2,568,500, the commitments brought forward from 2019/20 already approved of £10,952,800, an increase of £432,500 for additional Disabled Facilities Grant awarded which has recently been advised and totals £1,899,764, an increase to the capital programme of £2,581,400 as approved by Council for the Civic Centre Development project, and a reduction in the programme of £780,000 relating to identified virements and carry forwards to provide the balance of funding for the Civic Centre Development project.

5.3 The 2020/21 programme will be continually reviewed to ensure the Council has the capacity to deliver this level of programme.

5.4 It is suggested that the revised programme for 2020/21 as detailed in Appendix B1 is financed as follows:

	<u>Original Budget</u> £	<u>Revised Budget</u> £
Original Programme	14,160,600	14,160,600
Add: Carried forward from 2019/20 (in Year)	0	10,952,800
Add: Carried forward from 2019/20 (Year End)	0	2,568,500
Add: Other adjustments to programme	0	2,655,100
Less: Carry Forwards into 2021/22	0	(421,200)
Total Expenditure to be financed	14,160,600	29,915,800
<u>Financed by:</u>		
Capital Grants		
• DFG	1,467,300	1,899,800
• General	203,700	2,256,900
Capital Receipts	2,010,000	2,190,000
Receipts used to fund resources	(112,000)	(112,000)
Contributions from other bodies	0	96,700
Direct Revenue Financing	1,017,600	3,243,100
Borrowing Requirement (In Year)	9,574,000	20,341,300
Total Financing	14,160,600	29,915,800

5.5 The proposed programme for **2021/22** to **2024/25** as detailed in Appendix B2 is based on the programme agreed by Council in February 2020 and an increase approved by Council for the Civic Centre Development project.

- 5.6 The increase in the Civic Centre Reinstatement project, as agreed by full Council on 5th May 2020, of £1,379,400, can be funded as follows under delegated powers:

Virement from:

Public Realm capital works	£380,000
G44	£400,000
Other Capital projects	£200,000 (to be confirmed)
Revenue outturn/BR retention	£237,600 (to be confirmed)
Invest to save (Civic car parking)	£161,800

6. RISKS

- 6.1 Individual capital schemes have different risks involved. A risk assessment of the overall capital programme is included in **Appendix C**.

7. CONSULTATION

- 7.1 Consultation to Date.
Portfolio Holders and SMT have considered the issues raised in this report.
- 7.2 Consultation Proposed.
Business and Transformation Scrutiny Panel will consider the report on 23 July 2020.

8. CONCLUSIONS AND REASONS FOR RECOMMENDATIONS

- 8.1 The Executive is asked to:
- (i) Note the net underspend as at 31 March 2020 of £10,171 which includes committed expenditure to be met totalling £2,568,500, which is recommended by the Corporate Director of Finance and Resources for approval to Council;
 - (ii) Consider the revised programme for 2020/21, together with the proposed methods of financing and proposed carry forward into 2021/22, as detailed at paragraph 5 and Appendix B, for recommendation to Council.

9. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 9.1 The Council's capital programme supports the current priorities in the Carlisle Plan.

Contact Officer: Emma Gillespie

Ext: 7289

Appendices attached to report: A1 to A5 and B1 to B2 and C

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 – The Council has a fiduciary duty to manage its finances properly and the proper reporting of the outturn figures is part of this process. Approval of full Council is required for the use of capital reserves to fund expenditure commitments as set out in the report.

PROPERTY SERVICES – Property asset implications are contained within the main body of the report

FINANCE – Financial implications are contained within the main body of the report.

EQUALITY – This report raises no explicit issues relating to the public sector Equality Duty. It is worth noting that the report includes the increase in funding for the Disabled Facilities Grants (DFGs).

INFORMATION GOVERNANCE – There are no information governance implications.

COMMUNITY SERVICES

Scheme	Revised Annual Budget £	Expenditure to date £	Variance to date £	Carry Forwards £	Adjusted Variance £	Details of major variance
Civic Centre Digital Banner	34,200	34,180	(20)	0	(20)	Revenue contribution to capital approved under delegated authority to provide a replacement digital banner. The previous equipment was faulty and not possible to repair due to obsolete technology and therefore needed to be replaced.
Vehicles & Plant	1,754,800	820,654	(934,146)	884,400	(49,746)	Slippage of planned vehicle replacements from 2019/20 into 2020/21. A revised replacement plan for the next 5-10 years has been provided as part of the 2020/21 budget process.
Cemetery Infrastructure	11,200	5,522	(5,678)	5,700	22	Improvements are underway and due to be completed in 2020/21 now.
Open Space Improvements	96,100	15,463	(80,637)	80,700	63	Funded by Section 106 monies. Poor weather and specific design queries have delayed projects which will now ben completed in 2020/21.
Play Area Developments	71,300	23,400	(47,900)	47,800	(100)	Approved Play Area Improvements funded from S106 monies. Working restrictions have delayed the project.
Green Gyms	32,800	32,797	(3)	0	(3)	Project complete.
Bitts Park/Tennis Reinstatement	94,000	0	(94,000)	0	(94,000)	Revenue contribution to capital towards the Bitts Park Tennis Facilities project. As part of the revenue outturn report it is requested that the funding from this project is transferred into the Flood Reserve.
Sands Centre Redevelopment	2,000,000	1,320,625	(679,375)	679,300	(75)	Budget reprofiled based on revised report approved by Council (CS.17/19 - 25/06/19). Carry forward required to realign budget to revised expenditure profile. Delays in project due to current working restrictions.
Waste Receptacles	54,000	103,764	49,764	0	49,764	Purchase of waste receptacles are overspent against the annual budget. The Council is no longer able to charge developers for the cost of new bins, bags and boxes provided for new homes. This will impact the level of revenue income generated which has previously been used to increase the capital budget.
Grand Total	4,148,400	2,356,405	(1,791,995)	1,697,900	(94,095)	

CORPORATE SUPPORT

Scheme	Revised Annual Budget £	Expenditure to date £	Variance to date £	Carry Forwards £	Adjusted Variance £	Details of major variance
ICT Infrastructure	47,400	17,646	(29,754)	29,700	(54)	Part of ICT Strategy Business Case. Implementation has been delayed and a revised plan for delivery has been considered as part of the 2020/21 budget process which incorporates a revised spend profile.
Customer Contact Centre	7,000	7,027	27	0	27	Release of Flood Reserve for the installation of Qmatic System (OD.067/19).
Grand Total	54,400	24,673	(29,727)	29,700	(27)	

ECONOMIC DEVELOPMENT

Scheme	Revised Annual Budget £	Expenditure to date £	Variance to date £	Carry Forwards £	Adjusted Variance £	Details of major variance
Central Plaza Emergency Works	1,350,000	1,337,679	(12,321)	12,300	(21)	Increase to capital programme approved by Council (ED.03/20 07/02/20) to fund emergency works at Central Plaza.
Durranhill Industrial Estate	180,000	261,744	81,744	0	81,744	Additional footpath work and repayment of capital grant. A capital receipt of £120,000 was earmarked at the end of 2018/19 which can be used to fund these works.
Planning Software	150,000	0	(150,000)	150,000	0	The project has been delayed whilst software options are being evaluated and core components of the project (for example data migration) are being further considered prior to the detail business case and tenders being prepared.
Affordable Homes	50,400	50,400	0	0	0	S106 funding towards provision of Affordable Homes. Project now complete.
Grand Total	1,730,400	1,649,823	(80,577)	162,300	81,723	

GOVERNANCE & REGULATORY SERVICES

Scheme	Revised Annual Budget £	Expenditure to date £	Variance to date £	Carry Forwards £	Adjusted Variance £	Details of major variance
Planned Enhancements to Council Property	329,600	182,443	(147,157)	146,800	(357)	Some slippage of planned projects into 2020/21.
Property Acquisition	150,000	153,429	3,429	0	3,429	Property purchase now complete. Slight overspend in relation to stamp duty land tax.
Gateway 44	1,459,200	1,437,288	(21,912)	21,900	(12)	Development and Improvement costs associated with the Junction 44 development.
Empty Properties Grants	23,200	0	(23,200)	23,200	0	Funding provided from minor works grant allocation to be used for bringing empty homes back into use.
Disabled Facilities Grants	2,716,800	2,252,045	(464,755)	464,800	45	Mandatory Grants. Increased grant allocation for 2019/20. The position is being closely monitored. An Action Plan confirms expenditure until 2021. Carry forward required into 2020/21.
Grand Total	4,678,800	4,025,205	(653,595)	656,700	3,105	

EXCEPTIONAL ITEMS CAPITAL EXPENDITURE

Scheme	Revised Annual Budget £	Expenditure to date £	Variance to date £	Carry Forwards £	Adjusted Variance £	Details of major variance
IC Buildings Flood Capital	77,700	54,923	(22,777)	21,900	(877)	Funding released from the Flood Reserve in relation to expenditure incurred in 2018/19 and 2019/20 on the reinstatement of Bitts Park and Civic Centre.
Grand Total	77,700	54,923	(22,777)	21,900	(877)	

Scheme	Original Capital Programme 2020/21 £	Carry Forwards from 2019/20 £	Carry Forwards from 2019/20 £	Other Adjustments £	Carry Forwards to 2021/22 £	Revised Capital Programme 2020/21 £
<u>Current non-recurring commitments</u>						
Sands Centre Redevelopment	10,962,200	5,037,800	679,300	0		16,679,300
On Street Charging Points Infrastructure	203,700	0	0	0		203,700
Gateway 44	0	5,000,000	21,900	(400,000)		4,621,900
Civic Centre Development	0	0	0	2,581,400		2,581,400
Funding carry forward to 2021/22 for Civic project	0	0	0	421,200	(421,200)	0
Play Area Improvements	0	0	47,800	0		47,800
Open Space Improvements	0	0	80,700	0		80,700
Cemetery Infrastructure	0	0	5,700	0		5,700
Central Plaza	0	0	12,300	0		12,300
Planning Software	0	0	150,000	0		150,000
Bitts Park Flood Reinstatement	0	0	21,900	0		21,900
	11,165,900	10,037,800	1,019,600	2,602,600	(421,200)	24,404,700
<u>Recurring commitments</u>						
Planned Enhancements to Council Property	250,000	0	146,800	0		396,800
Vehicles, Plant & Equipment	648,000	0	884,400	0		1,532,400
Recycling Containers	45,000	0	0	0		45,000
ICT Infrastructure	281,300	0	29,700	0		311,000
	1,224,300	0	1,060,900	0	0	2,285,200
<u>Housing Related Grants</u>						
Private Sector Grants	1,467,300	500,000	464,800	432,500		2,864,600
Minor Works Grants	0	0	23,200	0		23,200
	1,467,300	500,000	488,000	432,500	0	2,887,800
TOTAL	13,857,500	10,537,800	2,568,500	3,035,100	(421,200)	29,577,700
<u>Capital Reserves to be released</u>						
Cemetery Infrastructure	30,000	0	0	0		30,000
LED Footway Lighting Installation	203,100	0	0	0		203,100
Skew Bridge Deck	70,000	0	0	0		70,000
Play Area Improvements	0	35,000	0	0		35,000
Public Realm Improvements	0	380,000	0	(380,000)		0
	303,100	415,000	0	(380,000)	0	338,100
REVISED TOTAL	14,160,600	10,952,800	2,568,500	2,655,100	(421,200)	29,915,800

Scheme	Proposed Capital Programme 2021/22 £	Original Capital Programme 2022/23 £	Original Capital Programme 2023/24 £	Original Capital Programme 2024/25 £
Private Sector Grants	1,467,300	1,467,300	1,467,300	1,467,300
Planned Enhancements to Council Property	250,000	250,000	250,000	250,000
Vehicles, Plant & Equipment	1,215,000	1,158,500	976,500	1,851,000
ICT Infrastructure	101,300	76,300	131,400	101,400
Recycling Containers	45,000	45,000	45,000	45,000
Sands Centre Redevelopment	6,487,900	0	0	0
Civic Centre Development	1,020,600	0	0	0
Savings to be achieved to fund Civic Centre Project	(200,000)	0	0	0
Carlisle Southern Link Road	0	5,000,000	0	0
TOTAL	10,387,100	7,997,100	2,870,200	3,714,700

Capital Programme – Risk Assessment

Risk	Likelihood	Impact	Mitigation
Capital projects are approved without a full appraisal of the project and associated business case.	Remote	High	Strengthen the role of Transformation Sub-Group when considering capital project appraisals, to include consideration of business cases
Full capital and revenue costs of a project not identified.	Remote	High	Capital spending must meet statutory definitions. Financial Services to regularly review spending charged to capital. Appraisals to identify revenue costs, including whole life costs to improve financial planning.
VAT partial exemption rules are not considered.	Remote	High	Reduced impact following the decision to elect to tax land and property. To be considered as part of Project Appraisals and assessed by Financial Services.
Capital projects are not monitored nor reviewed (post contract) to ensure that the original business case assumptions have been achieved	Reasonably probable	Marginal	Better project management skills (including contract monitoring) have been introduced through PRINCE 2. Project managers to take more ownership and responsibility for the delivery of projects, including post contract reviews.
Capital projects are not delivered to time	Reasonably Probable	High	Significant slippage in the current capital programme. Better project management skills to be introduced through PRINCE 2. Project managers to take more ownership and responsibility for the delivery of projects. The review of the capital programme currently underway will address some of these issues.
Capital projects are not delivered to budget. Major variations in spending impact on the resources of the Council.	Reasonably Probable	High	Improved capital programme monitoring through PRINCE 2 and monthly financial monitoring. Corrective action to be put in place where necessary.
Assumptions on external funding for capital projects are unrealistic	Remote	High	Potential shortfalls arising from changes to external funding have to be met from other Council resources, so assumptions need to be backed by firm offers of funding before projects are submitted for appraisal. Risk increased due to uncertainty around funding, e.g. MHCLG grants
Spending subject to specific grant approvals e.g. housing improvement grants, disabled persons adaptations varies from budget	Remote	Marginal	Specific grants are generally cash limited so variations in projects supported by funding of this nature will be monitored closely to ensure target spend is achieved to avoid loss of grant or restrictions on subsequent years grant funding.
Shortfall in level of capital resources generated from Capital Receipts	Probable	High	Economic downturn will impact - early warning so as not to over commit capital resources.

Report to Executive

Agenda
Item:

A.1(c)

Meeting Date: 22 June 2020
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD.05/20
Within Policy and Budget Framework YES
Public / Private Public

Title: TREASURY MANAGEMENT OUTTURN 2019/20
Report of: CORPORATE DIRECTOR OF FINANCE AND RESOURCES
Report Number: RD 03/20

Purpose / Summary:

This report provides the annual report on Treasury Management (Appendix A), as required under both the Financial Procedure rules and the CIPFA Code of Practice on Treasury Management. Also included is the regular report on Treasury Transactions (Appendix B).

Recommendations:

That this report be received and recommended to Council for approval.

Tracking

Executive:	22 June 2020
Scrutiny:	BTSP 23 July 2020
Audit Committee:	30 July 2020 (for information only)
Council:	14 July 2020

1. BACKGROUND

- 1.1 The purpose of this report is to inform Members on various Treasury Management issues.
- 1.2 **Appendix A1** to this report sets out a final report on Treasury Management in 2019/20 as required by the CIPFA Code of Practice on Treasury Management. **Appendix A2** highlights some performance measures and **Appendix A3** shows the final prudential indicators for 2019/20.
- 1.3 **Appendices B1-B3** details the schedule of Treasury Transactions for the period 1 January 2020 – 31 March 2020.

2. RISKS

- 2.1 The Council's Treasury Management function is responsible for investing the Council's surplus cash balances and managing cash flows appropriately. The Treasury Management Strategy Statement and the Treasury Management Practices are completed and approved in line with the CIPFA Code and include appropriate mechanisms for dealing with the Council's investments and borrowing needs.

3. CONSULTATION

- 3.1 Business and Transformation Scrutiny Panel will consider the report on 23 July 2020 and the Audit Committee will do so on 30 July 2020.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1 That this report be received and recommended to Council for approval.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1 To ensure that the Council's investments are in line with appropriate policies including the Treasury Management Strategy Statement.

Contact Officer: Emma Gillespie **Ext:** 7289

Appendices attached to report:

- Appendix A1 – Treasury Management 2019/2020**
- Appendix A2 – Performance Statistics**
- Appendix A3 – Prudential Code and Prudential Borrowing**
- Appendix B1 – Treasury Transactions**
- Appendix B2 – Investment Transactions**
- Appendix B3 – Outstanding Investments**

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 – Treasury Management activities are delegated to the Corporate Director of Finance and Resources and Financial Procedure Rule 3.19 requires that she prepare an annual report on the topic. This Report fulfils that obligation.

Property Services – Not applicable

Finance – Included in the report

Equality - This report raises no explicit issues relating to the public sector Equality Duty

Information Governance – No implications

TREASURY MANAGEMENT 2019/20

1. INTRODUCTION

- 1.1 The CIPFA Code of Practice on Treasury Management (2019) requires that full Council should receive both a mid-term and an annual report on treasury management activities during the year. This report on the treasury function during 2019/20, while being first presented to the Executive, is therefore required to have the approval of full Council in order to comply with the CIPFA Code.
- 1.2 Regular reports on treasury transactions are presented to the Executive while an interim report on treasury management in 2019/20 was presented in November 2019 (RD31/19). The purpose of this report is to complete the process of accounting for the treasury function in the last financial year in compliance with the Code. Any funding and other financing transactions are detailed and placed in the context of money market conditions in 2019/20 while the City Council's investment activities are also discussed.

Separate papers (**A2** and **A3**) provide information on performance in 2019/20 and on the Prudential Code on local authority borrowing.

2. MONEY MARKET CONDITIONS

- 2.1 The following table sets out the levels of bank base rate in 2019/20.

	%	
1 April 2019	0.75	Average = 0.72%
11 March 2020	0.25	(2018/19= 0.67%)
19 March 2020	0.10	

- 2.2 The financial year began with bank rate at 0.75% however, the rate was reduced twice in March 2020 to 0.25% (11th) and then to 0.10% (19th).
- 2.3 The pattern of long-term borrowing rates in 2019/20 can be gauged by the following table of Public Works Loans Board (PWLb) fixed rate maturity loans during the year. These are the rates cited in the regular Treasury Transactions reports and relate to the type of loan that historically has most usually been taken up by the City Council.

	1 Yr %	10 Yr %	25 Yr %
1 April 2019	1.66	2.08	2.61
31 March 2020	2.10	2.37	2.85
Highest Rate in 2019/20	2.67	2.99	3.45
Lowest Rate in 2019/20	1.37	1.35	1.93
Span of Rates	1.30	1.64	1.52

3. LONG TERM FUNDING

3.1 The Prudential Code on local authority borrowing came into operation on 1 April 2004. The principal effect of the Code was to abolish most central government control of local authority borrowing, a principle that has been a cornerstone of local government finance for over a century. Instead, authorities must follow the guidance laid down in the Code and they will be expected to comply with its requirements. These cover not just borrowing but any decision that determines whether the capital investment plans of an authority are affordable, prudent and sustainable. The Code is discussed in more detail in **Appendix A3**.

3.2 The City Council entered into two PWLB long-term loans (totalling £14m) during 2019/20 to fund elements of its capital programme, supplementing funds drawn from the authority's own resources, stock of capital receipts, and from external grants and contributions.

4. DEBT RESCHEDULING

4.1 The City Council's long-term loans portfolio at the end of March 2020 consisted of the two new PWLB loans taken out at £9m and £5m. Principal on both loans will be repaid each year with final repayments due in 2059 & 2039 respectively.

5. LOANS OUTSTANDING

5.1 Set out below is a schedule of outstanding external loans as at 31 March 2020.

	£
Secured Loan Stock	15,000,000
Public Works Loans Board (PWLB)	13,762,500
Short Term Loans	<u>12,800</u>
Total Loans Outstanding	<u>£28,775,300</u>

The £15m stock issue, placed in 1995, was transferred to short term borrowing at the end of March 2020 and this has now been fully repaid in May 2020.

6. INVESTMENT TRANSACTIONS

- 6.1 As is apparent from the regular 'Treasury Transactions' reports, the City Council continues to be a frequent investor in the short-term money market and the interest earned from these transactions makes a valuable contribution to the overall level of the Council's revenue budget. Investments are placed only with the institutions that fall within the guidelines of the Council's approved Investment Strategy and a full schedule of investments at 31 March 2020 is set out in **Appendix B3**.
- 6.2 The total at that date (£29.713m) can be compared with an average figure in 2019/20 of over £34.913m and a peak amount of over £48.403m. The closing balance in 2018/19 was £19.535m.
- 6.3 The Investment Strategy for 2019/20 embraced a mixture of longer-term investments and monies lent out for shorter periods to meet anticipated cash flow needs e.g. grant and precept payment dates. Changes were made to specific counter-party limits in 2019/20 and these were detailed in report RD25-19, approved by Council in September 2019.
- 6.4 Investment income in 2019/20 at £442,073 was in line with the original estimate of £442,900. Actual investment rates obtained from banks and building society investments in 2019/20 were generally below expectations when the budget was set however, this was mitigated by the outturn on average cash balances being higher than expected. The average yield on the Council's investments held excluding the property fund in 2019/20 was 0.96%. This is still a favourable return considering the position of bank base rates and compares well against other local authorities. This performance was assisted by a significant proportion of investments being placed for longer terms of up to a year and the use of deposit accounts for shorter dated cash requirements.
- 6.5 At 31 March the investment in the CCLA Property Fund was yielding a return of 4.41%. Dividends received in 2019/20 totalled £146,930.56. The investment has also grown in capital value since the investment was placed in July 2014 from £2,836,893 (After entry costs of £163,107) to £3,312,995 (an increase of £476,102). The capital value for 2019/20 decreased by £122,778. The overall increase in value offsets the initial entry costs but is still subject to fluctuations in the overall performance of the fund. However, the fund is continuing to grow with more local authorities taking the decision to invest.

7 INVESTMENT STRATEGY 2019/20

- 7.1 The Investment Strategy must be agreed before the start of each financial year and the 2020/21 Strategy was approved by Council on 4 February 2020. While the principles of the Strategy remain fundamentally sound, any amendments to the current schedule of investments, if agreed by the Executive, must be approved by Council.

8. PERFORMANCE MANAGEMENT

8.1 The CIPFA Code places an increased emphasis on performance monitoring in an attempt to measure the efficiency of the treasury function. With treasury management, the difficulty in assessing performance arises from the very different circumstances of each authority and the fact that, for example, a long-term borrowing decision can affect an authority's measured performance for many years to come. Borrowing decisions invariably impact on investment decisions since, in cash flow terms, one can be the mirror image of the other.

8.2 **Appendix A2** sets out some performance indicators in respect of both loans and investments outturn for 2019/20 and 2018/19.

9. TREASURY CONSULTANCY SERVICE (TCS)

9.1 The City Council continues to employ Link Asset Services as its treasury management consultants. Link provide daily bulletins on both borrowing and investment issues and this helps advise both the investment and funding decisions that are taken by the Council.

10 CONCLUSIONS

10.1 At the end of March 2020, the City Council has substantial long-term loans including £14m new PWLB borrowing and the £15m Stock Issue. The stock issue has since been fully repaid in May 2020. The remaining loans will be paid back in equal instalments of principal over the lifetime of the loan. The Medium-Term Financial Plan anticipates external borrowing to support the Council's capital programme in 2020/21 and this will be further assessed during future planning of the MTFP during the course of this year. The focus of the authority's treasury management activities also remains very much on the investment aspect of the function.

10.2 Investment conditions were very similar to as they were in 2018/19, except for the March decreases in bank base which had minimal effect on investment returns in 2019/20. The impact of the reductions will however have an increased effect in 2020/21. The City Council's investment interest was slightly up on the previous year, the performance achieved was slightly better than bank base rate levels. For this authority, as indeed for most others, reduction in investment income poses a very significant financial challenge. This has been alleviated somewhat by the decision to invest in the CCLA property fund which has performed well since initial investment.

10.3 The outlook for interest rates in the UK remains uncertain but there is a general expectation that bank base rates will not start to rise again until 2022.

CITY OF CARLISLEPERFORMANCE MEASUREMENT STATISTICS1. LOANS MANAGEMENT

	2019/20 %	2018/19 %
Average External Debt Rate - Carlisle	6.17	8.78

Comment

Average loan debt statistics tend to reflect borrowing decisions taken over a period of many years.

2. INVESTMENT MANAGEMENT (Excl. Property Fund)

	2019/20 %	2018/19 %
Average Return in Year - Carlisle	0.96	0.99
Average Bank Base Rate in Year	0.72	0.67

Comment

The City Council's rate of return in 2019/20 on its investments was above that obtained in 2018/19; this was in line with expectations when the budget was originally set.

THE PRUDENTIAL CODE AND PRUDENTIAL BORROWING

1. Introduction

- 1.1 The Local Government Act 2003 brought about a new borrowing system for local authorities known as the Prudential Code (the Code). This gives to Councils much greater freedom and flexibility to borrow without government consent so long as they can afford to repay the amount borrowed.
- 1.2 The aim of the Code is to support local authorities when making capital investment decisions. These decisions should also be in line with the objectives and priorities as set out in the Council's Corporate Plan.
- 1.3 The key objectives of the Code are to ensure, within a clear framework, that the capital investment plans of the Council are affordable, prudent and sustainable, or if appropriate to demonstrate that they may not be. A further key objective is to ensure that treasury management decisions are taken in accordance with good professional practice and in a manner that supports prudence, affordability and sustainability. These objectives are consistent with and support local strategic planning, local asset management planning and proper option appraisal. They also encourage sound treasury management decisions.

2. Prudential Indicators

- 2.1 To demonstrate that the Council has fulfilled these objectives, the Code sets out indicators that must be used. It is for the Council itself to set any indicative limits or ratios. It is also important to note that these indicators are not designed to be comparative performance figures indicators but to support and record the Council's decision-making process.
- 2.2 The final performance indicators for the current year, as compared to those reported in during the budget cycle are set out below. The compilation and monitoring of these indicators is central to the operation of the Code.

3 Supported and Unsupported (or Prudential) Borrowing

- 3.1 Local authorities have always funded a substantial element of their capital programme via borrowing. This continues to be the case but until the introduction of the Prudential Code any local authority borrowing was essentially based upon a government 'permission to borrow'. This was deemed to be supported borrowing as credit limits were supported through funding from Revenue Support Grant. Following the introduction of the Prudential Code in 2003, the permission to borrow was essentially withdrawn and Councils were given greater freedom to borrow so long as they can demonstrate that the revenue

consequences of such borrowing (i.e. the cost of the debt) are sustainable, affordable and prudent in the medium to long term.

	2019/20 Provisional Outturn £	2019/20 Revised Estimate £
(i) Capital Expenditure	8,111,029	10,689,700
(ii) Financing Costs		
Interest Payable - Re Borrowing	1,452,538	2,021,700
Minimum Revenue Provision	21,000	21,000
Investment Income	(442,073)	(442,900)
Total Financing Costs	1,031,465	1,599,800
(iii) Net Revenue Stream		
Funding from Govt Grants/Local Taxpayers	14,219,185	13,743,600
(iv) Ratio of Financing Costs to Net Revenue Stream	7.25%	11.64%
The figures monitor financing costs as a proportion of the total revenue stream from government grants and local taxpayers. The increase in the ratio of financing costs is mainly attributable to the forecast reduction in investment income.		
(v) Incremental Impact on Council Tax	0.62	0.62
This indicator allows the effect of the totality of the Council's capital investment decisions to be considered at budget setting time.		
(vi) Authorised Borrowing Limit	44,100,000	44,100,000
Maximum Level of Borrowing and Other Long term Liabilities	28,775,300	28,775,300
The authorised borrowing limit is determined by Council prior to the start of the financial year. The limit must not be altered without agreement by Council and should not be exceeded under any foreseeable circumstances.		

	2019/20 Provisional Outturn £	2019/20 Revised Estimate £
(vii) Operational Borrowing Limit Maximum Level of Borrowing and Other Long term Liabilities The operational borrowing limit is also determined by Council prior to the start of the financial year. Unlike the authorised limit, it may be breached temporarily due to cashflow variations but it should not be exceeded on a regular basis.	39,100,000 28,775,300	39,100,000 28,775,300
(viii) Capital Financing Requirement (CFR) As at 31 March The CFR is a measure of the underlying borrowing requirement of the authority for capital purposes.	14,483,857	29,231,000

(a) Prudence and Sustainability

	2019/20 £
(i) Target New Borrowing to Date Long Term Borrowing taken in 2019/20	18,000,000 14,000,000
(ii) Target Percentage of Fixed Rate Long Term Borrowing Actual as at 31 March 2020	100% 100%
(iii) Target Percentage of Variable Rate Long Term Borrowing Actual as at 31 March 2020 Prudent limits for both fixed and variable rate exposure have been set at 100%. This is due to the limited flexibility available to the authority in the context of its overall outstanding borrowing requirement.	100% 0%
(iv) Target Minimum Level of Investments Classified as Specified Actual Level of Specified Investments as at 31 March 2020 As part of the Investment Strategy for 2019/20, the Council set a minimum level of 50% for its specified as opposed to non specified investments. The two categories of investment were defined as part of the Strategy but for the City Council non specified investments will presently refer mainly to either investments of over one year in duration or investments placed with building societies that do not possess an appropriate credit rating. These tend to be the smaller building societies.	50.00% 100.00%

TREASURY TRANSACTIONS
1 JANUARY 2020 TO 31 MARCH 2020

1. LOANS (DEBT)

1.1 Transactions 1 January 2020 to 31 March 2020

	Raised		Repaid	
	£	%	£	%
P.W.L.B	0	0	112,500	1.80
P.W.L.B	0	0	125,000	1.33
Short Term Loans	0	0	0	0
Overnight Borrowing	0	0	0	0
	0		237,500	

This provides a summary of loans that have been raised or repaid, analysed by type, since the previous report.

1.2 Loans (Debt) Outstanding at 31 March 2020

	£
City of Carlisle Stock Issue	15,000,000
P.W.L.B	13,762,500
Short Term Loans	12,800
	28,775,300

1.3 Loans Due for Repayment

	Stock Issue £	PWLB £	Total £
Short Term Debt at 31 March 2020	15,000,000	475,000	15,475,000
			15,475,000

Shown here is a calendar of future loan repayments which can be a useful aid to cash flow management. The City Council paid off the £15 million stock issue in May 2020.

1.4 Interest Rates

Link Asset Services do not forecast any future rate change for 24 months up to March 2022.

2. INVESTMENTS

	Made		Repaid	
	£	%	£	%
Short Term Investments	26,940,000	1.10-0.10	37,740,000	1.25-0.10
	26,940,000		37,740,000	

A full schedule of investment transactions is set out in **Appendix B2**. **Appendix B3** shows outstanding investments at 31 March 2020.

3. REVENUES COLLECTED

	Collected £	% of Amount Collectable %
Council Tax	62,143,990	97.12
NNDR	43,138,152	97.38
2019/20	105,282,142	97.22
Council Tax	58,790,993	97.36
NNDR	43,904,416	98.42
2018/19	102,695,410	97.80
Council Tax	55,759,579	97.57
NNDR	43,478,923	97.83
2017/18	99,238,503	97.68

Final collection levels were very similar to those of the previous two years.

4. BANK BALANCE

At 31 March 2020 the bank balance was £1,014,214.09 in credit.

This simply records the Council's bank balance at the end of the last day covered by the report.

5. OUTTURN ON TREASURY MANAGEMENT IN 2019/20

	Revised Estimate £000	Actual £000	Variance £000
Interest Receivable	(443)	(442)	1
Interest Payable	2,022	1,453	(569)
Less Rechargeable	(18)	(7)	11
	2,004	1,446	(558)
Principal Repaid	21	21	0
Debt Management	13	18	5
NET BALANCE	1,595	1,043	(552)

INVESTMENT TRANSACTIONS 1 JANUARY 2020 TO 31 MARCH 2020

INVESTMENTS MADE			INVESTMENTS REPAID	
	£			£
Federated Investors	1,800,000.00	HSBC	700,000.00	
HSBC	700,000.00	HSBC	250,000.00	
Svenska	3,900,000.00	HSBC	1,000,000.00	
Federated Investors	100,000.00	Svenska	320,000.00	
Bank of Scotland	1,000,000.00	Bank of Scotland	1,000,000.00	
HSBC	550,000.00	HSBC	100,000.00	
HSBC	700,000.00	HSBC	650,000.00	
Bank of Scotland	1,000,000.00	HSBC	250,000.00	
HSBC	330,000.00	Svenska	3,400,000.00	
HSBC	670,000.00	Goldman Sachs	1,000,000.00	
Svenska	990,000.00	Svenska	270,000.00	
Svenska	430,000.00	Svenska	820,000.00	
Svenska	3,390,000.00	HSBC	2,000,000.00	
HSBC	630,000.00	HSBC	630,000.00	
HSBC	400,000.00	Bank of Scotland	2,000,000.00	
Svenska	1,850,000.00	HSBC	400,000.00	
HSBC	750,000.00	Svenska	1,400,000.00	
HSBC	250,000.00	Federated Investors	400,000.00	
Svenska	3,200,000.00	Svenska	2,150,000.00	
HSBC	900,000.00	Goldman Sachs	2,000,000.00	
Svenska	3,400,000.00	HSBC	470,000.00	
		Federated Investors	100,000.00	
		HSBC	530,000.00	
		Goldman Sachs	2,000,000.00	
		Svenska	3,200,000.00	
		HSBC	900,000.00	
		Federated Investors	500,000.00	
		Santander	1,000,000.00	
		Goldman Sachs	2,000,000.00	
		Santander	1,000,000.00	
		Federated Investors	3,000,000.00	
		Svenska	2,300,000.00	
TOTAL	26,940,000		37,740,000	
		Bfwd	40,586,482	
		Paid	26,940,000	
		Repaid	37,740,000	
		CCLAdedcrease	-	73,487
		Total		29,712,995

Outstanding Investments as at 31 March 2020

Appendix B3

Category	Borrower	Principal (£)	Interest Rate	Start Date	Maturity Date	Current Days to Maturity	Days to maturity at execution	Total Interest Expected (£)
	Handelsbanken PLC	3,400,000	0.70%		Call1			0
	Goldman Sachs International Bank	1,000,000	0.96%	21/10/2019	20/04/2020	20	182	4,787
	Goldman Sachs International Bank	1,000,000	0.95%	25/10/2019	24/04/2020	24	182	4,737
	HSBC UK Bank PLC	5,000,000	0.90%		Call31			0
	HSBC UK Bank PLC	2,000,000	0.90%		Call31			0
	Santander UK plc	1,000,000	1.00%	18/11/2019	15/05/2020	45	179	4,904
	Bank of Scotland PLC	2,000,000	1.10%	11/09/2019	04/08/2020	126	328	19,770
	Bank of Scotland PLC	2,000,000	1.10%	01/11/2019	04/09/2020	157	308	18,564
	Santander UK plc	2,000,000	1.00%		Call31			0
	Santander UK plc	3,000,000	1.00%		Call31			0
	Bank of Scotland PLC	2,000,000	1.10%	05/11/2019	05/11/2020	219	366	22,060
	Bank of Scotland PLC	1,000,000	1.10%	07/01/2020	18/12/2020	262	346	10,427
	Bank of Scotland PLC	1,000,000	1.10%	20/01/2020	18/12/2020	262	333	10,036
Total Investments		£26,400,000	0.96%			139	278	£95,285

Borrower	Current Market Value (£)	Current Yield	Start Date	Initial Investment (£)	Entry Cost (£) ¹	Initial Market Value (£)	Unrealised Growth (£)
CCLA Property Fund	3,312,995	4.41%	31/07/2014	3,000,000	(163,107)	2,836,893	312,995

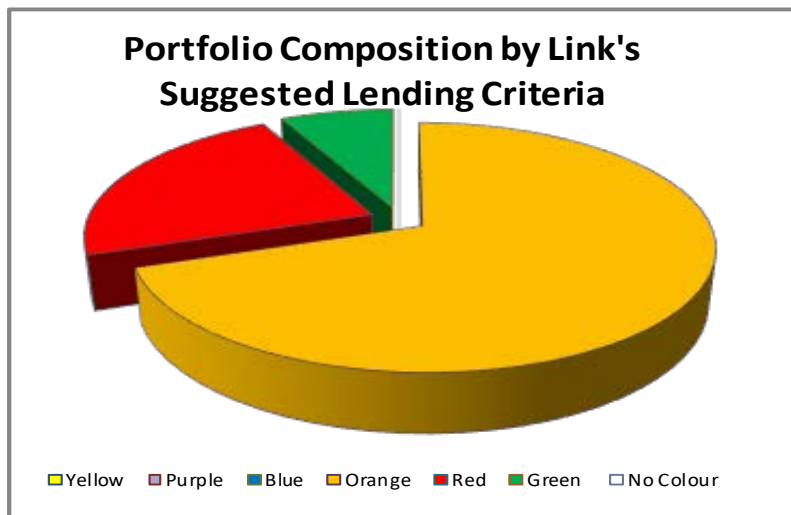
1. Entry Costs were charged against Treasury Management Budget in 2014/15

N.B Interest is recognised in the appropriate financial year in which it is due. The category colour represents the duration of investment recommended by Link Asset Services, the Council's Treasury Advisors. Those investments with No colour, are still within the Council's investment Strategy and are therefore deemed suitable for investing.

Investments Summary Sheet

	% of Portfolio	Amount	% of Colour in Calls	Amount of Colour in Calls	% of Call in Portfolio	Weighted Average Rate of Return WARoR	Weighted Average Days to Maturity WAM	Weighted Average Days to Maturity from Execution WAM at Execution
Yellow	0.00%	-	0.00%	-	0.00%	0.00%	0	0
Purple	0.00%	-	0.00%	-	0.00%	0.00%	0	0
Blue	0.00%	-	0.00%	-	0.00%	0.00%	0	0
Orange	69.70%	18,400,000	56.52%	10,400,000	39.39%	0.95%	95	158
Red	22.73%	6,000,000	83.33%	5,000,000	18.94%	1.00%	158	180
Green	7.57%	2,000,000	0.00%	-	0.00%	0.96%	22	182
No Colour	0.00%	-	0.00%	-	0.00%	0.00%	0	0
	100.00%	26,400,000	58.33%	15,400,000	58.33%	0.96%	104	165

Weighted Average Risk				
Risk Score for Colour (1 = Low, 7 = High)	Mar 2020	Dec 2019	Sep 2019	Jun 2019
1	0.0	0.1	0.0	0.1
2	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0
4	2.8	1.9	2.1	1.1
5	1.1	2.3	2.3	3.0
6	0.5	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0
	3.9	4.3	4.4	4.2



	Link's Suggested Criteria
Y	Up to 5 Years
P	Up to 2 Years
B	Up to 1 Year
O	Up to 1 Year
R	Up to 6 months
G	Up to 3 months
N/C	No Colour

Normal' Risk Score	3.5	3.5	3.5	3.5
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Report to Executive

Agenda
Item:

A.1(d)

Meeting Date: 22 June 2020
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD05/20
Within Policy and Budget Framework YES
Public / Private Public

Title: COUNCIL TAX & NNDR PROVISIONAL OUTTURN 2019/20
Report of: CORPORATE DIRECTOR OF FINANCE AND RESOURCES
Report Number: RD04/20

Purpose / Summary:

This report summarises the 2019/20 provisional outturn and performance position for Council Tax and NNDR.

Recommendations:

Members are asked to note the provisional outturn position at 31 March 2020 for Council Tax and NNDR and also note the position with regard to write offs and bad debt trends.

Members should also note that these figures, as presented, are subject to change pending the completion of the NNDR3 return and final confirmation of any business rates pooling gains for 2019/20.

Tracking

Executive:	22 June 2020
Scrutiny:	BTSP 23 July 2020
Council:	N/A

1. BACKGROUND

1.1 The aim of this report is to:

- i) Advise Members of the current position on the 2019/20 Council Tax and Business Rates Accounts i.e. the total value of accounts raised and how much has been collected in the 2019/20 financial year.
- ii) Highlight and explain any variances against the expected (or budgeted) position.

2. COUNCIL TAX PROVISIONAL OUTTURN AS AT 31 MARCH 2020

2.1 Collection Fund (Council Tax)

2.1.1 The Council Tax Collection Fund records all the entries in relation to income and expenditure in relation to Council Tax. For budgeting purposes, the Collection Fund position is estimated on 15th January each year and it is this figure that forms the basis of the following year's budget.

2.1.2 In setting the budget for 2019/20, the position on the collection fund was estimated to a surplus of £492,293, with the Council's share being £61,921.

2.1.3 When the final position was calculated at the end of 2018/19 the surplus on the Council Tax Collection Fund was actually £562,578 of which the Council's share was £69,394. This increase in the surplus is then taken into account and redistributed in the budgeted estimate for 2020/21.

2.1.4 The actual collection fund position for 2019/20 has been calculated and the surplus has decreased, now standing at £23,142.66. The current position on the Council Tax Collection Fund is shown below:

Carlisle City Council	£000
Balance Brought Forward (Surplus)	(562)
Council Tax Income (Net)	(63,647)
Precepts from Major Preceptors	
Cumbria County Council	47,259
Police & Crime Commissioner for Cumbria	8,753
Carlisle City Council	7,871
Impairment of Debts / Bad Debt Provision	253
Contribution towards previous years surplus	50
In Year Deficit	539
Total Carried Forward Surplus	(23)
Distributed to preceptors:	
Cumbria County Council	(17)
Police & Crime Commissioner for Cumbria	(3)
Carlisle City Council	(3)

This surplus on the Collection fund is carried forward on the Balance Sheet and will be distributed as part of the budget process in 2021/22. The in-year deficit is as a result of an increase in the bad debt provision and an increased amount of discounts being given (both normal and Council Tax Reduction Scheme discounts have increased in 2019/20).

3. COUNCIL TAX COLLECTION PERFORMANCE

- 3.1 The Council's Council Tax collection performance for 2019/20 was 97.1% (2018/19 - 97.4%).

4. NNDR PROVISIONAL OUTTURN AS AT 31 MARCH 2020

- 4.1 2019/20 is the seventh year of the Business Rate Retention Scheme (BRRS) and the Collection Fund Accounting Regulations and the sixth year the Council has participated in the Cumbria Pooling arrangement.
- 4.2 For 2019/20, the BRRS baseline for the Council of £3.282m was used as its budget estimate for income to be retained from Business Rates and an additional £2.484m was estimated to be generated from additional business rate income over the baseline level and from the effects of participating in the Cumbria Pool.
- 4.3 Under normal circumstances any additional income over and above the baseline level is shared 50/50 between the Council and Central Government in what is

known as a 'levy'. However, local areas can form combined pools, where the net position of top ups and tariffs result in the pool being a net top-up authority. The benefit of forming the pool is that 100% of additional income is kept within that pool and not paid over to central government, meaning the local area benefits from growth in business rate income. However, there are also potential risks as the pool has to deal with any fall in business rates itself as the Government will not pay any safety net payments when income falls below 92.5% of the baseline.

- 4.4 The County Council are the administering body for the pool, with all Districts in Cumbria participating in the arrangement. Each district pays the 50% levy that would have gone to Central Government into the Pool. This is then distributed amongst the members on an agreed formula. The distribution is as follows:

Gross Retained Levies

- Administration Costs by County Council
- = Net Retained Levy

40% distributed on basis of spending baseline proportions

40% distributed on basis of gross levy proportions (i.e. how much each authority pays into the pool)

20% retained as a volatility reserve for any future decline in income

4.5 2019/20 Outturn

There are three elements to the 2019/20 outturn, firstly the performance of the City Council's Business Rate Retention, secondly the performance of the Pool and finally the performance of the Collection Fund.

It should be noted though that due to the COVID-19 pandemic, there has been a delay in being able to close down the Business Rates Collection Fund as the Government has deferred the deadline for the completion of the annual outturn return (NNDR3 form) to 31 July. Therefore, the outturn position shown here is based on best estimates of performance. The final outturn will be known once the Statement of Accounts are completed, the final NNDR3 form submitted and final confirmation of any business rates pooling gains for 2019/20.

4.6 Business Rate Retention & Pooling

The table below shows the outturn for the Council's Business Rate Retention Scheme.

Carlisle City Council	£000
Income due from Rates Retention	(16,354)
Tariff payable	12,367
	(3,987)
Discretionary Reliefs Funded by S.31 Grant	(1,764)
Total Net Retained Income	(5,751)
Baseline Funding	(3,282)
Total Additional Income	(2,469)
Levy Payable (to Pool)	(1,235)
Income Retained	(1,235)

Therefore, the Council retains an estimated £1,234,766 and pays £1,234,766 into the pool. The total performance of the pool for 2019/20 is not currently available as this requires information from all 6 district councils in Cumbria based upon their NNDR3 returns; however, it is estimated that £700,000 will be redistributed as our share of the pool performance. An element of this gain may be used to establish a Volatility Reserve as a separate earmarked reserve. Therefore, based upon the information available to us at this point in time, the estimated benefit of participating in the pool has effectively reduced the levy rate from 50% to 21.6% i.e. the Council gains £1,934,766 out of £2,469,532 growth, as opposed to £1,234,766 without pooling.

4.6.1 2019/20 Budget

The budget for funding from Business Rates was set at the baseline level which is set by Government and an additional amount to allow for growth and pooling benefits. However, actual income credited to the general fund is based on the 'NNDR1' estimate produced at the end of January 2019 and includes the estimate of Business Rate Income, the estimate for grant funding (Section 31 Grants) and the actual position on the Collection Fund. Therefore, the position **against the budget for retained income** is as follows:

Carlisle City Council	£000
Business Rate Baseline	(3,281)
Business Rate Multiplier Grant	(108)
Budgeted Growth/Pooling	(2,484)
Total Budgeted Funding	(5,873)
Income due from Rates Retention per NNDR1	(16,466)
Surplus on Collection Fund Brought Forward	(180)
Tariff payable	12,367
Section 31 Grants for Funded reliefs ¹	(1,905)
Income due from Renewables Rate Growth	(410)
Enterprise Zone Reliefs	(289)
Levy Payable ¹	1,235
Pooling Redistribution ¹	(700)
Total Net Retained Income against Budget	(6,348)
Total Additional Income to be returned to Reserves	(475)

Note1: These figures are currently best estimates and may be subject to change once final NNDR3 form is submitted and final pooling figures are known.

The amount to be returned to reserves highlighted in report RD01/20 will therefore increase by the estimated £475,000 identified above.

4.6.2 Collection Fund

The final aspect of Business Rate Retention relates to the position on the Collection Fund. The Business Rates Collection Fund records all the entries in relation to income and expenditure in relation to Business Rates. In 2018/19 the surplus on the Business Rates Collection Fund was £137,523 of which the Council's share was £55,009.

The current position on the Business Rates Collection Fund cannot be accurately calculated as yet as the NNDR3 form is required and the final position will be affected by the final provision for appeals for 2019/20 and appeals settled in 2019/20; however, the figures below are the best estimates at the current time:

Carlisle City Council	£000
Balance Brought Forward surplus / (Deficit)	(138)
Net Rates Payable	(43,398)
Transition payments	(567)
Cost of Collection	179
Shares to Major Preceptors	41,451
Renewables	516
Appeals Settled Provided for in 2018/19	206
New Appeals to be provided for 2019/20	1,179
Losses on Collection	362
In Year Surplus	(72)
Total Carried Forward Surplus	(210)
Carlisle City Council Share	(84)
Cumbria County Council Share	(21)
Central Government Share	(105)

The estimated surplus on the collection fund of £209,793 is carried forward on the Balance Sheet and will be paid as part of the redistribution in 2021/22.

4.7 Summary Business Rates

- 4.7.1 Based upon current estimated figures, Business Rates income has performed well in 2019/20 and has exceeded revised budgeted expectations by an estimated £475,000. The Council has achieved estimated additional income from Retained Business Rates income of £2,469,532 in 2019/20 and by participating in the Cumbria Pool has managed to retain £1,934,766 of this. The Council's business rates collection performance for 2019/20 was 97.38% compared with 98.42% in 2018/19.

4.8 Overall Summary

4.8.1 In summary, the position on the Council Tax and Business Rates Collection Funds are as follows:

	Council Tax	Business Rates	Total
	£000	£000	£000
Balance Brought Forward (Surplus)/Deficit	(562)	(138)	(700)
In Year (Surplus)/Deficit	539	(72)	467
Total Carried Forward (Surplus)/Deficit	(23)	(210)	(233)
Carlisle City Council Share	(3)	(84)	(87)
Cumbria County Council Share	(17)	(21)	(38)
Police & Crime Commissioner Share	(3)		(3)
Central Government Share		(105)	(105)

5. BAD DEBT WRITE-OFFS FOR NNDR, COUNCIL TAX AND DEBTORS (INCLUDING PENALTY CHARGE NOTICES)

- 5.1 In accordance with Constitution, the Corporate Director of Finance and Resources is delegated with authority for the write-off of outstanding debts, without limit, and the Executive is asked to note that debts totalling £79,381.43 have been written off for the period 1st January 2020 to 31st March 2020; such bad debts are summarised for the Executive's information in Table 1 of this report. The total amount written off in 2019/20 of £550,644.49 compares to total write-offs in 2018/19 of £548,483.81.
- 5.2 The write-ons itemised in Table 1 totalling £6,190.24 are in respect of balances originally written off that have since been paid and credit write-offs for the period 1st January 2020 to 31st March 2020.
- 5.3 Also noted in Table 1 are the cumulative write offs and write-ons 1st April 2019- 31st March 2020. Total write-ons for 2019/20 were £27,700.93 compared to £24,832.80 in 2018/19.

Table 1

<u>Type of Debt</u>	Write offs 01/04/19 - 30/06/19 Quarter 1				Write offs 01/07/19 - 30/09/19 Quarter 2				Write offs 01/10/19 - 31/12/19 Quarters 3				Write offs 01/01/20 - 31/03/20 Quarter 4				Total Write offs 2019/20			
	No	Write Offs	No	Write Ons	No	Write Offs	No	Write Ons	No	Write Offs	No	Write Ons	No	Write Offs	No	Write Ons	No	Write Offs	No	Write Ons
NNDR	9	44,106.70	5	194.04	12	205,316.59	9	10,403.76	14	111,094.55	5	300.71	5	6,842.81	6	293.93	40	367,360.65	25	11,192.44
NNDR (PSC)																	0	0.00	0	0.00
Council Tax	30	24,877.92	15	1370.48	30	19,295.22	6	544.02	71	38,304.53	69	8,574.28	82	33,403.75	46	5,862.31	213	115,881.42	136	16,351.09
Debtors																	0	0.00	0	0.00
Private Tenants																	0	0.00	0	0.00
Housing Benefit	36	12,278.54	3	123.11	25	3,311.44			7	3,416.19			35	35,423.75			103	54,429.92	3	123.11
Overpayments																	0	0.00	0	0.00
General Fund	9	12.60	1	0.20	10	2,550.71	1	0.09	16	4,714.07			20	2881.12	1	34.00	55	10,158.50	3	34.29
Penalty Charge																	0	0.00	0	0.00
Notices																	0	0.00	0	0.00
On Street 16																	0	0.00	0	0.00
Off Street 3	12	988.00			6	498.00			6	498.00			10	830.00			34	2,814.00	0	0.00
																	0	0.00	0	0.00
TOTAL	96	82,263.76	24	1,687.83	83	230,971.96	16	10,947.87	114	158,027.34	74.00	8,874.99	152	79,381.43	53	6,190.24	445	550,644.49	167	27,700.93

6. OUTTURN POSITION, WRITE OFFS/WRITE ONS VIA DEBTOR TYPE

6.1 The outturn position in respect of 2019/20 on a cumulative basis by fund indicates total debts written off amount to £550,644.49.

6.2 Write offs were debited as follows:

	£
Council Tax (Collection Fund	115,881.42
NNDR	367,360.65
General Fund	67,402.42
Total	550,644.49

6.3 Write-ons were credited as follows:

	£
Council Tax (Collection Fund	16,351.09
NNDR	11,192.44
General Fund	157.40
Total	27,700.93

6.4 In the case of General Fund, the write-offs will be charged against provisions made for bad debts (except for PCN's which are accounted for on a cash basis). However, VAT which has been separately identified will be recouped in future VAT returns. Write-off/Write on of Council Tax will fall against the Collection Fund provisions within those accounts. Any Council Tax Court Costs written off will be charged against the costs 'Bad Debt' provision within the General Fund.

	General Fund	Council Tax	NNDR	Total
Opening Bad Debt Provision	1,502,533	1,616,235	262,939	3,102,940
Closing Bad Debt Provision	1,424,558	1,920,580	269,133	3,614,271

7. RISKS

With the implementation of Business Rate Retention, the Council relies on Business Rate income to support its service delivery. Any significant loss of income would have a significant impact on the Council's Medium-Term Financial Plan.

8. CONSULTATION

8.1 Business and Transformation Scrutiny Panel will consider the report on 23 July 2020.

9. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 9.1 The provisional outturn position and comments on performance will feed into the overall Revenue accounts for 2019/20.
- 9.2 Members are asked to note the provisional outturn position at 31 March 2020 for Council Tax and NNDR and also note the position with regard to write offs and bad debt trends.

10. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 10.1 The collection of Council Tax and NNDR directly affects all residents receiving services from Carlisle City Council.

Contact Officer: Steven Tickner

Ext: 7280

**Appendices
attached to report:**

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

- None

CORPORATE IMPLICATIONS:

Legal – The Council has a statutory obligation to collect Council Tax (Local Government Finance Act 1992 and Council Tax (Administration and Enforcement) Regulations 1992 and NNDR (Local Government Finance Act 1988).

Property – No implications

Finance – Included within this report

Equality – This report raises no explicit issues relating to the public sector Equality Duty

Information Governance - No Implications

Report to Executive

Agenda
Item:

A.1(e)

Meeting Date: 22nd June 2020
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD05/20
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: ELECTED MEMBERS' ALLOWANCES - PROVISIONAL
OUTTURN REPORT FOR 2019/20
Report of: CORPORATE DIRECTOR OF FINANCE AND RESOURCES
Report Number: RD05/20

Purpose / Summary:

This report sets out the amount of allowances paid to Members as part of the Elected Members' Allowances Scheme for 2019/20.

Recommendations:

The Executive is asked to receive the report and note the overall underspend of £12,481 on allowances for 2019/20.

Tracking

Executive:	22 June 2020
Scrutiny:	BTSP 23 July 2020
Council:	Not applicable

1. BACKGROUND

- 1.1 Set out in the attached **Appendix 1** are the amounts paid directly to individual Members as part of the Elected Members' Allowances Scheme for 2019/20 as required under paragraph 15 of the Local Authority (Members Allowances) (England) regulations 2003.

2. PROPOSALS

- 2.1 The detail in respect of Travel and Subsistence for Members collectively is provided in paragraph 2.6.

- 2.2 The overall position is summarised as follows:

	Budget £	Outturn £	Variance £
Basic Allowance	199,500	197,437	(2,063)
Special Responsibility allowance	90,200	84,807	(5,393)
Dependent Carers' Allowance	0	0	0
Travel	10,500	6,887	(3,613)
Subsistence	2,700	1,288	(1,412)
Total	302,900	290,419	(12,481)

- 2.3 There is an underspend overall of £12,481.

- 2.4 The Basic Allowance budget is under-spent because budgets are allocated for a full year from April and there were vacancies on the Council for some part of the year.

- 2.5 The Special Responsibility Allowance budget is slightly under-spent. This is partly due to committees not sitting until later in the year and therefore allowances only being paid for part of the year. In addition, Members are only entitled to receive one Special Responsibility Allowance and therefore if they hold two positions that attract an allowance only one will be paid.

2.6 Details of Travel and Subsistence:

	Budget £	Outturn £
Public Transport		
• Public transport costs in respect of attendance at committee meetings and other approved duties	1,965	1,838
• Planning Site visits and other approved duties	1,135	1,135
	3,100	2,973
Mileage Expenses		
Mileage costs in respect of attendance at committee meetings and other approved duties	7,400	3,914
Subsistence Expenses		
Subsistence costs in respect of attendance at committee meetings and other approved duties	2,700	1,288

Please note that subsistence covers items such as:

- Accommodation
- Car parking charges
- Out of pocket expenses
- Meals

3. RISKS

3.1 There are no risks associated with the Members outturn report.

4. CONSULTATION

4.1 The report will be considered by Business and Transformation Scrutiny Panel on 23 July 2020.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

5.1 The Executive is asked to receive the report and note the overall under-spend of £12,481 with the Members' Allowances Scheme for 2019/20.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 Members allowances form part of the Council's revenue budget and there is a requirement to report the outturn against the budget as part of the overall Council outturn position.

Contact Officer: Alison Taylor

Ext: 7290

Appendices attached to report: Appendix 1 – Members' Allowances Summary 2019/20

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 - As stated within the body of the Report, the details herein are required to be reported by virtue of Regulation 15 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

PROPERTY SERVICES – not applicable

FINANCE – Financial implications are contained within the main body of the report.

EQUALITY – not applicable

INFORMATION GOVERNANCE – not applicable

MEMBERS' ALLOWANCES SUMMARY 2019/20

APPENDIX 1

Init	Surname	Basic	Became a councillor	Ceased to be a councillor	SRA	Travel	Subsistence	Notes
John	Bell	486.07		06/05/2019	112.19			
Raynor	Bloxham	486.07		06/05/2019		110.70		
Cyril	Bowman	486.07		06/05/2019		45.29		
Paul	Carrigan	486.07		06/05/2019				
Joanna	Coleman	486.07		06/05/2019				
Susan	Crawford	486.07		06/05/2019				
Robert	Currie	486.07		06/05/2019				
Barry	Earp	486.07		06/05/2019		30.19		
David	Graham	486.07		06/05/2019				
Abdul	Harid	486.07		06/05/2019				
James	Layden	486.07		06/05/2019		115.73		
Maureen	McDonald	486.07		06/05/2019				
Doreen	Parsons	486.07		06/05/2019		137.87	92.26	
Ann	Quilter	486.07		06/05/2019	669.88			
Jessica	Riddle	486.07		06/05/2019				
Stephen	Sidgwick	486.07		06/05/2019				
Therese	Sidgwick	486.07		06/05/2019	447.28	33.21		
George	Stothard	486.07		06/05/2019				
Patricia	Vasey	486.07		06/05/2019				
Ann	Warwick	486.07		06/05/2019				
Reginald	Watson	486.07		06/05/2019				
Ruth	Alcroft	4,887.00						
Louise	Atkinson	4,466.61	02/05/2019				109.82	
Trevor	Allison	4,887.00						
James	Bainbridge	4,887.00			3,892.56			SRA wef 20/05/19
Robert	Betton	4,887.00						
Pamela	Birks	4,887.00			447.28	56.96		SRA ceased wef 06/05/19
Jeffrey	Bomford	4,887.00			3,735.41	64.60		SRA wef 08/07/19
Marilyn	Bowman	4,887.00			136.14	87.05		SRA wef 17/02/20
Jeanette	Bradley (now Whalen)	4,466.61	02/05/2019					
Lisa	Brown	4,887.00			3,892.56	468.25	202.82	SRA wef 20/05/19
Nigel	Christian	4,887.00			5,829.76	57.70		SRA wef 20/05/19
John	Collier	4,887.00			112.19	128.74		SRA ceased wef 06/05/19
Helen	Davison	4,466.61	02/05/2019			53.45		
John	Denholm	4,466.61	02/05/2019					
Gareth	Ellis	4,887.00			9,719.73			SRA wef 20/05/19
Chirstine	Finlayson	4,887.00				171.50		
Anne	Glendinning	4,887.00			669.88			SRA ceased wef 06/05/19
Colin	Glover	4,887.00			6,343.70	777.47	522.39	SRA for leader of the council ceased 20/05/19 but received SRA for leader of labour group wef 21/05/19
Stephen	Higgs	4,887.00			5,829.76	148.09		SRA wef 20/05/19
Elizabeth	Mallinson	4,887.00			5,829.76	331.84		SRA wef 20/05/19
John	Mallinson	4,887.00			15,999.36	1,034.49	371.24	SRA wef 20/05/19
Ann	McKerrell	4,887.00						
Niall	McNulty	4,887.00						
Keith	Meller	4,466.61	02/05/2019					
Michael	Mitchelson	4,887.00						
David	Morton	4,887.00						
Nigel	Nedved	4,887.00			6,277.04	48.45	100.00	SRA wef 20/05/19
John	Paton	4,887.00			4,497.00			
Lucy	Patrick	4,887.00						
Christopher	Robinson	4,466.61	02/05/2019		821.74			SRA wef 09/07/19
Fiona	Robson	4,887.00				128.50	106.00	
Calvin	Rodgers	4,466.61	02/05/2019					
David	Shepherd	4,887.00				819.33	14.00	
Lee	Sherriff	4,887.00			669.88	114.08		
Christopher John	Southward	4,887.00			669.88	50.32		
Valerie	Tarbit	4,466.61	02/05/2019			184.72	10.00	
Les	Tickner	4,887.00			1,116.86			
Raymond	Tinnion	4,887.00			3,697.53	553.49		SRA wef 05/06/19
Jo-Anne	Williams	4,887.00			976.39			SRA wef 20/05/19
Credit for Expenditure incurred in 2018/19							(241.00)	
STANDARDS COMMITTEE					2,413.05			
PLANNING VISITS						1,135.00		
	Sum:	197,437.35			84,806.81	6,887.02	1,287.53	

Note: subsistence covers items such as accommodation, car parking charges, out of pocket expenses and meals.

Report to Executive

Agenda
Item:

A.2

Meeting Date: 22 June 2020
Portfolio: Environment and Transport
Key Decision: Yes: KD.08/20
Within Policy and Budget Framework Yes
Public / Private Public

Title: FOOD LAW ENFORCEMENT SERVICE PLAN 2020/21
Report of: Corporate Director of Governance and Regulatory Services
Report Number: GD.20.20

Purpose / Summary:

The Food Law Enforcement Plan sets out how Regulatory Services will deploy its resources in 2020 to 2021 to improve hygiene standards, prevent food borne diseases and help people live healthier lives. It seeks to target interventions to tackle local issues whilst ensuring Carlisle City Council achieves its national statutory responsibilities. To assist members, a summary report of the plan has been produced as Appendix 1.

Recommendations:

That the Executive:

- i. Agree the key actions of the Food Law Enforcement Service Plan
- ii. Refer the said plan to Council for approval in accordance with the Council's Budget and Policy Framework.

Tracking

Executive:	27 May 2020 & 22 June 2020
Scrutiny:	11 June 2020 (Report was listed for information only)
Council:	14 July 2020

1. BACKGROUND

- 1.1** Standards of hygiene when eating out was the main concern for members of the public who took part in the latest Food Standards Agency's (FSA) Public Attitudes Tracker Survey (November 2019). Other concerns from the survey include food poisoning, food additives, levels of sugar and salt in food and the amount of food waste. The City Council through its Food and Public Protection Team plays a significant role in protecting the public by its food inspections and infectious disease investigations.
- 1.2** In improving food standards, Regulatory Services are contributing to ensuring a safe, healthy and sustainable food chain for the benefit of consumers. Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally. Service plans help local authorities to:
- follow the principles of good regulation;
 - focus on key delivery issues and outcomes;
 - provide an essential link with corporate and financial planning;
 - set objectives for the future, and identify major issues that cross service boundaries;
 - provide a means of managing performance and making performance comparisons;
 - provide information on an authority's service delivery to stakeholders, including businesses and consumers.
- 1.3** The "Framework Agreement on Official Feed and Food Controls by Local Authorities" (2010) sets out what the Food Standard Agency expects from Carlisle City Council in delivering official controls on feed and food law. To help to ensure local transparency and accountability, and to show the Service's contribution to the authority's Carlisle Plan, the Framework Agreement recommends that food service plans are approved at the relevant level established for that local authority. The Food Law Enforcement Service Plan is in Carlisle City Council's Policy Framework in Article 4 of the Constitution.
- 1.4** The Food Law Codes of Practice (March 2017), issued by the FSA, details how local authorities deliver their enforcement duties but allows local authorities flexibility over how to deliver the national food controls. The Plan sets out how and at what level official food controls will be provided, in accordance with the Codes of Practice.
- 1.5** In 2014 the Food Standards Agency's (FSA) published its strategy for 2015-2020. Within the strategy the FSA identified its flagship policy 'Regulating Our Future'. This policy aims to modernise the way food businesses are regulated, creating a system that is modern, risk based, proportionate, robust and resilient. The FSA plan to implement and deliver the new regulatory model for food by 2020. It is not fully clear

to date what impact the changes will have on the Regulatory Services Department; however, we will continue to monitor the FSA proposals and respond accordingly through the FSA's 'open policy' approach. To ensure consistency of approach, any FSA proposals will be discussed with other Cumbrian Local Authority Environmental Health Departments at the regional liaison group meetings.

- 1.6** The Plan covers the period 1st April 2020 to the 31st March 2021 and includes the statutory food safety controls to be performed by the authority e.g. Inspections/sampling. The plan also includes targeted educational and promotional work to be undertaken by the section. A summary of the previous year's performance and activities is also provided. The 2019/20 Food Law Plan also identified a shortfall of 74 interventions for Low Risk (Category E premises), which was raised as an area of concern by the FSA following receipt of the Authority's Food Law Return. An intervention plan was implemented to address the shortfall and 88% of these premises received an intervention. The remaining interventions will be targeted during the 2020/21 period.
- 1.7** Following our exit from the EU, we are now in the transition period. Enforcement of EU Food Law will continue until the end of 2020. The European Union (Withdrawal) Act 2018 provides that, from 1 January 2021, certain directly applicable EU legislation will be converted into UK law. The section will closely monitor the developments and ensure we make the appropriate changes to our authorisations, policies and procedures prior to the end of the transition period.
- 1.8** It is important to note that the plan will be subject to change following the **COVID19** outbreak, which has had a significant impact on the food business sector and how we perform our day to day enforcement duties. As the restrictions are gradually lifted, the section will need to establish what impact the outbreak has had on the planned work and how this will be managed moving forward. Taking advice from the Food Standards Agency, it is inevitable that the section will need to prioritise resources on statutory functions and on a risk-based approach. It will be essential that food officers are provided with the appropriate protective equipment and training to perform their duties safely. Risk assessments will be amended and continuously reviewed.
- 1.9** It is also important to note that officers of the Food & Public Protection Team are authorised to enforce the COVID19 'business closure' related legislation. It is likely that these provisions will remain in place for some business sectors over coming year. The team will also be involved in advising businesses on re-opening requirements as the restrictions are lifted and monitoring/enforcing control measures which may be imposed i.e. social distancing to protect staff and customers. At the time of writing this report, the Environmental Health Team have also been identified as a potential resource for the COVID19 contact tracing. All these additional responsibilities may also impact on the Food Law Enforcement Plan for 2020/21.

2. PROPOSALS

2.1 That the Executive:

- i. Agree the key actions of the Food Law Enforcement Service Plan
- ii. Refer the said plan to Council for approval in accordance with the Council's Budget and Policy Framework.

3. RISKS

- 3.1 Failure to develop and implement a food law service plan which, approved at the relevant level, would not satisfy the requirements laid down in the Food Standards Agency 'framework agreement'. The framework, for which we are monitored and audited against, sets out the standards expected by Local Authorities responsible for official controls on food law. The publication of the food law enforcement plan helps ensure local transparency and accountability. To ensure compliance with the framework, the Food Law Enforcement Service Plan is in Carlisle City Council's Policy Framework in Article 4 of the Constitution.

4. CONSULTATION

- 4.1 Consultation to Date. - The Plan has been drafted in consultation with officers within Regulatory Services. The Plan was previously considered at Executive on 27 May 2020 and referred to the Health & Wellbeing Scrutiny Panel on the 11 June 2020, following which the report was listed as for information only – no changes made.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1 The recommended key actions have been identified following consultation and reflect the resources available to Regulatory Services in the financial year 2020 to 2021.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

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

- Deliver an improved service to existing and new businesses in the District – joining up our statutory and advisory support functions. The Food Safety Service provides free and impartial advice on both legal and technical matters relevant to the trade. A key requirement of the Regulators Code is to use the regulators' unique contact with local businesses as a means of ensuring growth as well as compliance.

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

- Continue to support and develop the Food City Partnership. As a member of the group the Food Safety Service have a key role in the delivery of the Local Healthy Options Award and advising food businesses on healthy menu alternatives.

Priority 5: Promote Carlisle regionally and internationally as a place with much to offer – full of opportunities and potential

- We work in partnership in delivering projects with organisations such as: Cumbria County Council Trading Standards, Cumbria Food Group (made up of all 6 Cumbrian Local Authorities), PHE Laboratory Preston, PHE Health Protection Team, Food Standards Agency.

**Contact Officer: Andrew Smith (Principal Health & Ext: 7098
 Housing Officer)**

**Appendices Appendix 1 – Food Law Enforcement Plan - Summary Report
attached to report: Appendix 2 – Food Law Enforcement Service Plan 2020 to
 2021**

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- None

CORPORATE IMPLICATIONS:

LEGAL – The Council has a Food Law Enforcement Service Plan in accordance with the Food Standard Agency's Framework Agreement which applies to local enforcement of all feed and food laws and incorporates the latest guidance and standards on feed and food law enforcement. As stated in the report, the Food Law Enforcement Service Plan forms part of the Council's Policy Framework and as such, needs to be considered by the relevant Scrutiny Panel before being referred by the Executive for approval by Council.

PROPERTY SERVICES - No property implications

FINANCE – The costs of implementing and monitoring this Food Law Enforcement Service Plan can be met from within existing base budgets under the control of the Governance and Regulatory Services Directorate in 2020/21.

EQUALITY – None

INFORMATION GOVERNANCE – It is recommended that Officers are mindful of the potential to record personal and special category data during inspections and the need to ensure appropriate processing and protection.

FOOD LAW ENFORCEMENT SERVICE PLAN 2020 – 2021 - Summary Report

Regulatory Services – Food & Public Protection Team

Background

This Service Plan sets out how Carlisle City Council intends to provide an effective food safety service that meets the requirements of the Food Standards (FSA) Framework. The main objective of the service plan is to ensure that all food and drink intended for sale for human consumption that is produced, stored, distributed, handled or consumed in Carlisle City is safe, hygienic and compliant with food hygiene and standards legislation and that all food businesses and food handlers comply with the Food Hygiene Regulations.

Food Business Profile

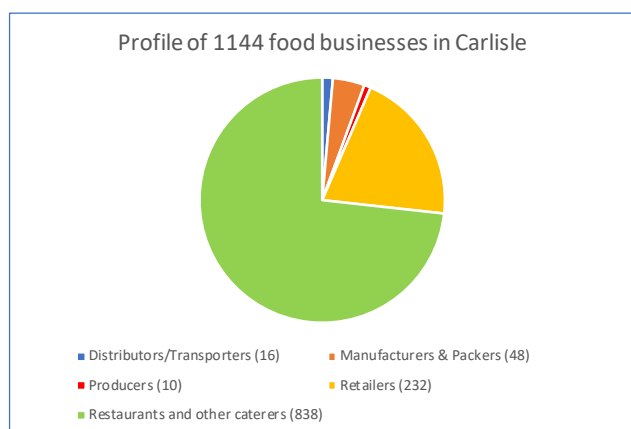


Figure 1: Chart showing the breakdown of food business types

Category	Frequency of Intervention	Number of premises
A	6 months	0
B	12 months	8
C	18 months	153
D	24 months	499
E	36 months	389
UNRATED		9
OUTSIDE		85
Total		1143

Table 1: Breakdown of food businesses by risk category and frequency of interventions (Category A being highest risk)

Key work activities performed during 2019/20

Table 2: Summary of food hygiene related visits made 2019/20

Type of visit:	Number
Food Inspection & Audit Visits	354
Food New Business Inspections	82
Food Hygiene Complaint Visits	61
Food Hygiene Revisits following inspection	38
Food Hygiene Rating Scheme (FHRS) Re-score Visits	3
Food Hygiene Rating Scheme (FHRS) Appeal Visit	1
Food Sampling Visits	58
Food Advisory Visits	44
Food Hygiene Other Visits	14
Total	655

Table 3: Number of incidents received/responded to 2019/20

Type of Incident / Action	Number
Premises hygiene complaints / Food Complaints	97
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	3
FSA Allergy Alerts	98
Export Certificates approved	491
Requests for food advice	81
Infectious disease cases	216

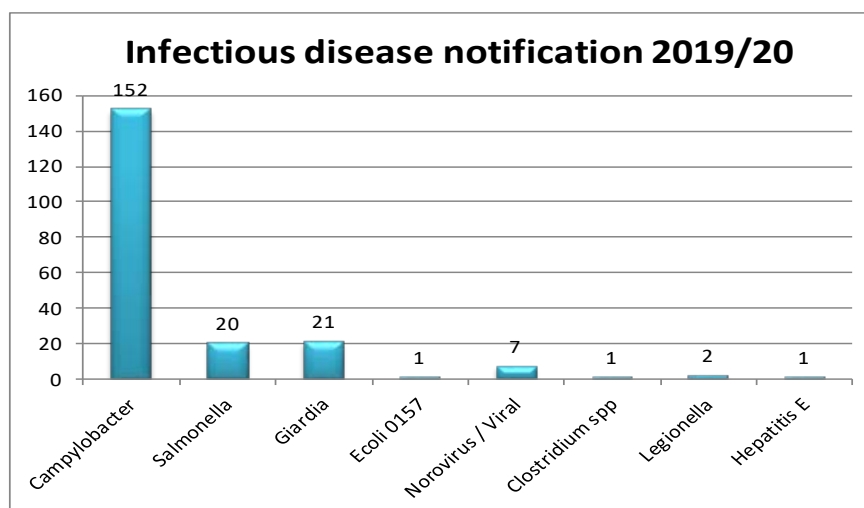


Figure 2 - Chart showing the number of foodborne / waterborne infectious diseases received and investigated during 2019/20

Enforcement actions by authorised officers during 2019/20

- 142 written warnings for food hygiene contraventions
- 2 Hygiene Improvement Notices
- 2 Voluntary Closures

Planned inspections/interventions by risk category for 2020/21

Risk Category	No of targetted premises	Carried over from 19/20
A (High risk)	0	0
B	9	0
C	99	2
D	242	23
E (Low risk)	164	15
Unrated (awaiting inspection)	8	-
TOTAL	522	40

Key objectives for 2020/21: (Subject to change following COVID19 Outbreak)

- Prioritise inspections of food businesses according to risk. at intervals in accordance with the Food Standard's Agencies Code of Practice and educate and enforce where necessary. Prioritise resources toward business that are high risk and those that are non-compliant (0-2 FHRs rated)
- Apply changes to internal policies, procedures, documents, website etc. following the EU Exit transition period as set by Central Govt / FSA
- Continue to work with and promote the National Food Hygiene Rating System – upload ratings onto FSA's FHRs website and issue FHRs rating stickers to food businesses.
- Sample foodstuffs for microbiological safety in accordance with local and national programmes.
- Participate and delivery of a Cumbria wide Healthier Food Choices Award
- Work in partnership with other agencies and regulatory bodies to achieve common goals.

FOOD LAW ENFORCEMENT SERVICE PLAN 2020 - 2021

Carlisle City Council

Regulatory Services – Food & Public Protection Team

Governance & Regulatory Services

1. Introduction

This Service Plan sets out how Carlisle City Council intends to provide an effective food safety service that meets the requirements of the Food Standards (FSA) Framework Agreement. It covers the functions carried out by authorised officers of the Food and Public Protection Team under the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and relevant regulations made under the European Communities Act 1992.

2. Service aims and objectives

To ensure that all food and drink intended for sale for human consumption that is produced, stored, distributed, handled or consumed in Carlisle City is safe, hygienic and compliant with food hygiene and standards legislation and that all food businesses and food handlers comply with the Food Hygiene Regulations. This will be achieved through:

- Programmed inspections
- Targeted interventions
- Investigation of complaints
- Investigation and control of infectious diseases
- Sampling initiatives
- Training
- Advisory visits
- Promotional events

2.1 Links to Corporate Priorities and Plans

The Food Law Enforcement Service Plan supports and contributes to the Carlisle Plan 2015 – 2018 and the Regulatory Services Service Plan. The service provides a range of mandatory and discretionary activities that protect the health and well-being of the citizens of Carlisle. This Service links directly to some of the key priority actions of the Carlisle Plan:

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

- Deliver an improved service to existing and new businesses in the District – joining up our statutory and advisory support functions. The Food Safety Service provides free and impartial advice on both legal and technical matters relevant to the trade. A key requirement of the regulators code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance.

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

- Continue to support and develop the Food City Partnership. As a member of the group, the Food Safety Service have a key role in the delivery of the Local Healthy Options Award and advising food businesses on healthy menu alternatives.

Priority: Promote Carlisle regionally and internationally as a place with much to offer – full of opportunities and potential

- We work in partnership in delivering projects with organisations such as: Cumbria County Council Trading Standards, Cumbria Food Group (made up of all 6 Cumbrian Local Authorities), PHE Laboratory Preston, PHE Health Protection Team, Food Standards Agency.

2.2 Links to Other Strategies

The Service seeks to achieve the priority outcomes for regulatory services as detailed in the Better Regulation Delivery Office document “Priority Regulatory Outcomes – A New Approach to Refreshing the National Enforcement Priorities for Local Authority Regulatory Services” (November 2011). Regulators must take into account and give due weight to the priority outcomes when developing policies and operational procedures, setting standards or giving guidance on enforcement.

Regulatory Priority Outcomes:

1. Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. **(Direct Link to the Carlisle Plan)**
2. Improve quality of life and well-being by ensuring clean and safe neighbourhoods **(Direct Link to the Carlisle Plan)**
3. Help people live healthier lives by preventing ill health and harm and promoting public health.
4. Ensure a safe, healthy and sustainable food chain for the benefit of consumers and the rural economy

The “**Regulators’ Code 2014**” made under section 23 of the Legislative and Regulatory Reform Act 2006, applies to all the activities delivered by Regulatory Services. The code requires Regulatory Services, along with its principal function of protecting public health, to engage with and support business growth.

All interventions with businesses and members of the community are carried out with regard to the local authority’s commitment to equality of opportunity for local people as stated in the Equality Policy.

3 Background

3.1 Organisational structure

The structure of Food and Public Protection Team can be seen in page 12. The Principal Health & Housing Officer (Food and Public Protection) is responsible for the day to day supervision of the team and has a lead responsibility for the food hygiene function. The Food and Public Protection Team is positioned within the Regulatory Services Department and perform other regulatory duties, including Health and Safety, nuisance complaints, Public Health Burials, animal related licensing and registrations for acupuncture, cosmetic piercing & tattooing/skin colouring. The Council's Pest Control Service also sits within the Food and Public Protection Team.

3.2 Scope of the service

The Food and Public Protection Team are responsible for the enforcement of relevant Food Law, including the Food Safety and Hygiene (England) Regulations 2013.

Carlisle City Council carries out all functions relating to food safety matters, including the following:

- Carrying out interventions e.g. inspections, audits, sampling at food establishments
- Providing advice to food business operators including help on implementing the most appropriate food safety management system for that business; for example the Food Standards Agency's Safer Food, Better Business food safety management system
- Operating inland imported food control at retail and catering establishments etc.
- Registration food establishments
- Identifying and assessing premises that require approval of specific food products and ensuring that they are issued with conditional and full approval as necessary
- Undertaking food sampling
- Issuing export certificates
- Investigation of complaints concerning food establishments and food handling practices
- Investigation of cases of suspected and confirmed food poisoning
- Providing food hygiene training where appropriate
- Liaison with the local authority's procurement team when selecting new food contracts
- Consulting on relevant planning and premises licence applications

3.3 Demands on the food enforcement service

The City Council's food safety service is delivered from the 5th Floor of the Civic Centre, Rickergate, Carlisle Tel 01228 817200 Email: environmentalhealth@carlisle.gov.uk.

As of 1st April 2020 a total of **1144** food premises are subject to programmed food hygiene interventions as per the table below:

Type of Premises	Number
Distributors/Transporters	16
Manufacturers & Packers	48
Producers	10
Retailers	232
Restaurants and other caterers	837
Total	1143

The City Council also has 6 “approved” processes subject to Regulation 853/2004.

Ref no	Name	Product	App Number
66460	Nestle	Dairy - Milk powder/cream	VK302
66469	Esk	Dairy - Milk/cream	VK010
66442	Cavaghan and & Gray (Eastern Way)	Meat / Fish / Dairy / Egg	VK001
66444	Cavaghan and & Gray (Riverbank)	Fish / Dairy / Egg	VK011
66576	Bells Fishmongers	Fish	VK007
66457	Calder Foods	Meat Products / Fish / Dairy	VK004

All food premises are rated according to their level of risk, as defined by the Food Standards Agency Code of Practice. The risk rating determines the frequency and nature of the interventions that are classed as official controls. The table below provides a summary of the food business risk profile:

Category	Intervention Type	Frequency	Number of premises
A	Full & Partial Inspection / Audit	6 months	0
B	Full & Partial Inspection / Audit	12 months	8
C	Full & Partial Inspection / Audit / Other Official control - Broadly compliant premises	18 months	153
D	Inspection / Audit / Other Official Control (e.g. surveillance, verification, sampling)	24 months	499
E	Inspection / alternative enforcement strategy	36 months	389
UNRATED	Awaiting inspection		9
OUTSIDE	Outside inspection programme		85
Total			1143

Officers will aim to inspect new food premises within 28 days of being notified to the City Council. Each business will be rated in accordance with the Food Standards Agency - Food Law Code of Practice and incorporated into the inspection programme. Officers will decide if a revisit is necessary following an inspection and the Civica database will be used to programme the revisit date. The food sampling programme is an intervention that supports the other official controls undertaken by officers.

The Food and Public Protection Team are also required to meet additional demands arising from local activities, such as inspecting the visiting markets and other seasonal festivals.

Officers are required to undertake inspections/interventions outside normal working hours, for example where food businesses operate only at night or at weekends to attend markets and festivals.

The City Council has procedures in place to share its food premises database with the County Council's Trading Standards Department who have responsibility for Food Standards within the District.

In addition to businesses that form part of the programme, the local authority annually inspected 82 new food businesses.

In 2019 - 20 the local authority dealt with a range of incidents and enquiries. These are set out in the following table.

Type of Incident / Action	Number
Premises hygiene complaints / Food complaints	141
FSA Food Alerts (inc Product Recall)	71
FSA Food alerts for action by LA	2
FSA Allergy Alerts	98
Export certificates approved	491
Requests for food advice	81
Infectious disease cases	216

Summary of food hygiene related visits made 2019/20

Type of visit:	Number
Food Programmed Inspection & Audit Visits	354
Alternative Enforcement Strategy Questionnaire	19
Food New Business Inspections	82
Food Hygiene Complaint Visits	61
Food Hygiene Revisits following inspection	38
Food Hygiene Rating Scheme (FHRS) Re-score Visits	2
Food Hygiene Rating Scheme (FHRS) Appeal Visit	1
Food Sampling Visits	58
Food Advisory Visits	44
Food Hygiene Other Visits	14
Total	673

4 Service Delivery

4.1 Food interventions

In the financial year 2020-2021, targetted inspections/interventions are due to be carried out at 562 premises. The target for each category is detailed on page 14.

Risk Category	No of targetted premises	Carried over from 2019/20
A	0	0
B	9	0
C	99	2
D	242	23
E	164	15
Unrated	8	-
TOTAL	522	40*

These numbers will alter throughout the year as new businesses open and existing businesses close. Officers will aim to inspect a food business within 28 days of the scheduled date.

***Of the 40 businesses carried over from the 2019-20 period, 17 premises had been targetted for February (7) and March (11). In light of the Covid19 lockdown period commencing in March, these visits will be carried out when business restrictions are lifted and visits can be undertaken by officers safely.**

Priority will always be given to high risk food businesses (A & B risk rated businesses) and any national or local situations which require urgent attention for example Food Standards Agency food alerts or food poisoning outbreaks.

Category E premises are defined in the Food Law Code of Practice as low risk food establishments and allows local authorities to adopt an alternative enforcement strategy to ensure resources are prioritised accordingly towards higher risk premises. Local authorities must ensure low-risk premises are subject to an alternative enforcement intervention every 3 years. The current strategy adopted by this authority alternates a visit with an enforcement questionnaire every 3 years.

The 2019/20 Food Law Enforcement Plan also identified a shortfall of 74 interventions for Low Risk (Category E premises), which was raised as an area of concern by the FSA following receipt of the Authority's 2019/20 Food Law Return. An intervention plan was implemented to address the shortfall and 88% of these premises received an intervention. The remaining interventions will be targeted during the 2020/21 period.

Revisits following an inspection will be undertaken by officers when deemed necessary or in response to a requested revisit or appeal under the Food Hygiene Rating Scheme (FHRS). A total of 38 revisits following a routine inspection were undertaken during 2019/20 and 2 FHRS re-scoring visits performed for the same period.

During the course of delivering the food safety service, officers may need to resort to formal action in some circumstances. During 2019/20 officers issued:

- 142 Written warnings for food hygiene contraventions**
- 2 Hygiene Improvement Notices**
- 2 Voluntary Closures**

4.2 Enforcement policy

Regulatory Services, within which the Food & Public Protection Team sits, adopts the principles laid down in the Enforcement Concordat, which states that enforcement must be fair, consistent and equitable. The local authority's Food Safety Enforcement Policy outlines the enforcement options available for dealing with problems relating to non-compliance with the legislation. The Policy has been written having regard to Government's Regulators Code and can be found on the website:

<http://www.carlisle.gov.uk/Portals/0/Documents/Residents/Environment/A2%20Food%20Safety%20Enforcement%20Policy%202015.pdf>

4.3 Food complaints

The investigation of customer's complaints regarding food safety is an important area of work for the team. The local authority has a response target of 5 days for such complaints, however more serious complaints/allegations will be visited on the day of receipt where possible. In 2019/20 the local authority dealt with 141 food hygiene related complaints.

4.4 Primary and home authority principle

The Home Authority Principle was developed by food and trading standards authorities to aid consistent enforcement. The scheme provides businesses with a home authority source of guidance and advice and provides a system for the resolution of disputes.

Alternatively, businesses can form a 'Primary Authority' statutory partnership with a local authority to assist with consistent enforcement. The guidance and advice the local authority provides will be taken into consideration by officers carrying out inspections and dealing with instances of non-compliance.

Carlisle City Council fully endorses the Home authority and Primary Authority principle but has yet not received any requests for business support in this area.

4.5 Advice to business

The Food and Public Protection Team provide advice and support for all food businesses on request. Information is available on the local authority website, <http://www.carlisle.gov.uk/Residents/Environmental-Problems/food-safety> Information leaflets are also available from the Civic Centre Offices. Officers are available to visit businesses to advise on any aspect of food safety and hygiene. Advice is also given during the planning and building control processes.

4.6 Food sampling

A food sampling programme is produced every year which outlines the local authority's sampling strategy and approach to specific local and national demands.

The Cross Regional Survey Steering Group co-ordinate the sampling programme for Carlisle, Allerdale, Copeland, South Lakeland, Barrow and Eden. The plan is developed by the group to incorporate priorities identified by Public Health England and the Food Standards Agency. Sampling surveys to be undertaken for 2020/21 will include:

- Coleslaw and mayonnaise from large open tubs in catering premises (Regional Survey)
- Dips from Takeaways (Regional Survey)
- Fridges in communal areas with a focus on hand contact surfaces (Regional Survey)
- Children's highchairs in restaurants (Regional Survey)
- Salads/slaws and water used during production (National Study)
- Taps/water in temporary/mobile supplies (National Study)

Microbiological examinations are undertaken by Public Health England, Food, Water and Environmental Microbiology Laboratory York, National Agri-Food Innovation Campus, Block 10, Sand Hutton, York YO41 1LZ.

In 2019/20 the Food and Public Protection Team took **75** food samples, **60** of which were reported as Satisfactory, **3** Borderline and **12** unsatisfactory. Sampling initiatives for the period included:

- **Soil bearing vegetables (potatoes, carrots, leeks, celery, cabbage etc) – surveillance**
- **Sandwiches with shelf-life of +2days or more with a focus on labelling**
- **Premises with no dishwasher and single multi-purpose sink (inc swabbing)**
- **Cloths v's disposable for cleaning**

Where necessary visits were made to those premises to identify reasons why the food samples will have been unsatisfactory and repeat sampling undertaken. If necessary, results will be notified to other local authorities.

When necessary, food complaint samples are sent to the Public Analyst at Lancashire County Scientific Services, Pedders Way, Ashton-on-Ribble, Preston PR2 2TX for non-microbiological food analysis. The analysis includes testing for food composition and contamination. During 2019/20, 1 sample was submitted for analysis to indentify a type of mould growth found in a ready made curry meal.

The team also utilised the insect identification service provided by the Authority's pest control product supplier, to identify a number of insects found in food complaints.

4.7 Control and investigation of outbreaks and food-related infectious disease

The Food and Public Protection Team will investigate food-related infectious disease notifications in accordance with procedures agreed with Public Health England. The response to notifications of illness will be dependant on the severity of illness ranging from immediate response in the case of serious infections e.g. E.coli 0157 & typhoid; to postal questionnaires for cases of campylobacter.

Investigation of outbreaks will be in accordance with the Outbreak Control Plan agreed with the Public Health England.

The table below summarises the number of cases notified to Carlisle City Council in 2019/20.

Disease	Number
Campylobacter	152
Salmonella	20
Ecoli 0157	1
Clostridium spp	1
Legionella	2
Norovirus / Viral	7*
Hepatitis E	1
Cryptosporidium	11
Giardia	21

*number of outbreaks e.g. residential homes

There were no confirmed food poisoning outbreaks during 2019/20; however officers of the Food & Public Protection Team investigated 7 norovirus/viral outbreaks associated with residential care settings. The number of cases associated with each outbreak in care settings is not fully recorded. The primary objective of testing is to establish whether the outbreak is food borne related or viral, and provide advice on isolation/cleaning. A limited number of samples are taken and once established the cause is viral, sampling would cease.

4.8 Food safety incidents

Food alerts are issued by the Food Standards Agency to relate information on national food issues to local authorities, the majority being for information only. Food alerts for action require officers to undertake a wide variety of courses of action dependent upon the issue at hand. In 2019/20 a total of 74 Food Alerts were received by the authority, of which 3 required action by the Food & Public Protection Team.

4.9 Liaison with other organisations

Environmental Health involves a number of stakeholders in the supply and operation of its food hygiene services including:

- Public Health England
- The County Council's Public Health and Trading Standards Departments
- Cumbria Food Liaison Group
- Cumbria Health Protection Liaison Group

- Care Quality Commission
- Cumbria Chamber of Commerce and the Carlisle and Penrith Federation of Small Business
- Food Standards Agency
- Better Regulation Delivery Office
- Carlisle Food City Steering Group
- Neighbouring local authorities

4.10 Food safety and promotions

Carlisle City Council participates in the Food Standards Agency National Food Hygiene Ratings Scheme. The scheme is designed to provide information about business hygiene standards to members of the public but is also a useful tool to drive up performance standards of food businesses. Other promotional initiatives used included:

- Local Healthy Options Award – to be replaced with the Cumbria wide Healthier Food Choices Award
- Food Safety Week – date to be confirmed by FSA
- Attendance at local events

5.0 Resources

5.1 Staffing resource

A structure chart is available on page 12. The number of full time equivalent (FTE) officers estimated to be deployed solely on food safety is set out in the following table:

Officer Post	FTE
Regulatory Services Manager	0.1
Principal Health & Housing Officer	0.3
Environmental Health Officers / Technical Officer	2.1
Total	2.5

5.2 Officer development

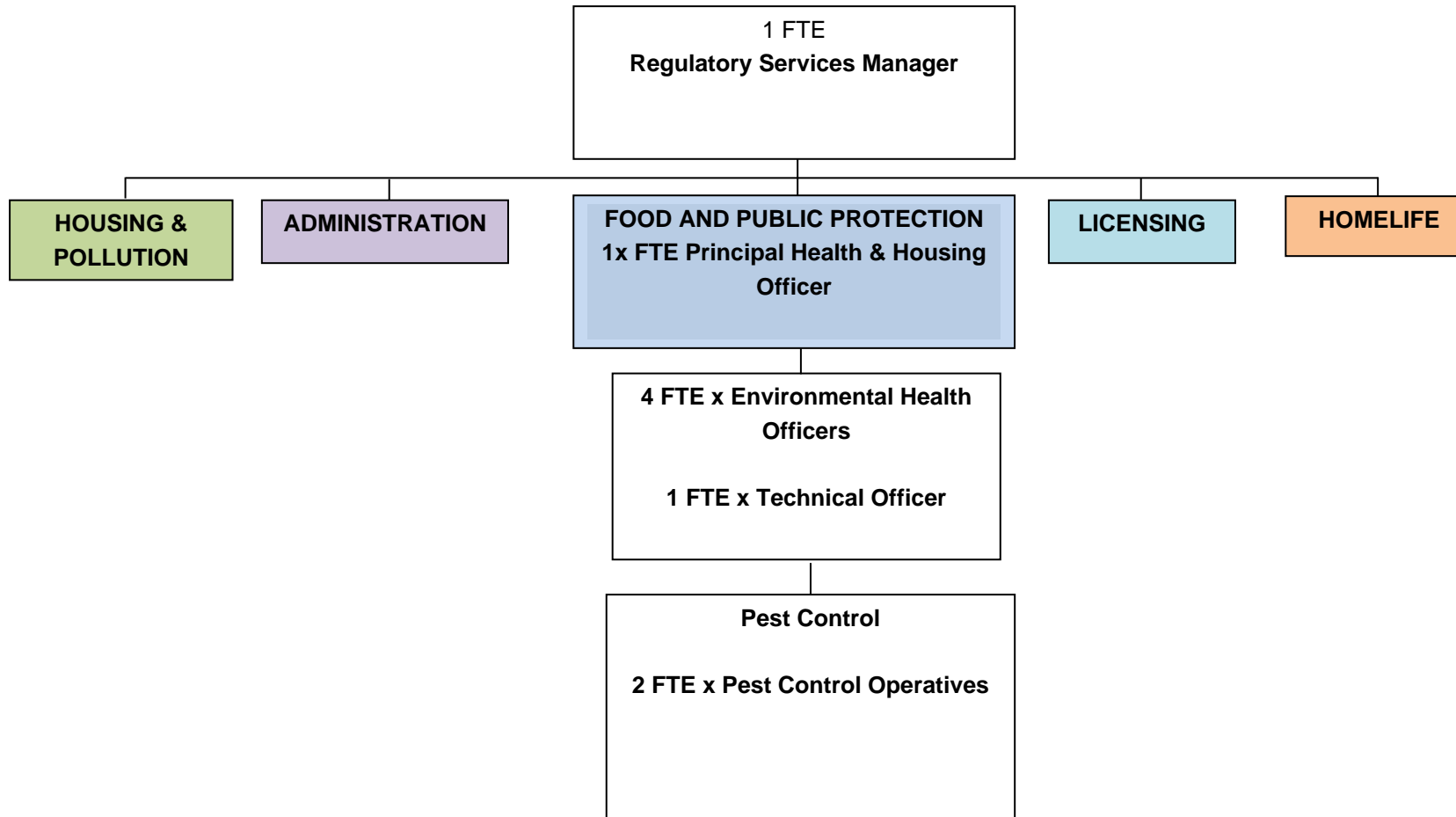
Carlisle City Council are committed to ensuring officers authorised to perform food safety enforcement functions receive relevant structured ongoing training to promote competency, ensure understanding of legislation and technological developments. As stipulated within the Food Law Code of Practice (England) March 2017, all authorised officers will receive a minimum of 10 hours training on food safety issues. All existing officers have obtained the Certificate of Registration of the Environmental Health Registration Board (EHRB) or the Diploma in Environmental Health award by the Royal Environmental Health Institute of Scotland (REHIS). A record of certificates of registration, qualifications and records of on-going training for authorised officers are stored and maintained by the department. The Principal Health & Housing Officer for Food & Public Protection team is required to monitor and report on compliance with our competency requirements. Any essential training needs identified will be provided either in-house or externally.

5.3 Quality assessment and performance management

The Principal Health & Housing Officer (Food & Public Protection) and the Regulatory Services Manager will monitor quality and performance on a monthly basis. Audit actions will be recorded on the department's database management system (FLARE – Civica App).

REGULATORY SERVICES

Structure Chart 2020 / 2021



Plan of work – 2020/21 – Subject to change due to impact of COVID19 Outbreak

Outcome	Key Actions	2019/20 Performance	Target 2020/21	NOTES
<ul style="list-style-type: none"> • Support Economic Growth 	Review the Council's Web Site in relation to service provided by the Food & Public Protection Team to ensure information to the public is relevant and accessible and facilitates e-government for accessing application forms etc and specifying service provision and charges where appropriate. (Priority)	Food & Safety webpages reviewed and amended where necessary.	Food & Safety webpages to be monitored to ensure information is accurate and reliable.	
	Provide an informal out of hour's service for Food & Health and Safety where circumstances necessitate. (Priority where circumstances require immediate action to protect public health)	Arrangements made for out of hours food hygiene inspections and special events (e.g. Markets, Festivals, etc.)	React to out of hours requests where circumstances necessitate.	
<ul style="list-style-type: none"> • Sustainable Food Chain • Healthier lives 	Inspect food businesses at intervals in accordance with the Food Standard's Agencies Code of Practice and educate and enforce where necessary. (Priority)	Category A – 100% Category B – 100% Category C – 98% Category D – 91% Category E – 81% (of targeted)	Category A – 100% Category B – 100% Category C – 80%* Category D – 80%* Category E – 50%*	*Lower target to account for impact of COVID19 – progress and target to be reviewed as year progresses

		<p>Unrated – 100% of those indented at start of year</p> <p>74 Cat E premises identified as overdue an intervention at 1/4/2019. Following an intervention strategy 88% of these received an intervention during 2019/20. Remainder will be targeted an intervention during 2020/21.</p>	Unrated (of those identified at the start of the year) – 100%	
	<p>Continue to work with and promote the National Food Hygiene Rating System.</p> <p>(Priority)</p>	<p>FHRS ratings for registered businesses within the scope of the scheme uploaded onto the FSAs FHRS website and issued window sticker following intervention.</p> <p>Continued compliance with the FSAs brand standard agreement</p>	<p>Ensure continued compliance with the Food Standards Agency brand standard agreement.</p> <p>Ensure registered food businesses within the scope of the scheme are issued a rating displayed on the FHRS website.</p>	<p>Check on:</p> <ul style="list-style-type: none"> • food.gov.uk/ratings • FHRS Web Data Tool

	<p>To sample foodstuffs for microbiological safety in accordance with local and national need</p> <p>Local sampling programme – Priority</p> <p>Participation in National Surveys - Desirable</p>	<p>Participation in PHE coordinated surveys.</p> <p>75 samples taken:</p> <ul style="list-style-type: none"> • 60 satisfactory • 3 Borderline • 12 Unsatisfactory 	<p>Collect samples as requested by the Public Health England coordinated sampling programme and local priority samples as determined by risk.</p>	<p>Planned sampling will be on a reduced basis due to the impact of COVID19 – sampling plan to be amended – liaise with PHE</p>
	<p>To actively take part in Cumbria Food Liaison Group (FLG) plan of work (Priority)</p>	<p>Representation at all FLG meetings – one cancelled due to COVID19</p> <p>Contributed to FLG work plan</p>	<p>Full Contribution and Attendance at arranged meetings and development of Action Plan</p>	
	<p>Identify all non-compliant businesses / 0-2 FHRS rated food businesses and take appropriate action to raise compliance level (to broadly compliant)</p> <p>(Priority)</p>	<p>98% of all food businesses broadly compliant</p>	<p>98% of food businesses broadly compliant</p>	
	<p>EU Exit – Transition Period – ensure authorisations, policies, procedures, letters, notices, website etc. are changed in-line with legislative changes prior to 1 January 2021 (Priority)</p>		<p>Ensure changes are made in line with legislation / guidance as issued by Central Govt / FSA</p>	

	Delivery of a Cumbria wide Healthier Food Choices Award (Desirable)	Award agreed by all Cumbrian Authorities	Launch of Award scheduled for April 2020 – delayed as a result of COVID19	Only desirable at this stage - focus will be on statutory functions and backlog of programmed inspections – to be reviewed
	Participate in “public health” related activity as requested by partners such as the County Council, Public Health England and the Food Standards Agency. (Desirable)	2019 FSA Christmas Food Safety Campaign -press release & council website	At least one campaign per year	

Report to Executive

Agenda
Item:

A.3

Meeting Date: 22 June 2020
Portfolio: Economy, Enterprise and Housing
Key Decision: Yes
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: Solway Coast AONB Management Plan
Report of: Corporate Director of Economic Development
Report Number: ED 21/20

Purpose / Summary:

Under the Countryside and Rights of Way Act 2000 the City Council has a statutory duty to prepare and review a management plan for each of its two Areas of Outstanding Natural Beauty (AONBs). The current Solway Coast AONB Management Plan ends in 2020 and has therefore been reviewed and redrafted to cover the period 2020 – 2025. The Council ultimately needs to adopt the management plan to meet its statutory duty.

Recommendations:

Executive are asked to note the Solway Coast AONB Management Plan ahead of sending it to Economic Growth Scrutiny Panel for consideration.

Tracking

Executive:	ED 21/20 (22/6/20) & (20/7/20)
Scrutiny:	EGSP ED 24/20 (9/7/20)
Council:	

1. BACKGROUND

- 1.1** Every five years the Solway Coast AONB Management Plan must be reviewed. The duty to produce this plan is placed on the three local planning authorities across whose boundaries the AONB lies. The plan is drawn up on their behalf by the Solway Coast AONB Partnership, which receives core funding from the City Council. A City Council officer is a member of the partnership's executive group, and there is member representation on the full partnership. The management plan focusses on the purpose of designation – the conservation and enhancement of natural beauty – and deals with natural and cultural heritage, and issues around promoting enjoyment and understanding of the area's special qualities. It is not a Local Plan.
- 1.2** The Solway Coast AONB covers the western edge of the district. It includes most of the village of Burgh by Sands, and the Solway marshes. The AONB lies within the boundaries of two adjoining local authorities – Carlisle and Allerdale, and wholly within the county of Cumbria.
- 1.3** AONBs are statutory landscape designations of national importance and are designated under the National Parks and Access to the Countryside Act. The primary purpose of AONB designation is to conserve and enhance the natural beauty of the area. In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social needs of the local communities.

2. PROPOSALS

- 2.1** The current AONB Management Plan covers the period 2015 – 2020. The Partnership has recently reviewed and redrafted this plan to ensure that it is fit for purpose to guide the management of the nationally protected landscape for the period 2020 – 2025.
- 2.2** The purpose of the Management Plan is for the local authority to formulate their policy for the management of the AONB and for the carrying out of their functions in relation to it. Whilst the Plan is not a land use planning document in the same way as the Carlisle District Local Plan, it has direct and complementary actions to the adopted Local Plan as follows:
- Nature recovery and landscape character – the Management Plan has an action which relates to local authorities having robust AONB policies in their

local plans to ensure that development protects the area's special qualities and does not compromise the purpose of designation. Policy GI 2 of the Local Plan makes provision for new development in the AONB to be appropriate to its surroundings and be suitably accommodated within the landscape;

- Cultural landscape and community – the AONB has evidence of the activities of its communities going back thousands of years from the Bronze age and the internationally significant Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site onwards to the Viking haaf netting fishing still practiced today, through to 20th century airfields and the 'glider traps' on the marshes. There are many scheduled monuments and listed buildings within the area, which the management plan seeks to protect through the planning system. The Local Plan recognises that heritage assets play a key role in reinforcing the District's distinctive identity as well as underpinning a strong tourism offer. The policies within the Local Plan seek to promote and protect the area's heritage resource;
- A natural place to explore and enjoy – the Management Plan highlights that the AONB is a stunning landscape and seascape of marshes, dunes, coastal cliffs mudflats, bogs, grassland, agriculture, wildlife and heritage, supporting strong, historic communities. Walking, cycling, riding, birdwatching and archaeological heritage are all reasons why people come to the AONB. The Plan advocates the use of planning policy to support development of an environmentally and economically sustainable visitor economy. Carlisle Local Plan recognises that tourism is vitally important to Carlisle as a generator of economic prosperity, and that tourism sectors are promoted and supported. This is reflected in Local Plan Policy EC11 which supports sustainable rural tourism and leisure developments where they respect the character of the countryside.

2.3 The vision for the management plan takes an ecosystems approach to the management of the AONB going forward, focusing on the protection, enhancement and restoration of habitat and species, seeking to enrich biodiversity through the restoration of saltmarshes, the Solway Mosses and mudflats ensuring they remain free from disturbance. Any surrounding land uses will need to be sensitive to the ecological needs of the area. The plan also seeks to ensure any future development contributes to and protect the area's quality and historic character. The plan seeks to ensure that the Solway Coast remains open to all, as a place to live, work, explore and enjoy through an increasingly environment-led economy.

- 2.4** Many organisations, individuals and communities will have a role in implementing the Management Plan, which will be used to develop projects and facilitate cooperation with statutory agencies, landowners and managers, businesses and the local community. The Plan highlights actions and activities that will conserve and enhance the natural and cultural heritage, help people discover, enjoy and understand the area, and support the economy in sustainable ways. The Plan focusses on desired outcomes which will be used in the process of monitoring progress during the life of the Plan. It will be accompanied by an Implementation Plan for the AONB unit staff team.

3. RISKS

- 3.1** The Countryside and Rights of Way Act 2000 places a duty on all public bodies and statutory undertakers to 'have regard' to the purposes of AONBs. However, the statutory responsibility to produce and review AONB Management Plans rests with the relevant local planning authority. In practice the Solway Coast AONB Partnership carries out this function on behalf of the two district authorities and Cumbria County Council across whose boundaries the AONB lies. Failure to discharge this duty would have significant implications for the management of the AONB.

4. CONSULTATION

- 4.1** There has been officer involvement throughout the review of the Management Plan through the Solway Coast AONB Executive Group. The member representative has been kept up to date of the process by the Partnership. Consultation has included members of the Partnership, the local communities across the relevant local authorities, representatives from a wide range of conservation, land management, tourism and other organisations and parish councils.
- 4.2** The consultation closed in January 2020. A report has been produced on the consultation responses and published on the AONB Partnership website. The Plan has been amended in light of the consultation where relevant and appropriate. The Plan has been endorsed by the AONB Partnership and submitted to the relevant local authorities for adoption, and to Defra.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

5.1 The Solway Coast AONB Management Plan is required to be adopted by the City Council in fulfilment of its statutory duty under the Countryside and Rights of Way Act 2000. The Plan will be instrumental in conserving and enhancing this nationally protected landscape. It will assist in the implementation of many of the actions and activities that will conserve and enhance the natural and cultural heritage of the AONB and sustain the economy in sustainable ways.

5.2 It is a plan for the area, and many organisations, individuals and communities will have a role in implementing it. It focuses on landscape, biodiversity, geodiversity and cultural heritage. It will also assist with securing external funding for project implementation.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

6.1 The Management Plan and the Council's ongoing work with the Solway Coast Partnership contributes to the Carlisle Plan priority 'Continue to improve the quality of our local environment ...'

Contact Officer: Richard Wood

Ext: 7192

**Appendices Solway Coast AONB Management Plan 2020-2025
attached to report:**

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

- None

CORPORATE IMPLICATIONS:

LEGAL – AONBs exist within the legal framework of the Countryside and Rights of Way Act 2000. The Act confirms the purpose and significance of AONBs, sets out the procedure for designation and creates a firm legislative basis for their protection and management. Section 89 and 90 in particular place a statutory duty on local planning authorities to prepare a management plan and to review and adopt published plans at intervals of not more than five years. Where an AONB involves more than one local authority they are required to do this 'acting jointly'.

FINANCE – the Solway Coast AONB Management Plan will be produced and implemented using existing base budgets under the control of the Economic Development Directorate

EQUALITY – an Equalities Impact Assessment will be available on the Solway Coast AONB website.

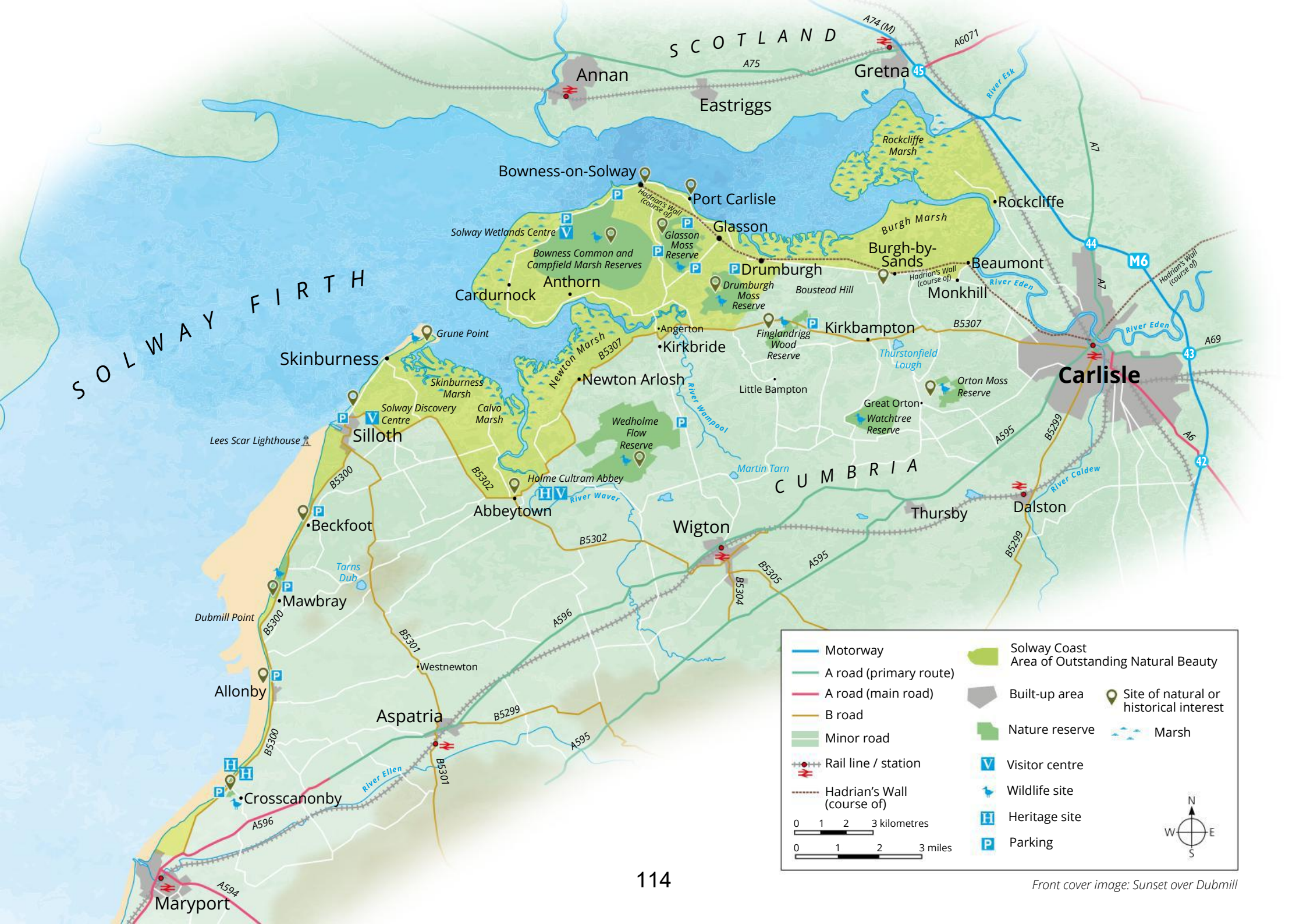
INFORMATION GOVERNANCE – there are no information governance implications with this report.

Solway
Coast
Area of Outstanding
Natural Beauty



Solway Coast

Area of Outstanding Natural Beauty
Management Plan 2020-25



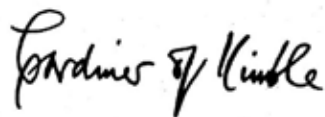
Ministerial Foreword

I am fortunate that England's Areas of Outstanding Natural Beauty are part of my Ministerial responsibilities. Whether it be rolling hills, sweeping coastline or a tranquil village, spending time in an AONB can stir the heart and lift the spirit.

This is a pivotal moment for all AONBs. The Government has set its ambition in the 25 Year Environment Plan which states clearly the importance of natural beauty as part of our green future, while AONBs retain the highest status of protection for landscape through national planning policy. Leaving the EU brings with it an opportunity to develop a better system for supporting our farmers and land managers, who play such a vital role as stewards of the landscape. And the Review of National Parks and Areas of Outstanding Natural Beauty led by Julian Glover – the first of its kind for generations – has made recommendations to make sure our designated landscapes can flourish in the years ahead.

In my visits to AONBs around the country, I have been struck by the passion of many people – farmers, volunteers, and hard-working staff – for the beautiful places they live and work in. In this spirit I am delighted to welcome publication of this Statutory Management Plan for the Solway Coast AONB. It is significant that this plan will be delivered in partnership by those who value the Solway Coast.

I would like to thank all those involved in the preparation of this document, and wish you the best of success in bringing it to fruition.



Lord Gardiner of Kimble,

Parliamentary Under Secretary of State for Rural Affairs and Biosecurity



“In my visits to AONBs around the country, I have been struck by the passion of many people – farmers, volunteers, and hard-working staff – for the beautiful places they live and work in.”

Chairman's Foreword

The Solway Coast Area of Outstanding Natural Beauty is a very special landscape, nationally designated for its natural beauty, including its wide range of habitats, rich historical legacy as well as its wide open views and real sense of tranquillity. Having been born and bred on the Solway Coast, I am proud to be a member of the community here and share with others this wonderful place.

As we step forward into a new phase and a new Management Plan period, I would like to both reflect on the past and look forward to the future. The Solway was first designated in 1964, and we have now worked to conserve and enhance it for over 50 years, action having been carried out by a hugely experienced staff team and partnership as well as longstanding communities who have cherished and looked after it. We are very grateful for the long historical legacy behind us and the impact that has had. We now enter into a new era, and recognise the opportunity that five more years brings to really make a difference to the way this landscape develops into the future. Many challenges lie ahead – the future of farming support, the impact of climate change, the resilience of the coastline to erosion and nature recovery being just a few of them. At the same time there are opportunities – better connections with communities and visitors, the ability of wild open spaces to heal and improve wellbeing and strong partnerships with a whole range of organisations, businesses and community groups amongst others. We are excited about the direction set by the recent national Designated Landscapes review and hope that this will help us achieve more for the Solway over the next five years.

Much work has gone into this new Management Plan which has been reviewed on behalf of Allerdale Borough Council, Cumbria County Council and Carlisle City Council with support from Defra as well as many others. The Plan has evolved through discussions, meetings and feedback from a wide cross section of people, from the public, partners, community groups and other organisations and we are extremely grateful for everyone's input.

We hope that you feel inspired and optimistic about this Plan, and above all, enthusiastic to play an active role helping to deliver it. By doing so we can all make a difference in looking after, enjoying and understanding this wonderful place.



William (Bill) Jefferson, OBE
Chairman, Solway Coast AONB
Joint Advisory Committee

Our 2030 Vision

It is 2030. The Solway Coast is a more resilient landscape, richer in wildlife, with declines in biodiversity being reversed. Our saltmarshes and mudflats have stable populations of wildfowl and waders, benefiting from well-managed habitat, free from disturbance. Our sand dune systems are thriving, with a richer diversity of plants and animals.

The Solway Mosses have been restored, well-managed and better connected; surrounding land use is sympathetic to their conservation. They are valued by the public for their distinctive wildlife and as part of what makes the Solway special.

Our lowland farmland and marshy grasslands are richer in biodiversity than in 2020. High Nature Value farmers are rewarded properly for providing species-rich grassland, better-managed and connected kested hedgerows, and cleaner, more wildlife-rich watercourses.

Our historic environment, especially our legacy of traditional building styles and our rich historical legacy from the pre-Roman to the twentieth century, is better understood, conserved and celebrated. Our cultural heritage is widely recognised and valued and is continually evolving and growing richer.

Local communities have a strong sense of what's special about where they live, they celebrate their heritage together creatively and feel involved in its management. People increasingly value the Solway Coast's natural heritage for its own sake and for all that it provides for us.

The Solway Coast is a natural choice as a place to live, work, explore and enjoy. Well-managed, expertly interpreted and open to all, our natural and cultural assets underpin an increasingly environment-led local economy.

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The nature and purpose of this plan



This is the Solway Coast AONB Management Plan (2020-2025). It is the statutory plan for the conservation and enhancement of the natural beauty of the Solway Coast over the next five years. It focuses on landscape, biodiversity, geodiversity and cultural heritage which combine to create a sense of place; it also addresses issues around how people can better explore, enjoy and understand the landscape and in doing so support a nature and culture based economy. It is a plan for the area, not a work plan for the AONB staff team, and many organisations, individuals and communities have a role in implementing it.

Different people will use it in different ways

Local authorities: one audience for the plan are the three local authorities of the Solway Coast, as it is upon them that the duty is placed to produce the Plan (and to conserve and enhance the AONB, a duty also placed on all public bodies). The AONB Joint Advisory Committee, led in this context by the Officer Steering Group and the AONB staff team, discharges the plan-making

function on the authorities' collective behalf. Planning and other policies of local authorities should support the implementation of the plan.

Government agencies, statutory undertakers, utilities and public

bodies: another important audience, these bodies must, in accordance with Section 85 of the Countryside and Rights of Way Act 2000 (CROW), have regard to the purposes of AONB designation in the carrying out of their functions. The outcomes and actions in this Plan should guide them in the discharging of their duty under the Act.

Conservation organisations: the plan should play a leading role in setting their priorities in this area and should promote collaboration between organisations to meet shared objectives.

Farmers and landowners: this plan should help to guide the content and targeting of new locally-tailored agri-environment schemes and the elements of the proposed Land Management Plans for individual holdings in such schemes.



The plan sets out conservation priorities for the area and the public goods and services that can be delivered locally – farmers and landowners have the central role conserving our natural heritage and providing the benefits that flow to society from sound land management.

Communities: the content of the plan can help inspire and support community projects, providing a focus for activity.

For everyone: the plan highlights the area's special qualities, identifies actions that will bring about improvements and identifies where conservation priorities should lie. It should be used as evidence to support policy, strategy and action plan development, and, crucially to help justify the allocation of resources and applications for funding.

Not the plan for everything

The Plan is not intended to be a panacea for all the perceived problems which

local communities might face, nor is it intended to duplicate or replace other statutory plans which affect the area. It is, however, the only document with a focus on the purpose of AONB designation – the conservation and enhancement of natural beauty. In addition to this Plan, the Solway Basin National Character Area Profile, the production of which was led by Natural England, is a good source of baseline data and an excellent companion document to this plan, as is the Solway Coast AONB Landscape and Seascape Character Assessment (2010).

Habitats Regulations

It should be noted that individual proposals flowing from the Management Plan that may themselves be considered to be projects for the purposes of the Habitats Regulations may require individual assessment and will need to be permitted in accordance with those Regulations in order to be compliant with the Plan.

Introduction



Barnacle geese over the Solway

As part of developing this plan, people were consulted in meetings, at events and online, on what matters to them about the Solway Coast and about the things they were either concerned about and/or wanted to see looked after. This brief introduction to this special landscape builds on and amplifies some of the things people said as part of that consultation – where better to begin this document that sets out what makes the Solway special and how it can be conserved?

At just 115km², the Solway Coast, designated in December 1964, is one of the smallest Areas of Outstanding Natural Beauty (AONB) in the country. Other places might be bigger, or better known than this narrow strip of coastline between Carlisle and Maryport, but the Solway is in some ways a well-kept secret. “Everyone knows about the Lakes but it’s surprising how many people outside the area have no idea what wonderful beaches and coastal areas there are.” It is understated in many ways, and what it lacks in relative size it makes up for in the beauty and wildness of the estuary, the mysterious feel of the mosses and the subtle nature of its farmed landscapes. As one resident said, “I love it. It’s so unspoilt, it feels like going back in time.”

The Solway Coast is perhaps most celebrated for its estuary landscapes – its saltmarshes, mudflats and dunes – that provide winter refuge for thousands of wintering wildfowl and waders. For many of us, the birdlife of the estuary provides “the natural soundscape” to the Solway. These are wide open

“Everyone knows about the Lakes but it's surprising how many people outside the area have no idea what wonderful beaches and coastal areas there are.”

Dog walkers on Glasson Moss

landscapes, with outstanding views into and out of the AONB. Nature and wide open spaces feature prominently in what people value, with one resident simply saying, “I love to watch the skies and the wildlife.”

If the estuary landscapes are wild and dramatic, the Solway Mosses are perhaps the most enigmatic part of the coast. They are easily dismissed as ‘wasteland’ and this can hamper their conservation, but they provide vital services to us all – carbon storage and sequestration in particular. They are also rich in wildlife, especially dragonflies, butterflies (notably the rare large heath), birds and specialist plants like sundews.

Set back from the coast, a gentle, rolling, pastoral landscape of improved and semi-improved grasslands is enclosed by ‘kestred’ hedgerows and cut through by sunken lanes and narrow roads. Here, and on the grazing marshes, farming remains an important part of the life of the Solway, whilst in the estuary there is a rich heritage of harvesting the fruits of the sea. This is captured well by someone who sees this clearly as part of what makes the area special and that it should continue to be so: “The Solway Plain has a rich agricultural and marine heritage which should be encouraged.”

Settlements and the wider landscape have a complex mixture of vernacular buildings, reflecting a long history of occupation and include fortified houses and churches, longhouses, ‘clay dabbins’ and cruck-roofed buildings. In these buildings and structures, and in the field and settlement patterns, place names and archaeological features, the past is with us all the time.

Hedgerows in winter



Meadow



Local people and visitors love to walk and cycle through this landscape and to enjoy its natural wonders and its cultural heritage, feeling that the Solway Coast can provide “a more balanced way of life where everyone can benefit from slowing down and tuning into nature for wellbeing and appreciation.” A visitor to the area summed up the impact the Solway has on their health and well-being, saying simply, “I feel I breathe better there.”

People value “the sheer beauty and essentialness of this area” and want to see it conserved and enhanced where possible. But looking ahead, they are concerned about the future of our landscape and its wildlife and habitats, about climate change and for people’s continued ability to explore and enjoy the area sustainably and learn more about it. They are also concerned about a potential increase in development pressure; the possible loss of special views; the loss of traditional buildings; the potential decline of farming and fishing. They see an increase in fly-tipping and litter. And they want to make sure these concerns are not realised and that the area has a bright future.

Put simply, they want to, “ensure that the Solway Coast remains an area of outstanding natural beauty.” That is what this Management Plan is all about, and if everyone can get behind the kinds of actions it promotes, we can achieve the Vision outlined on page 3, together.

“I feel I breathe better there.”

Horse riding on the beach





Background to the plan

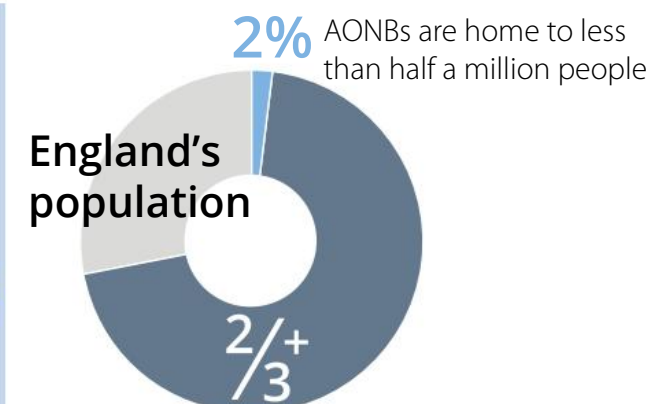


Areas of Outstanding Natural Beauty

The 46 Areas of Outstanding Natural Beauty (AONB) in England, Wales and Northern Ireland cover approximately 1/5th of the land surface. The distinctive character and natural beauty of AONBs make them some of the most special and cherished places in England. AONBs are living, working landscapes that contribute some £16bn every year to the national economy. Although home to less than half a million people (under 2% of England's population), over two thirds of England's population live within half an hour's drive of an AONB and around 150m people visit English AONBs every year, spending in excess of £2bn.



124 The AONBs of England and Wales



Over two thirds of England's population live within half an hour's drive of an AONB

www.solwaycoastaonb.org.uk



View over the Cardurnock Peninsula

Together with National Parks, AONBs represent our most outstanding landscapes; unique and irreplaceable national assets, each with such distinctive character and natural beauty that they are recognised internationally as part of the global Protected Areas family to be managed in the interest of everyone – local residents, businesses, visitors, and the wider public – and protected for future generations.

The legal framework

AONBs exist within a legal framework which has been progressively strengthened since the first AONBs came into existence after the Second World War. It may be strengthened further as a result of the Glover Review of Protected Landscapes which reported in September 2019.

The 1949 National Parks and Access to the Countryside Act first established the AONB designation, provided AONBs with protection under planning law against

inappropriate development and gave local authorities permissive powers to take action for ‘preserving and enhancing natural beauty’ in them (S.88).

The Countryside Act 1968 placed a responsibility on local authorities, the statutory conservation bodies, and civil servants, in exercising their functions under the 1949 Act (as amended by subsequent legislation) to ‘have due regard to the needs of agriculture and forestry and to the economic and social interests of rural areas’ (S.37). Within AONBs, this means a responsibility to acknowledge and, where appropriate to promote, farming, forestry and the rural economy wherever this can be done without compromising the primary purpose of conserving natural beauty.

The Environment Act 1995 introduced the phrase ‘conserve and enhance’ in place of ‘protect and enhance’ in relation to duties of local authorities, the Environment Agency and other bodies. No statutory duties were placed on local authorities actively to manage AONBs in any particular way.



Cows on Burgh Marsh

The Countryside and Rights of Way Act 2000 (CROW) subsumes and strengthens the AONB provisions of the 1949 Act. It confirms the purpose and significance of AONBs, clarifies the procedure for their designation, and created a firm legislative basis for their designation, protection and management. In particular:

Section 82 reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty.

Section 83 establishes the procedure for designating or revising the boundaries of an AONB, including Natural England's duty to consult with local authorities and to facilitate public engagement.

Section 84 confirms the powers of local authorities to take 'all such action as appears to them expedient' to conserve and enhance the natural beauty of an AONB, and sets consultation and advice on development planning and on public access on the same basis as National Parks in the 1949 Act.

Section 85 places a statutory duty on all 'relevant authorities' to 'have regard to the purpose of conserving and enhancing the natural beauty' of AONBs when coming to any decisions or carrying out activities relating to or affecting land within these areas. 'Relevant authorities' include all public bodies (including county, borough, district, parish and community councils, joint planning boards and other statutory committees); statutory undertakers (such as energy and water utilities, licensed telecommunications companies, nationalised companies such as Network Rail and other bodies established under statute responsible for railways, roads and canals); government ministers and civil servants. Activities and developments outside the boundaries of AONBs that have an impact within the designated area are also covered by the 'duty of regard'.

Sections 86 to 88 allow for the establishment in an AONB of a Conservation Board to which the AONB functions of the local authority (including development planning) can be transferred. Conservation Boards have the additional but

secondary function of seeking to increase public understanding and enjoyment of the AONB's special qualities. They also have an obligation to 'seek to foster the economic and social wellbeing of local communities' in co-operation with local authorities and other public bodies.

Sections 89 and 90 create a statutory duty on all AONB partnerships (local authorities and Conservation Boards) to prepare a Management Plan 'which formulates their policy for the management of their area of outstanding natural beauty and for the carrying out of their functions in relation to it', and thereafter to review adopted and published plans at intervals of not more than five years. Where an AONB involves more than one local authority they are required to do this 'acting jointly'. Section 92 makes clear that the conservation of natural beauty includes the conservation of 'flora, fauna and geological and physiographical features.'

Cycling along the edge of Burgh Marsh



The Natural Environment and Rural Communities (NERC) Act 2006

Section 99 formally clarifies in law that the fact that an area consists of or includes land used for agriculture or woodlands, or as a park, or 'any other area whose flora, fauna or physiographical features are partly the product of human intervention in the landscape' does not prevent it from being treated, for legal purposes 'as being an area of natural beauty (or of outstanding natural beauty).'

Schedule 7 asserts that an AONB joint committee of two or more local authorities, or a conservation board, can constitute a 'designated body' for the performance of functions allocated to Defra.

Responsibility for AONBs

The formal legal responsibility for both development control and for management of AONBs (including the duty to prepare an AONB Management Plan) lies with the local authorities in whose area(s) the AONB exists, except in two instances (the Chilterns and the Cotswolds AONB) where this is the responsibility of a statutory Conservation Board.

In addition, the duty of all public bodies and statutory undertakers to 'have regard' places an obligation on a wide range of organisations not just to consider any detrimental impacts of their policies and activities outside as well as within the boundaries of any AONB, but positively to consider how they might benefit the AONBs special qualities.

Statutory guidance for the production of AONB Management Plans is contained in former Countryside Agency guidance documents CA23 and CA221. These make it clear that preparation needs actively to engage and gain the support of all key stakeholders, who will assist in its delivery. The AONB Management Plan is a place-based plan derived through local consensus. It seeks to define the approach to conserving and enhancing the natural beauty of the AONB through the application of local solutions to local challenges that also respect the national and international importance of the AONB. It is a plan not for the partnership but for the AONB as a whole.

History of AONB designation and milestone documents

AONBs emerged from the mood of civic renewal which characterised the decades following the end of the Second World War – the 1949 National Parks and Access to the Countryside Act was one amongst many – including health, education, agriculture and development planning – which established the basis for a ‘new Britain’. The need to designate special areas of the countryside against inappropriate development, to celebrate and conserve their distinctive features, encourage sustainable agriculture and foster local economic wellbeing was recognised well before the Dower (1945) and Hobhouse (1947) reports which led to the establishment of AONBs and National Parks.

Since their establishment by the 1949 Act there has been continuous development in the policy and legislative context of AONBs, shaped by a number of key policy documents including:

- Areas of Outstanding Natural Beauty – A Policy Statement (Countryside Commission & Countryside Council for Wales, 1991)
- Areas of Outstanding Natural Beauty – A Guide for Members of Joint Advisory Committees (Countryside Commission & Countryside Council for Wales, 1994)
- Protecting our finest countryside: Advice to Government (Countryside Commission, 1998)
- Areas of Outstanding Natural Beauty Management Plans: A Guide (Countryside Agency, 2001)
- Areas of Outstanding Natural Beauty. A Guide for AONB partnership members (Countryside Agency, 2001)
- Guidance for the Review of AONB Management Plans (Countryside Agency, 2006)
- Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England (Natural England, 2011)
- Guidance for assessing landscapes for designation as National Park or Area of Natural England Designations Strategy (Natural England, 2012)

Seventy years after the 1949 Act, the production and implementation of revised AONB Management Plans will help to ensure that AONBs are leaders in developing and promoting the intentions of the 1949 Act in a rapidly changing modern context.

Planning and AONBs

Areas of Outstanding Natural Beauty enjoy the same levels of protection from development as those of UK National Parks. Responsibility for planning policy in AONBs lies with the relevant local authority (in National Parks it lies with the National Park Authority). This means that while AONB Management Plans themselves do not form part of any local development plan they are, nevertheless, vitally important documents in the planning system. They are:

- the basis for identifying the special qualities of the area, those aspects of the AONB which are critical in contributing to its natural beauty and potentially influential in development planning policy
- a ‘material consideration’ in the determination of individual planning applications and at appeal.

These special qualities cannot be seen in isolation from each other and are more than a bullet-point list, but include scenic beauty, a strong sense of relative wildness, remoteness and tranquillity of the Firth, wide-open skies, inland mosses and raised mires, a wealth of breeding wading birds, and the sights and sounds of the sea. All these qualities are amplified throughout this plan and in combination they produce a unique sense of place.

The revised National Planning Policy Framework (NPPF) (2019) states:

- The ‘presumption in favour of sustainable development’ at paragraph 11. Paragraph 11b(i) states that strategic policies should as a minimum provide for objectively assessed needs for housing and others uses, ... unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area. Footnote 6 states that the policies referred to are those in the NPPF relating to ... an Area of Outstanding Natural Beauty
- NPPF paragraph 172 requires that in any decision great weight should be given to ‘conserving and enhancing landscape and scenic beauty’ in AONBs which (together with National Parks) ‘have the highest status of protection in relation to these issues.’ Paragraph 172 also states that ‘The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas’.

The intention is that the NPPF provides a framework within which locally prepared plans for housing and other development can be produced. The NPPF must be taken into account in preparing the local development plan and is a material consideration in planning decisions. Local Plans provide more detailed policies in relation to the Solway Coast.

North West Marine Plan

Further policy context for the AONB Management Plan can be found in the draft North West Marine Plan (due for publication in mid-2020). Marine Plans inform and guide decision makers in development matters affecting marine and coastal areas; there is an overlap with terrestrial plans which generally extend from the mean low water springs mark. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference, avoid, minimise or mitigate such impacts. It is considered that the implementation of this Management Plan will support policies in the forthcoming inshore and offshore marine plans and vice versa. A duty to co-operate with the Marine Management Organisation (the plan-maker of the Marine Plans) is placed on relevant local authorities.

Major development

Government policy (NPPF paragraph 172) states that 'planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

NPPF paragraph 11 asserts a 'presumption in favour of sustainable development'; however, this is limited where 'specific policies (including AONB Policies) indicate development should be restricted'

AONB 'setting'

The term 'setting' is used to refer to areas outside the AONB where development and other activities may affect land within an AONB. Its extent will vary

depending upon the issues considered but some can be mapped, for example, the impact of development on views into and out of the AONB. Section 85 of the CROW Act 2000 requires public bodies to consider whether any activities outside the AONB may affect land in an AONB, and Planning Practice Guidance (Natural Environment: 003) emphasises that this duty is relevant in considering development proposals that are situated outside the AONB boundary. Not all activities will be detrimental; conservation practices and economic ties outside the AONB can support the purpose of AONB designation.

The international context

English AONBs are part of the international Protected Area Family. As cultural landscapes, produced through the interaction of humans with nature over time, they have a special significance (together with UK National Parks) as being recognised by the International Union for the Conservation of Nature (IUCN) as 'Category V – Protected Landscapes'.

Category V protected landscapes are defined by IUCN as: 'A protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.' IUCN emphasises their importance as cultural landscapes – in distinction to Category I (Strict Nature Reserves and Wilderness Areas) and Category II National Parks (which for IUCN are large natural or near-natural areas, unlike UK national parks).

Until recently, the AONB designation was regarded (together with that of UK National Parks) as an anomaly in the international protected area system which prioritised 'naturalness' as a criterion of value. In the last quarter-century, however, they have come to be recognised, particularly within Europe, as leaders in the move towards area-based sustainable development. AONBs in particular, as 'working' landscapes, lead the way in pioneering new approaches to integrated countryside management based on voluntary partnerships engaging and working with local communities to secure common goals.

The new, multidisciplinary, multifunctional concept of landscape is encapsulated in the European Landscape Convention (ELC). Adopted by the Council of Europe in 2000 (it is not an EA directive and will remain unaffected by Brexit) it has been applicable to the UK since March 2007. ELC promotes a definition of landscape which usefully underpins the rationale for AONBs: 'An area, as perceived by

people, whose character is the result of the action and interaction of natural and/or human factors', a rich concept that encompasses but goes beyond sectoral (geomorphological, ecological, archaeological, historical or aesthetic) approaches.

ELC makes it clear that people are at the heart of all landscapes (the commonplace and 'degraded' as well as the eminent) each of which has its own distinctive character and meaning to those who inhabit or visit it. The ELC places obligations on signatory states to recognise landscape 'as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity.' Obligations include a requirement to identify the diversity and range of landscapes, the important features of each, and to engage with local communities, private bodies and public authorities in their planning and management. This includes raising awareness and understanding of the character, value and functions of landscape and the way these are changing. There is also a requirement to provide training in landscape-related skills. AONBs and their managing organisations are a very significant contributor to delivering on the UK's obligations under ELC.

The NAAONB and the purpose of the AONB network

The National Association for AONBs (NAAONB) is a charity that provides a strong collective voice for the UK's 46 Areas of Outstanding Natural Beauty (AONBs). Its objectives are to:

- promote the conservation and enhancement of AONBs
- advance the education, understanding and appreciation by the public of AONBs
- promote the efficiency and effectiveness of those promoting or representing AONBs, other protected areas and those areas for which designation might be pursued.

It does this by taking a collaborative and partnership-based approach to working with its membership and other organisations at a national level to achieve shared goals.

Charity members are involved in the planning and management of around 8,000 square miles of outstanding and cherished landscapes in England, Wales and

Northern Ireland. Membership includes most of the AONB partnerships, as well as some of those Local Authorities with statutory responsibility for AONBs, together with a number of voluntary bodies, businesses, and individuals with an interest in the future of these iconic landscapes.

The NAAONB's vision is that the natural beauty of AONBs is valued and secure. The charity's mission is to support and develop a network of ambitious AONB partnerships with a strong collective voice. Through the NAAONB, the following high-level objectives have been adopted as the common national purpose of the AONB network:

- conserve and enhance the natural and cultural heritage of the UK's Areas of Outstanding Natural Beauty, ensuring they can meet the challenges of the future
- support the economic and social well-being of local communities in ways which contribute to the conservation and enhancement of natural beauty
- promote public understanding and enjoyment of the nature and culture of Areas of Outstanding Natural Beauty and encourage people to take action for their conservation
- value, sustain, and promote the benefits that the UK's Areas of Outstanding Natural Beauty provide for society, including clean air and water, food, carbon storage and other services vital to the nation's health and well-being.



Marsh fritillary



Core principles for this plan



Nature Recovery: The recovery of nature has to start now and it is at the heart of this Plan. Action which restores, enhances, expands and connects habitats and reverses the decline in biodiversity should be prioritised. This activity must take place on a landscape scale, rather than focused on 'sites' in isolation, and through a 'landscape approach' which works within the social and economic context of the area. There should be no decisions taken on the Solway Coast which lead to the net loss of biodiversity. The principle of net gain for biodiversity should be applied to all development decisions. This plan supports delivery of the 25 Year Environment Plan

Climate change: Human-influenced climate change is real. Projects and initiatives arising from this Plan should have as small a carbon footprint as possible and maximise opportunities for carbon storage and sequestration. Projects which seek land management solutions to problems of a changing climate will be encouraged, as will research which helps us better understand our changing climate. Small-scale renewable energy schemes will be

encouraged and local people's effort to reduce the amount of energy and resources they use will be supported.

An ecosystems approach: Nature provides us with 'services' and benefits if we look after it – things which should be recognised in land management and development decisions. Maintaining these services and benefits is another powerful reason, if more were needed, to look after species and habitats and sustain natural processes.

Landscape change: Change in the landscape is inevitable, especially in a dynamic coastal environment, and is often to be welcomed, but that change needs to be managed carefully to ensure that what makes the Solway special and distinctive is not lost.

Supporting sustainable land management together: Strong and meaningful collaborations between farmers, landowners, conservation bodies, local authorities and local people are the only way to ensure that nature has

View over the Solway Firth at Mawbray Banks



Roe deer



Rowing a traditional wooden Solway skiff

another, e.g. new woodlands will not be planted on areas with existing biodiversity importance or historic significance, or wind turbines would not be erected where they would damage the character of the landscape.

Economy and environment: Nature and beauty and a strong sense of place are economic and social assets. In a nationally protected landscape in particular, development must be environmentally sustainable as well as economically and socially sustainable.

Open to everyone: There should be equality of opportunity for everyone to enjoy what this area has to offer – there are barriers to remove to make this possible, from limited public transport, to the need for better information or better infrastructure, and only some of these are within the scope of this Plan.

Community and conservation: Local people should be encouraged and supported to devise projects and initiatives that conserve and celebrate natural beauty, or become involved in those led by others.

Learning and discovering: Opportunities to enhance understanding of natural and cultural heritage should be taken whenever possible and costed into conservation projects; programmes of education and life-long learning are critical to the future well-being of nature – *people will not care about what they cannot enjoy and they cannot enjoy what they cannot experience.*

Costs and benefits: Conserving and enhancing natural beauty, helping people explore, enjoy and understand the Solway Coast and supporting land-based industries, is a public good – appropriate resources need to be found for it.

a bright future. A focus on outcomes, not prescriptions, will deliver more for nature than a one-size-fits-all approach.

Cross-border collaboration: There is always going to be merit in working across the border between England and Scotland on conservation, tourism and recreation activity and every effort should be made to foster this.

Health and well-being: Delivering this Plan should generate new opportunities for first hand experiences in nature, something that is proven to bring health and well-being benefits. Activity which promotes an emotional engagement with nature should be encouraged; this also enhances well-being and increases people's care for the world around them.

Avoiding perverse outcomes: There is an assumption in this Plan that actions will not bring about one environmental benefit at the expense of



Oystercatcher

An ecosystems approach – what does nature do for us?

Nature does not 'owe us a living', yet it provides us with one all the same. So, as well as prioritising the conservation of nature for its own sake, it's vital to understand that our natural assets, properly cared for, provide services and benefits on which society is dependent.

Natural Capital, Services and Benefits

'Natural capital' refers to the stock of physical and natural assets that support services and benefits for society. It includes biodiversity, habitats, landscapes, geological resources and natural processes. So, the Solway Mosses are a natural capital asset, that provide water storage services, that bring the benefit of flood risk mitigation. By conserving and restoring the mosses and other habitats locally, we are doing something intrinsically valuable for nature, but also supporting services and benefits for society. These services and benefits also depend on the wise use of economic and social capital, but at their root is the natural capital that makes their delivery possible.

These services include nutrient cycling, pollination, carbon storage, biomass, erosion protection and water purification; the benefits we derive from them include clean air and water, flood risk reduction, recreation, food, employment opportunities and a source of physical and spiritual well-being. We should never have to ask, 'What has nature ever done for us?'

Our natural capital has been seen as limitless and free, and something which has little or no value to business – and usually as a constraint. However, natural capital is clearly not limitless and the Organisation for Economic Co-operation and Development (OECD) acknowledged in 2012 that 40% of global gross domestic product (GDP) is dependent on it. We have failed to take account of our impacts on natural capital to the point where we may have depleted it beyond its capability to support us into the future. We are 'overdrawn at the bank of nature' and unless we start reinvesting quickly, significantly and in the right places, the declines will continue and the many services nature provides for us will be all but lost.



Shaggy inkcap



Drumburgh Moss

Taking an ecosystems approach

This Plan highlights some of the services and benefits that flow from our natural assets and identifies desired outcomes and actions to secure their future. The plan takes an ecosystems approach:

- it is place-based, focusing on the whole Solway Coast (and where necessary beyond)
- it combines action for biodiversity and landscape conservation with an understanding of the public benefits this brings
- it is not focused on species, habitats and issues in isolation – rather it promotes an integrated approach to large-scale conservation of biodiversity and ecosystem services, seeking to understand the effects of management on nature and people. One can read through from issue to action to outcome and to the ecosystem services and benefits provided.

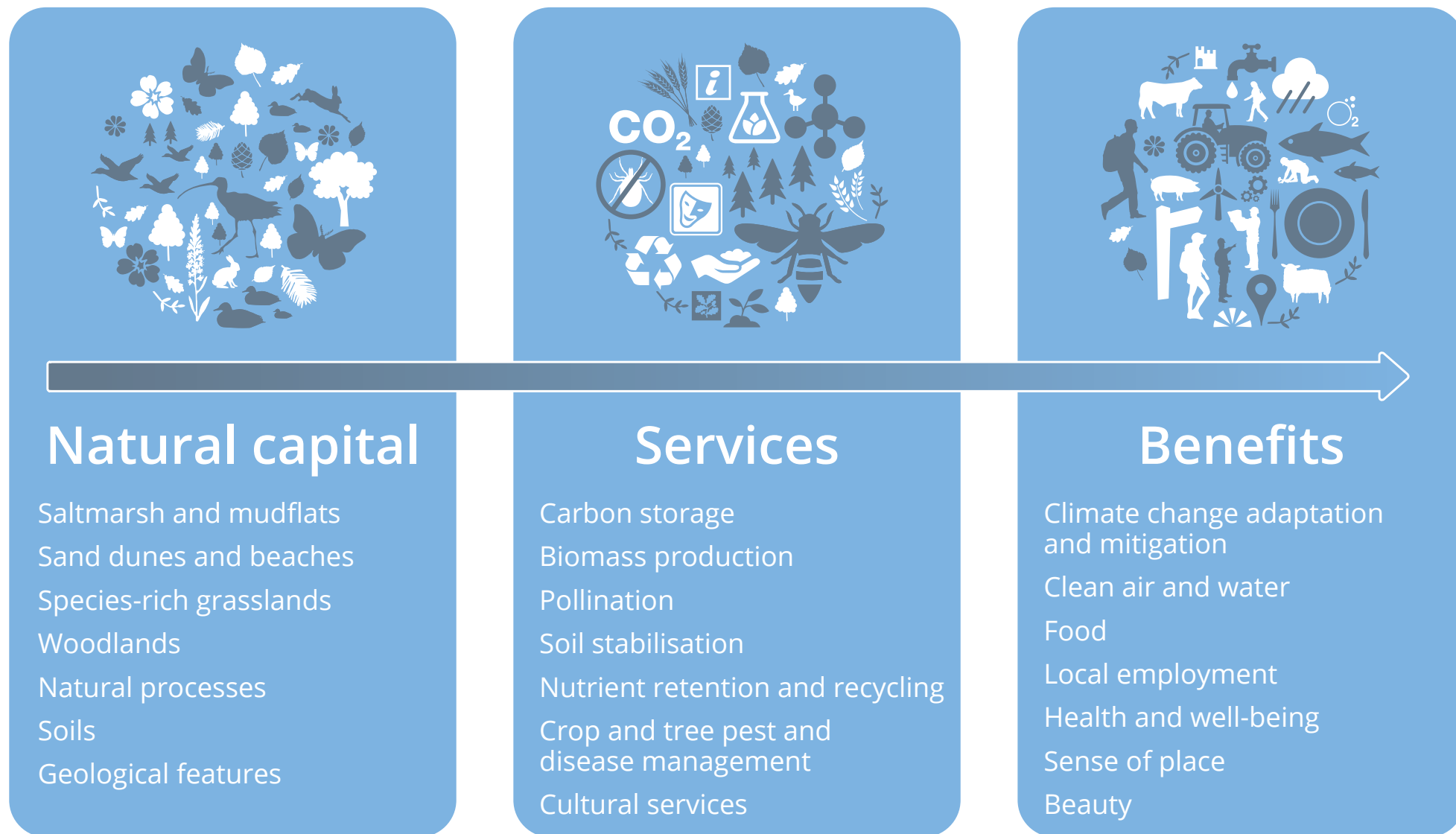
This approach attempts to understand, and work within, the acceptable limits of environmental change, in order to meet community need without compromising the natural assets that will support us in the future. It requires a joined-up commitment to delivering the Plan's Outcomes and Vision, to drive better and more integrated policy and action on the ground across local authorities, agencies, NGOs and the community.



Common spotted orchid

Natural Capital Assets, Services and Benefits on the Solway Coast

This diagram helps to illustrate the flows of services and benefits we get from looking after our natural assets. The matrix on the following page looks at this in a little more detail. It is not an exhaustive list.





Priority Habitats, Services and Benefits

The table below highlights how conserving the area's Priority Habitats will help to sustain our **ecosystem services** and their **benefits** into the future. The greater the number of dots, the greater the contribution to delivering services and benefits. **The numbered ecosystem services are referred to in the action tables.**

	Key Services						
	Benefits						
Priority habitat	1. Carbon storage/ sequestration and air quality management Climate change adaptation/mitigation, clean air, health and well-being	2. Nutrient dispersal and cycling Ecosystem health and stability, including soil health, clean air and water	3. Pollination Food and agricultural products	4. Agricultural and non-agricultural biomass production Habitats, biodiversity, food, energy, raw materials, jobs	5. Water storage and filtration Flood risk management, clean water for people and wildlife	6. Erosion prevention/ hazard protection Soil health, flood risk mitigation, coastal protection, clean water, agriculture	7. Cultural services Tourism, recreation, jobs, mental and physical health and wellbeing, tranquillity
Coastal saltmarsh
Coastal floodplain grazing marsh
Coastal sand dunes
Coastal vegetated shingle	
Maritime cliffs and slope					
Mudflats
Deciduous woods
Lowland meadows
Traditional orchards
Lowland heathland
Lowland dry acid grassland
Lowland raised bog
Lowland fens

Outcomes Framework

The **2030 Vision** for the Solway Coast, expressed on page 3, can be condensed into a concise **goal** for the area's natural and cultural heritage. In order to reach that goal, a series of particular short-term and medium-term **outcomes** are necessary. Any **actions** in support of this plan should lead to the achievement of the outcomes. We can then assess how well we are collectively working to look after and celebrate this special place and help people discover, enjoy and understand all it has to offer. This management plan will be monitored against how well the short-term outcomes are achieved.

Theme	Short-term Outcomes	Medium-term Outcomes	Goal
 Nature Recovery and Landscape Character	<ol style="list-style-type: none"> 1. The management of land and water increasingly promotes natural processes, increased connectivity and greater resilience to the challenges of climate change and other pressures 2. Priority habitats and key species are better conserved and enhanced 3. Landscape quality and character is more effectively conserved and enhanced 4. Farmers deliver a wide range of public goods and are appropriately rewarded for doing so 	<p>A landscape richer in wildlife, with declines in biodiversity reversed, delivers more for nature, farmers and the public and is more resilient to climate change and other pressures</p> <p>Our cultural heritage is widely recognised and valued and continues to evolve and grow richer</p>	<p>The Solway Coast is better protected, more resilient to climate change, richer in natural and cultural heritage and increasingly valued by everyone as a place to live, work and visit</p>
 People and Place	<ol style="list-style-type: none"> 5. Built heritage and cultural assets are better understood, conserved and managed 6. There are greater opportunities for people to increase their understanding of Solway's natural beauty 7. More people, from a wider variety of backgrounds, can more easily and responsibly explore and enjoy the area. 8. Skills and knowledge to conserve our natural beauty are increasing 9. People conserving and enjoying natural beauty has an increasingly positive impact on local services and the economy 	<p>People increasingly value the Solway Coast's natural heritage for its own sake and for all that it provides for us</p> <p>Communities have a strong sense of what's special about where they live, and they celebrate their heritage together</p> <p>Well-managed natural and cultural assets underpin an increasingly environment-led local economy</p>	



Natural Beauty

Port Carlisle

"Natural Beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlement over the centuries."

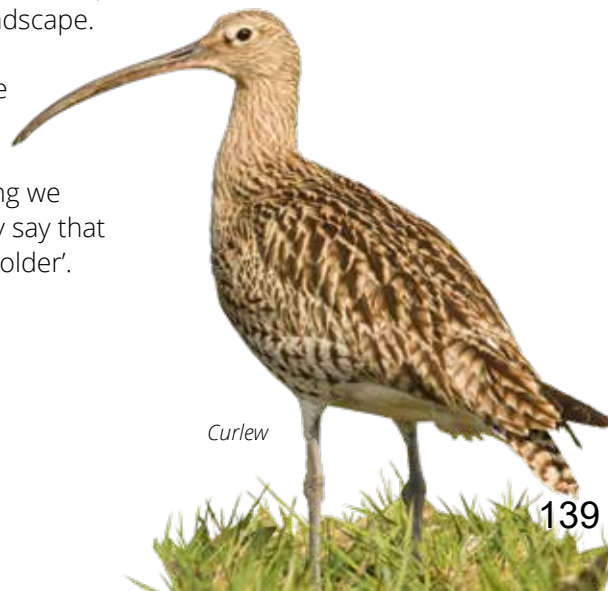
The term 'natural beauty' first gained currency in a legislative context in the 1907 Act, which gave legal status to the National Trust ('for Places of Historic Interest and Natural Beauty'). It has been the basis for the designation of both AONBs and National Parks since the 1949 National Parks and Access to the Countryside Act in which, however, the term was not defined and it has not really been so since.

Government Guidance on AONBs in 2001 (Countryside Agency publication CA24) offers a useful non-technical definition, stating that "Natural Beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlement over the centuries." So natural beauty goes well beyond scenic or aesthetic value and is to do with the relationship between people and place. It encompasses everything — 'natural' and human — that makes an area distinctive, including its cultural associations, and the people who live in it, past and present.

In the 1949 Act, 'natural beauty' replaced other phrases such as 'landscape beauty' and 'characteristic landscape beauty', providing a clue to the importance of landscape character and beauty as an aesthetic experience. Later the Natural Environment and Rural Communities Act 2006 clarified that land used for agriculture, woodlands, parkland or with physiographical features partly the product of human intervention in the landscape, is not prevented from being treated as an area of 'natural beauty' too.

For AONBs, their natural beauty should have the potential to be 'outstanding,' both in terms of the quality of the components of character and the human aesthetic experience of the landscape.

Although our perception of landscape and its value may be driven by our background, our culture or the level of engagement and understanding we have, it is not enough to simply say that 'beauty is in the eye of the beholder'.



Curlew

The key role of planning authorities in conserving natural beauty

Local Planning Authorities, including Minerals Planning Authorities, should establish robust policies in their development plan documents, which support the purpose of designation and protect the special qualities of the Solway Coast. In particular these policies, and their application in decision making should:

- **support the conservation and enhancement of the special qualities of the Solway Coast – see *Statement of Significance***
- **protect the Solway Coast and its setting from further visually intrusive development, especially large-scale vertical structures**
- **promote best practice in building design and energy efficiency**
- **ensure net gain for biodiversity and increased ecosystem service provision in policy making and development management**
- **promote the retention of traditional buildings styles**
- **respect the historic pattern of settlements along the coast**
- **protect heritage features**
- **reduce light and noise pollution and promote tranquillity**
- **encourage a visitor economy predicated on enjoying natural beauty**
- **Promote sustainable transport options, including improved public transport**
- **promote ease of living and working in the AONB without compromising its environmental qualities**

The above principles should also be followed in the production of any Neighbourhood Development Plans during the life of this management plan.

For the purposes of this plan, natural beauty and the special qualities of the Solway Coast are defined by the Statement of Significance.

In considering the proposed actions, the Top 10 Conservation Priorities on page 49 should also be noted.



Statement of Significance – *what makes the Solway Coast special?*

Description

The Solway Coast AONB is a place of wide-open estuary views across into Scotland and south to the Lakeland Fells. The landscape is enriched by the influence of Britain's second largest tidal range, covering and exposing vast tracts of saltmarshes and mudflats, an internationally important refuge for thousands of waders and wildfowl. These estuarine landscapes can have a profound sense of wildness, remoteness and tranquillity, heavily influenced by the changing sky, and by the sights and sounds of the sea. A long narrow tract of sand dune and dune heath runs along the coast and supports rare species including the natterjack toad.

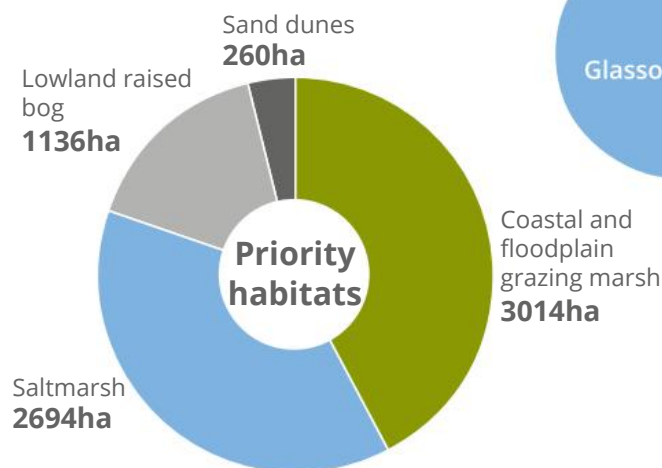
This is also a place of inland raised mires or 'Mosses' and their rich biodiversity; this contrasts with coastal marshy grasslands and with pastoral landscapes of beef, sheep and dairy farming, enclosed by hedges and 'kests'. Threaded through the inland landscape is a network of sunken lanes and narrow roads.

The experience of being in the whole of the Solway Coast AONB is strongly influenced by views out to the surrounding landscapes of the Lake District fells and across the Solway Firth to the hills of Dumfries and Galloway. This is enhanced by long interior views of across a landscape which has few vertical features beyond tree top height.

It is a frontier landscape, with a rich archaeological record, most celebrated in being part of the Hadrian's Wall World Heritage Site. Buildings and settlements have risen in response to conflict and trade; vernacular building styles reflect a long history of occupation and include fortified dwellings and churches, longhouses, 'clay dabblers' and cruck-roofed buildings. It is both a living, working rural landscape, and a place to discover, explore, celebrate and enjoy.

Facts and figures supporting the statement of significance

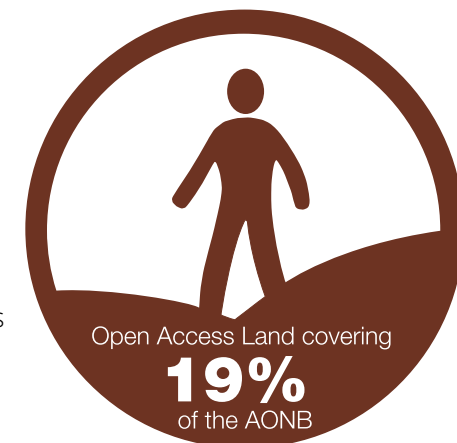
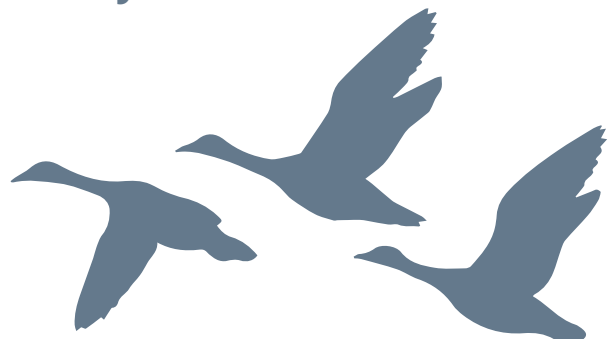
Population:
3,200



Campfield Marsh (RSPB)
Bowness on Solway (Cumbria Wildlife Trust)
Bowness Common (NE)
Glasson Moss (NE)
Drumbrugh Moss (NE)

16
County
Wildlife Sites

The Solway Coast Marine Conservation Zone



Internationally important birdlife

Over 140,000 overwintering wildfowl and waders. The entire global population of Svalbard barnacle geese overwinters.

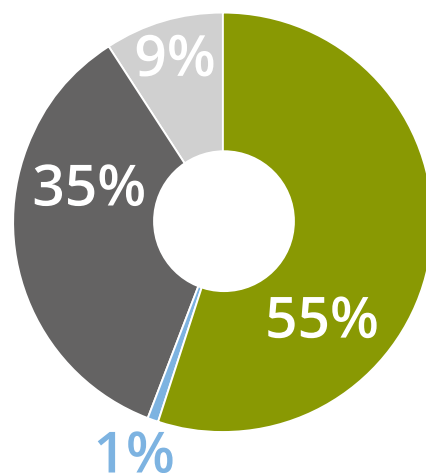


UNESCO World Heritage Sites – Hadrian's Wall

ProW – 86km of public footpaths and bridleways plus 14km of the Hadrian's Wall Path National Trail

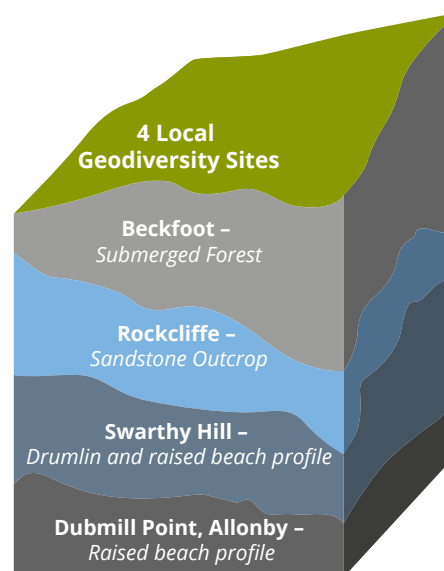
8 Pre-mediaeval churches

28
Scheduled monuments



Rural land cover in the AONB (approx.)

- Farmland 55%
- Mosses 1%
- Saltmarsh, estuary, dunes, rivers and settlement 35%
- Other 9%



141



7 Conservation areas:

1. Allonby
2. Mawbray
3. Bowness-on-Solway
4. Port Carlisle
5. Boustead Hill
6. Dykesfield
7. Burgh by Sands

The natural beauty of the Solway Coast comprises two main defining components, which themselves can be sub-divided into their characteristic elements:



Wolsty Dunes and north across the Solway Firth

Seascapes and Intertidal Landscapes.

The seascapes comprise extensive areas of both the Inner and Outer Solway Firth – *Inner Firth intertidal flats and saltmarsh* and *Outer Firth beaches and dunes*.

The Solway Firth's designation as a Special Area of Conservation (SAC) reflects the importance of the AONB's marine environment and coastal habitats. This dynamic and changing coastline includes flats, intertidal creeks, sands and saltmarshes, and is bounded in places by shingle bays, sand dune systems and low earth cliffs.

The Solway Firth Marine Conservation Zone (MCZ) is designated to protect European smelt, a fish species of conservation importance. It is also an important nursery ground for bass, pollack and some flatfish species.

The transition between land and sea is marked by beach and dune systems, generally along the west coast, and the mudflats and saltmarshes of the more sheltered northern areas of the Inner Firth.

These saltmarsh and intertidal landscapes have a strong sense of wildness and tranquillity.

The designation of the Upper Solway Flats and Marshes Special Protection Area (SPA) recognises the international importance of the area's waders and wildfowl population. The Solway Firth as a whole is the 6th most important site for waterbirds in the UK; the mean waders and wildfowl population between winter 2012/'13 and winter 2017/'18 was over 140,000 birds. It is internationally important for Svalbard Barnacle geese – supporting the entire population (43,000) over-winter, of which over 11,300 (itself an internationally important number) winter on the English side of the estuary. The estuary as a whole is nationally (1% UK population) or internationally (1% East Atlantic flyway population) important for 20 species (with the English Solway important for 14).

The few ungrazed marshes tend to support a high diversity of plant species. Collectively the European designations of the Solway Coast form the Solway Firth European Marine Site. The estuary is also a Ramsar site, designated primarily for overwintering birds and its natterjack toad population, which thrives in dune slacks and on some tightly grazed marshes.

The extent of the saltmarsh is generally increasing, most notably around Bowness on Solway, and especially Rockcliffe Marsh, which has risen and extended in response to deposition.

As well as being the most extensive priority habitat in the Solway basin, the intertidal and floodplain grazing marshes are important grazing land, supporting dairy and meat production. Summer livestock grazing provides inland grasslands to be managed for silage making. On the inner Solway saltmarshes, the grazing regime is important for maintaining the grass sward height for wintering wildfowl and breeding waders.

The marshes also perform an important role in providing coastal protection, carbon sequestration and storage, and food provision. Being out on the wilder parts of the marshes is to capture a significant part of the essence of the Solway Coast.



View over Drumburgh Moss

Low-lying inland landscapes

Compared to the rest of lowland England, the Solway is unusual for its remaining and relatively intact lowland raised mires, or peatlands, (the Solway Mosses). This habitat supports a rich diversity of birdlife, invertebrates and flora, recognised in the South Solway Mosses SAC designation. The SAC comprise Bowness Common, Glasson Moss, Drumburgh Moss and Wedholme Flow (the latter being just outside the AONB). The Mosses contrast with a rolling, pastoral landscape of improved and semi-improved grasslands, enclosed by hedges and 'kests' (raised hedge banks).

The open expansive raised mires are often hidden behind a fringe of trees. In an otherwise flat, sea-level landscape, the gentle rises formed from the drumlins and mineral ridges left by the glaciers afford panoramic views over the semi-natural landscape.

There is rich historic and cultural heritage, closely linked to the Solway's position

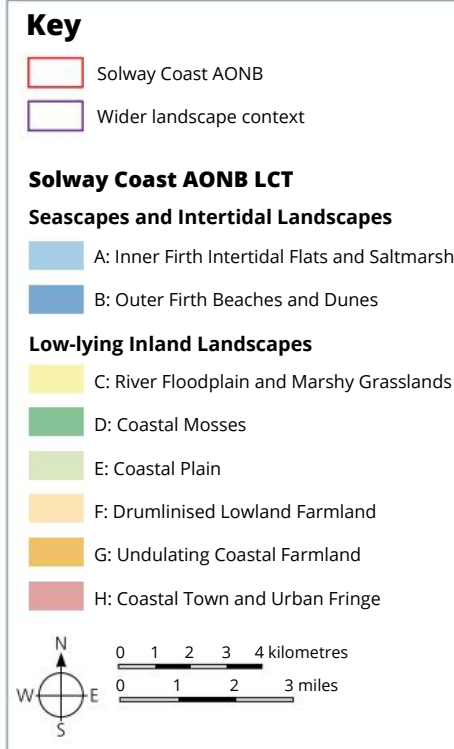
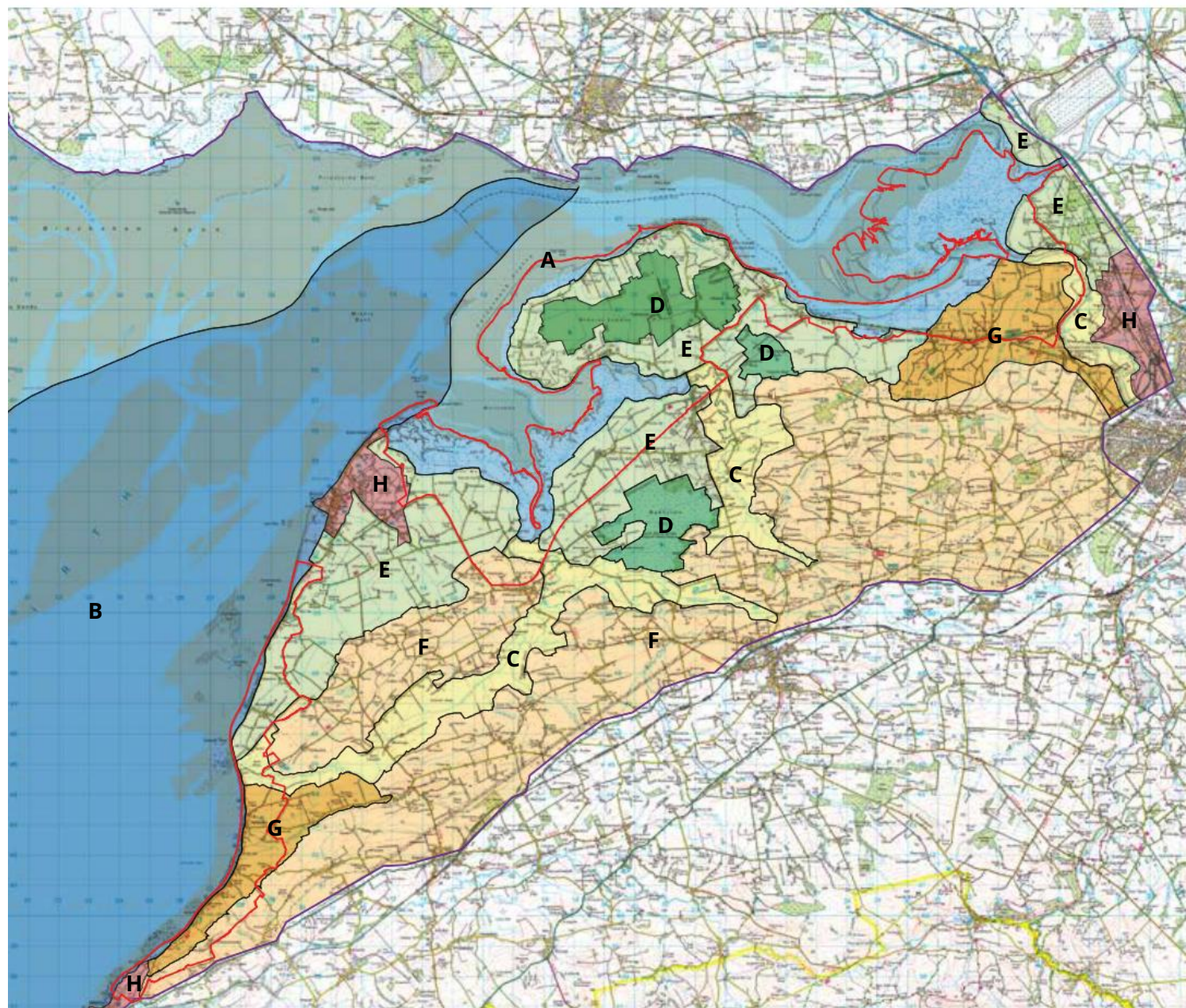
www.solwaycoastaonb.org.uk

as a 'frontier' landscape on the border between Scotland and England. Evidence of a long and historic land use is seen in the field patterns, such as ridge and furrow on the grazed marshes, and the medieval pattern of 'infield' and 'outfield' farming linked to the agricultural improvements brought by the Cistercian monks of Holme Cultram Abbey.

Sunken lanes and narrow roads link settlements dotted along the coast. These settlements and the wider landscape have a complex mixture of vernacular buildings. Vernacular building styles reflect a long history of occupation and include fortified dwellings and churches, longhouses, 'clay dabbins' and cruck-roofed buildings.

Settlements on the Solway Coast are small and rural in nature and the character of the area as a whole is partly derived from the lack of development. This contributes to the area's relative sense of wildness and tranquillity.

Solway Coast AONB Landscape Character Types (LCT)



Seascapes and intertidal landscapes

Key components

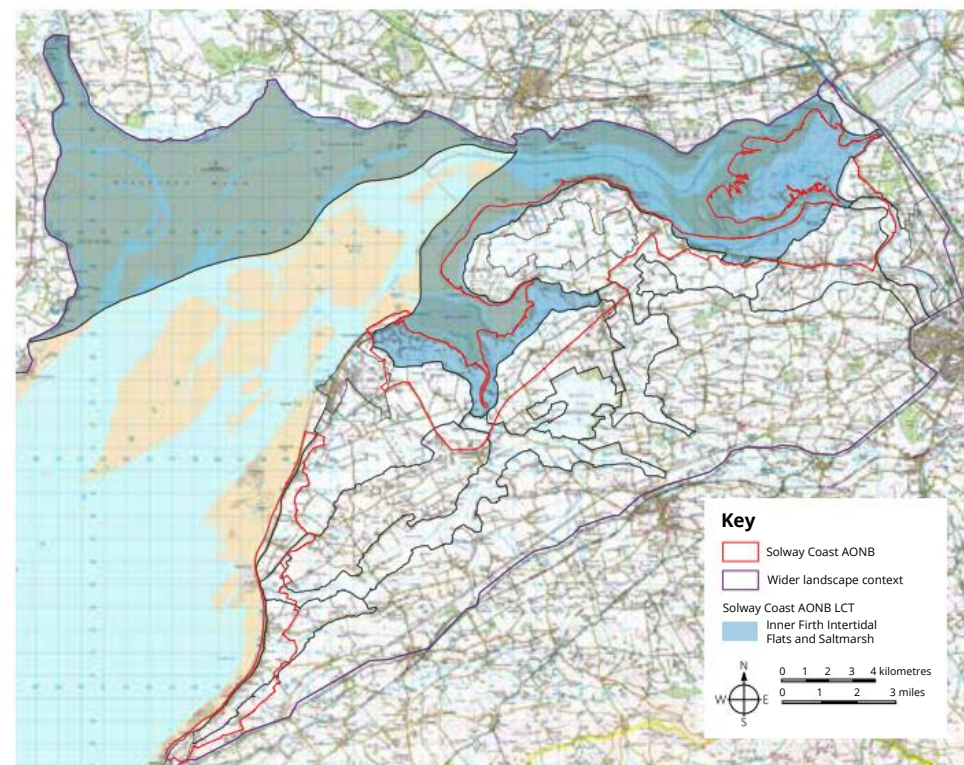
Inner Firth Intertidal Flats and Saltmarsh

These landscapes have a dynamic character, influenced by the state of the tide and changing with the longer-term cycle of erosion and deposition. Large expanses of fine sands and mudflats are dissected by dendritic creeks and channels. Open, flat expanses of saltmarsh, transition to the flat coastal plains, mosses and enclosed farmland of the inland areas. Saline tolerant plant species dominate, often grazed by sheep and cattle. The landscape we see today is largely a product of this grazing management, alongside the regular saltwater flooding from the tides.

Grazing the saltmarsh



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It is a large-scale landscape with expanses of tidal flats extending towards open sea and the skylines of Dumfries and Galloway. There is a sense of relative wildness, openness and tranquillity in much of these landscapes, filled with the sights and sounds of large numbers of waders and wildfowl, for which the area has multiple conservation designations and is internationally important. The rare natterjack toad also thrives in saltmarsh pools. The saltmarsh contains a unique mix of salt tolerant plants only found along the coast, such as sea milkwort, scurvy grass and thrift. Saltmarsh is also important as nursery grounds for fish, which utilise small creeks and pools.

The biodiversity of the marine environment is rich. It is important for the passage of migratory fish including lampreys and sea trout. It also provides important nursery areas for skates, shark species and thornback rays and supports salmon, sea bass, pollock, flat fish and especially European smelt, for which the Solway Firth Marine Conservation Zone is designated.

Top 5 issues and forces for change

- **Conserving habitat for wildfowl and waders and reducing disturbance of overwintering birds.**
- **Conserving populations of key breeding and migratory fish species**
- **Preserving long views across and out of the AONB landscape**
- **Managing grazing pressure to support conservation**
- **Climate change and potential sea-level rise and the need for adaptive management / addressing coastal squeeze at intertidal areas**

Actions for Nature Recovery and Landscape Character

Inner Firth Intertidal flats and saltmarsh

Action	Key partners (initial lead in bold)	Outcomes supported	Ecosystem services supported
IF1. Use planning policy to protect the seascape and intertidal landscapes from further visually intrusive development	LA	3	7
IF2. Use Environmental Land Management Systems (ELMS) and other mechanisms to ensure grazing and sensitive management of saltmarshes delivers conservation outcomes	NE , F/L, CWT, RSPB	1-4	1-7
IF3. Use ELMS and other mechanisms to promote rewetting of degraded marshlands	NE , F/L, CWT, RSPB, EA	1-4	1-7
IF4. Promote sustainable fisheries and shell fisheries management to support species and habitat conservation	NWIFCA , NE, EA, SFP	1, 2, 9	1, 2, 4, 7
IF5. Act to reduce pollution and nutrient input from farmland and rivers	EA , NE, F/L	1, 2, 4	2, 4, 6
IF6. Develop a strategic approach to potential climate change-driven sea level rise, including identifying potential areas for adaptive coastal management	LA , EA, NE, F/L	1, 2, 4	6, 7
IF7. Restore targeted areas of reclaimed farmland to marshland	NE , F/L	1, 2, 3, 4	6, 7
IF8. Promote messages about reducing public disturbance of wintering birds	RSPB , SCAONB, NE, CWT, SFP	2, 6	7
IF9. Produce a strategy for managing recreational disturbance, to support species and habitat conservation	SCAONB , NE, LA, RSPB	2, 6	7
IF10. Act to encourage natural development and erosion of saltmarsh	NE , CWT, LA, EA, SCAONB	1-4	1-7
IF11. Enhance natural features on the saltmarsh e.g. by increasing the number of pools and blocking drainage ditches	CWT , NE	1-4	1-7
<i>See also actions: OF 3, 6, 8; FL12-14</i>			

Measures of Success

- Area of restored habitat
- Reduced pollution and nutrient input to rivers
- Stable overwinter wildfowl and wader populations and increase in breeding waders
- No visually intrusive development significantly harming views across and out of the AONB

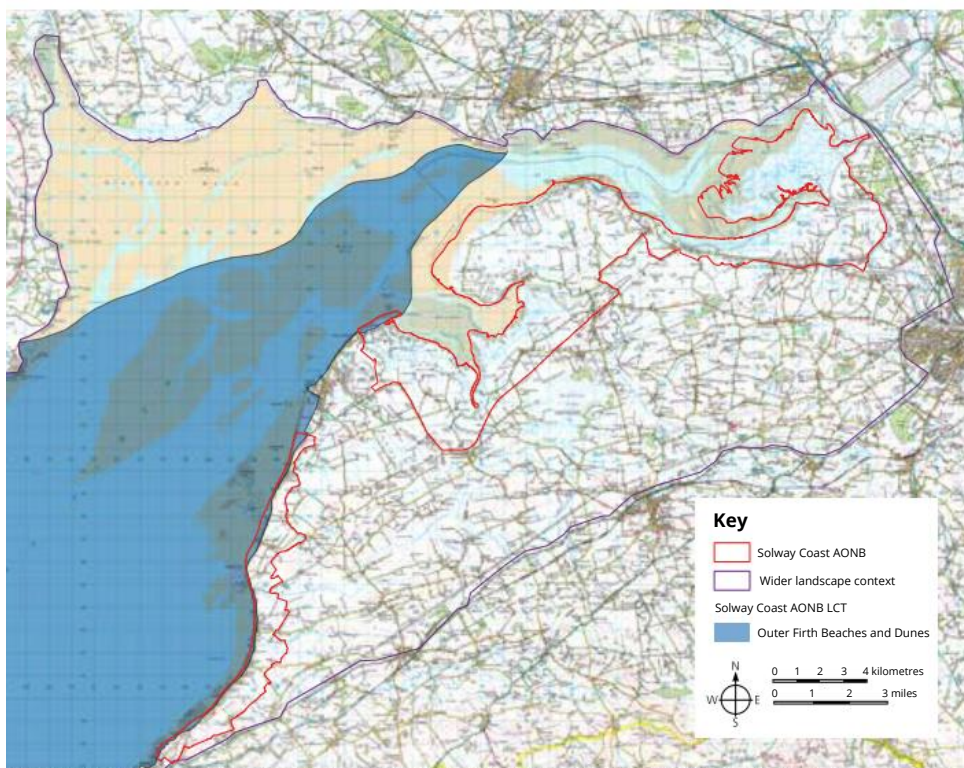
- SSSI condition
- Natterjack toad breeding success
- Deliverable proposals for adaptive coastal management

Outer Firth Beaches and Dunes

These landscapes occur throughout the open coastal area, the eastern section having more channels and finer deposits due to the low energy tidal regime characteristic of the inner estuary. The western section has open sea and is more characteristic of a traditional 'seaside' landscape with high wave and tidal energy providing movement of larger sediments such as gravels.

These are large-scale dramatic landscapes, with undeveloped flats and open water, open skylines and long views over the Solway Firth to the Scottish coastline and Criffel. The dynamic seascape is characterised by the sights and sounds of the sea, lapping water and large numbers of waders and wildfowl that feed on the flats.

Large and open expanses of intertidal sand flats open out to the sea; these are backed by shingle and pebble beaches and dune systems to the south and



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mudflats along more sheltered northern stretches of the coastal fringe. 'Scaurs' (post-glacial rock dumps) are distinctive along the beaches and support mussel beds and honeycomb worm reefs, providing important feeding grounds for wading birds. The biodiversity of the marine environment reflects that of the Inner Firth.

Small linear towns and villages are dotted along the coast, seven of which include designated Conservation Areas.

Much of the extensive coastal dune and heath system that fringes the outer Solway Firth is designated as Sites of Special Scientific Interest (SSSI) and as part of the Solway Firth SAC. Areas of acidic dune grassland and heath support a diversity of dune and maritime heath plant and animal communities. The SSSI and non-designated dune series here form one of only three similar dune systems in north and west Cumbria. In recent times declines or changes in coastal grazing have seen declines in habitat quality in some locations.

The dune system and saltmarsh absorb and dissipate wave energy, together forming an effective coastal defence system.

Coastal squeeze is significant in some locations, with the B5300 road creating an unnatural barrier that inhibits natural dune expansion inland. In places where erosion dominates, dunes are being lost completely and hard engineering has been deployed to protect the road from damage and flooding.

Dune systems are fragile and susceptible to damage from unmanaged access of various kinds.

Top 5 issues and forces for change

- Conserving habitat for wildfowl and waders and reducing disturbance of overwintering birds and on fragile habitats
- Conserving populations of key breeding and migratory fish species
- Preserving long views across and out of the AONB landscape
- Coastal squeeze and its impacts on habitats and species, and how to deliver adaptive management which will protect the integrity of priority habitats
- Conserving vernacular architecture and the character of coastal settlements

Actions for Nature Recovery and Landscape Character

Outer Firth Beaches and Dunes

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
OF1. Restore coastal processes, including dynamic dune systems, where these have been lost due to coastal squeeze	NE , EA, LA	1-4	1-4, 6, 7
OF2. Create more dynamic dune systems where grey dunes have developed, e.g. through controlled grazing by selected livestock	EA , NE, F/L	1-4	1-4, 6, 7
OF3. Restore degraded habitat at the interface of transitional zones between land and sea	NE , EA, CWT, RSPB, F/L	1-3	1-7
OF4. Promote the management of land to create space to adapt to sea level rise	EA , LA, NE, CWT, RSPB, F/L, SCAONB	1-3	4-7
OF5. Create pools, ponds and scrapes to support key species conservation	NE , EA, CWT, F/L	1-4	2, 4, 5, 7
OF6. Control invasive non-native plant and animal species	NE , EA, CWT, RSPB, F/L, SCAONB, NWIFCA, SEPA, SNH, SFP	2	6, 7
OF7. Implement fishery orders to effectively manage shell fishing activity from sand dunes and minimise impacts on habitats.	NWIFCA , LA, NE, EA	1, 2, 4, 9	4, 6, 7
OF8. Promote actions to reduce disturbance by people/dogs/vehicles in sensitive areas to protect fragile habitats and vulnerable species	SCAONB , NE, EA, CWT, RSPB, F/L	2, 6	7
OF9. Rationalise car parks to promote better management of disturbance and reduce habitat damage.	LA , SCAONB	2, 6	7
OF10. Provide visitor information to promote access which respects the fragile nature of the dunes and their wildlife	SCAONB , NE, EA, CWT, RSPB	2, 6	7
OF11. Provide wardening, install fencing and undertake education programmes to support breeding little terns	CWT , EA, NE, SCAONB	2	4, 7
<i>See also actions: IF 1, 2, 4, 6, 8; FL12-14</i>			

Measures of Success

- Area of dune restored and under more positive management
- Measures in place to reduce the impacts of coastal squeeze
- Increase in natterjack toad population
- Stable overwinter bird populations and increase in breeding waders
- SSSI Condition



"This is an open, flat landscape, contrasting with the undulating and rolling topography of the farmed lowland hills and drumlins surrounding it."

Low-lying inland landscapes

Key components

- **River Floodplain and Marshy Grassland;**
- **Coastal Mosses;**
- **Coastal lowland farmed landscapes (including Coastal Plain, Drumlinised Lowland Farmland, Undulating Coastal Farmland) and their settlements.**

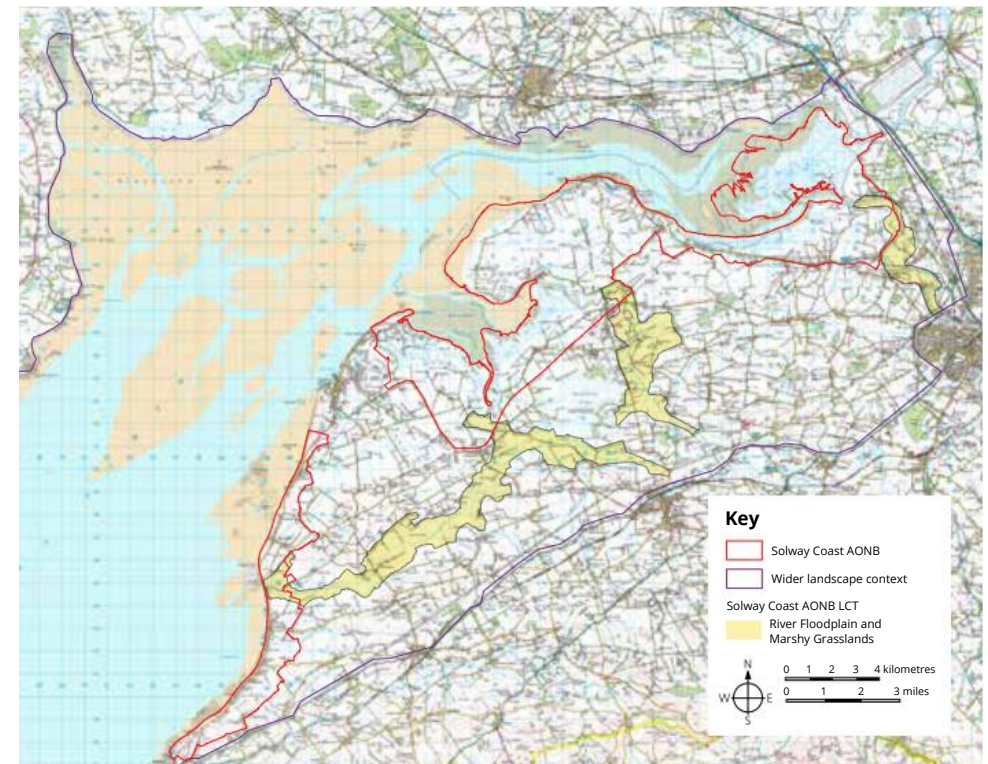
River Floodplain and Marshy Grassland

These landscapes are characterised by areas of low lying, flat floodplain, marshy grassland and improved pasture. They follow the watercourses of the rivers Waver, Wampool and Eden and the glacial basin of Black Dub, Holme Dub and Crummock Beck. These landscapes are dissected by a network of drainage ditches, channels and watercourses which drain into the Solway Firth.

This is an open, flat landscape, contrasting with the undulating and rolling topography of the farmed lowland hills and drumlins surrounding it. Enclosure is partial and irregular, with fencing and occasional, fragmented hedges, creating an open landscape with long views along flat river valleys.

The green marsh grass is grazed by sheep and cattle in some areas, whilst others are characterised by rough grazing, rushes and scrub. Fen peat soils are characteristic in the dubs and upper reaches of the broad and gentle river valleys.

A dense network of streams, ditches and creeks dissect the areas, usually intensively managed and with eroded river banks in places. The rivers themselves are not prominent features of the areas, and are not particularly visible from within the flat expanses of marshes.



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Development is confined to the outer fringes of the areas as the land rises above sea-level, where dispersed farmsteads are scattered.

These grasslands are traditionally grazed in spring and late summer and are cut for hay, a management regime that promotes biodiversity. The primary biodiversity interest of the river floodplains and marshy grasslands is in its birdlife, especially breeding waders such as curlew and lapwing, which rely on damp soils, open pools and muddy hollows for feeding and rearing their young. As well as being a key nesting habitat for curlew, the traditional management of these grasslands promotes wildflowers such as marsh orchids, marsh marigold and ragged robin, specialists of wet meadows.

Top 5 issues and forces for change

- **Intensification of farming and resultant loss of biodiversity, set alongside opportunities for High Nature Value farming, changes to the Common Agricultural Policy and Environmental Land Management Schemes**
- **Eutrophication caused by agricultural run-off and atmospheric Nitrogen**
- **Flooding and its impacts on agriculture, property and conservation**
- **Declines in breeding bird productivity and disturbance to wader roosts**
- **Pumped draining and its potential impacts and opportunities for changes in land management**

Actions for Nature Recovery and Landscape Character

River Floodplain and Marshy Grassland

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
RF1. Influence the new Environmental Land Management Schemes (ELMS) to target grazing regimes which maximise benefit for biodiversity – e.g. light cattle grazing from spring to autumn, or a late summer hay cut – and reward farmers accordingly	NE , F/L	1, 2, 4	1-7
RF2. Negotiate winter inundation on an appropriate scale across the habitat, to provide refuge and feeding grounds for grazing and dabbling wildfowl such as the widgeon and teal	F/L , NE, EA	1, 2, 4	1-7
RF3. Negotiate agri-environment schemes and bespoke projects to create scrapes, ponds and pools to support wading birds.	F/L , NE, RSPB, CWT	1, 2, 4	2-7
RF4. Utilise ELMS and other mechanisms to improve soil condition and organic matter content, reduce atmospheric nitrogen emissions from agriculture, minimise soil and nutrient run-off into watercourses and promote less use of pesticides	F/L , NE	1, 2, 4	1-7
RF5. Restore land formerly under draining to biodiverse wet grassland	NE , F/L, EA, CWT, RSPB, WCRT	1-4	1-7
RF6. Reconnect becks and rivers to their floodplain and naturalise river courses	EA , F/L, NE	1-4	1-7
RF7. Promote and undertake research into causes of declines in bird productivity	RSPB , Uni	2, 6, 7	4, 7
RF8. Promote natural flood management through agri-environment schemes and bespoke projects	EA , NE, F/L, WCRT	1-4, 9	1-7
RF9. Explore options for adaptation to climate change, e.g. through coastal road rollback	LA , EA, NE	1-3	1, 5-7
RF10. Act to raise awareness of disturbance of high tide bird roosts	RSPB , NE, CWT, SCAONB, SFP	2, 6	7
<i>See also actions OF6; FL2, FL7, FL12-14</i>			

Measures of Success

- SSSI condition
- Increase in breeding wader numbers and productivity
- Area of land formerly under drainage and now restored
- Area of new wetland habitat created

Coastal Mosses

The Mosses of the Solway Coast are low lying raised mires with a raised peat 'dome'. Now rare, these habitats have been designated as Sites of Special Scientific Interest (SSSI) and Special Areas of Conservation (SAC), with parts of the SAC also designated as a National Nature Reserve (NNR).

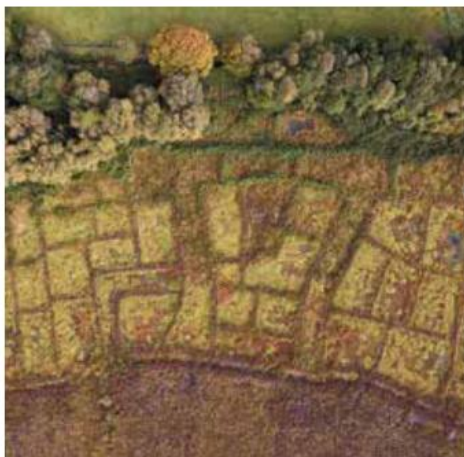
These are visually dynamic landscapes, with considerable seasonal change in colour, and are strongly affected by the state of the light and the weather. There are long views across to the seascape of the Solway Firth and the fells of the Lake District. Though modified by past peat extraction, the landscape has a feeling of naturalness, remoteness and tranquillity, further amplified by a relative absence of human-made structures and visual intrusion.

The Moss landscape comprises flat or slightly undulating hummock-hollow mosaics, including water pools, marsh, moss, reeds and fringing wet woodland; usually stands of birch heather and purple moor grass grow in the slightly drier areas. The characteristic Moss habitat is that of deep peat, over 10 metres in some places, with assemblages of sphagnum, cotton grasses and carnivorous plants, including the uncommon great sundew. These sites also support rare species such as large heath butterfly. Bird species of the mosses include skylark, snipe, marsh tit and willow tit.

Glasson Moss

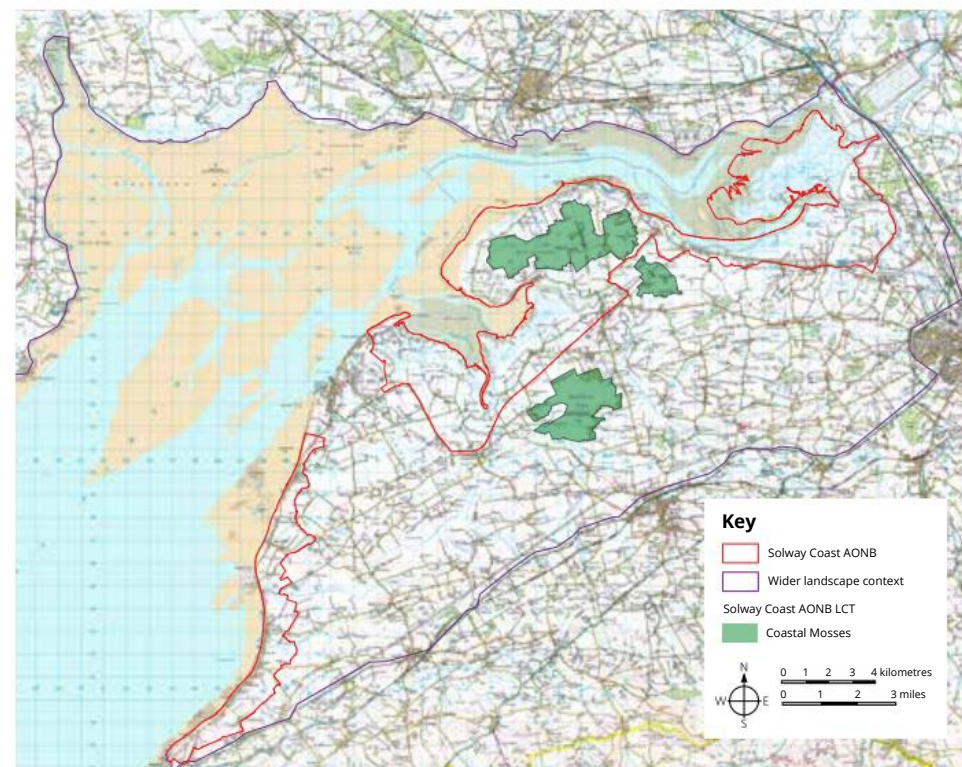


Bog restoration work from above



The Mosses are much less extensive than they were in the past. Draining, to improve them for pastureland, has caused a significant reduction in their extent and condition. Further such losses are through ploughing, landuse and subsequent erosion, and from the impacts of atmospheric nitrogen from local agriculture.

During the life of the last Management Plan, the Solway Wetlands Landscape Partnership Scheme brought together a range of organisations to continue the job of gradually restoring and celebrating the Mosses. This has brought about an improvement in the condition of this distinctive part of the landscape, but more work is still required. The overall condition of the SSSIs is that they are still recovering and this process takes time; there are still missing parts of the hydrological 'jigsaw' of the mosses, notably the transitional 'lagg' zone communities on the shallow peats.





Pond on Bowness Common



Peat is our best natural store of carbon. When in good condition, the Solway Mosses not only store carbon, but also sequester it from the atmosphere. Conversely, if they remain unrestored, with active drains, they continue to release their stored carbon and contribute to CO₂ emissions when exposed peat reacts with the oxygen in the air. Managing our Mosses as functioning wetland ecosystems is the most effective land-management based action to mitigate the impacts of climate change.

In the past the Mosses were highly valued as a source of fuel for the home, a growing medium in the horticultural industry, and perhaps for other purposes such as grazing or hemp retting, as well as for recreation. Today their value is less obvious, until we appreciate their importance for society in terms of carbon storage, managing run-off after rainfall, and a record of our past, as well as for the rarity of the wildlife community and the landscape it creates.

Though the Mosses can be perceived as 'wasteland' or as unproductive, generally they are valued by local people as places to walk (often with their dogs) and to enjoy nature. Whilst this use of the Mosses is to be welcomed, access needs careful management and responsible visitor behaviour needs to be encouraged.



Snipe

Top 5 issues and/or forces for change

- **The need for restoration of peatland habitat to promote carbon storage/sequestration, flood risk mitigation and biodiversity**
- **Opportunities provided by new Environmental Land Management Schemes**
- **A need to create buffers between bogs and areas of more intensive land management, and better connectivity of more permeable habitat between bogs**
- **Impacts of nutrient enrichment and nitrogen deposition from air pollution and agriculture (e.g rising ammonia levels exceeding critical limits)**
- **A lack of understanding of how important peatlands are and that they should be managed as wetland ecosystems**

Actions for Nature Recovery and Landscape Character

Coastal Mosses

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
M1. Use planning policy and SSSI management agreements to ensure no further loss or degradation of habitat on the Solway Mosses	LA/NE , CWT, F/L	1-4	1-7
M2. Restore and enhance raised bog and lagg fen habitats towards 'favourable condition'	NE , CWT, EA, SCAONB, F/L	1-4	1-7
M3. Create lagg / edge habitat on reclaimed peat around existing Mosses	NE , CWT, EA, SCAONB, F/L	1-4	1-7
M4. Ensure new ELMS prioritises habitats of the Mosses and their restoration	NE , CWT, EA, SCAONB F/L	1-4	1-7
M5. Use ELMS to buffer and expand fringe habitats around bogs	NE , CWT, F/L	1-4	1-7
M6. Advocate for the value and importance of habitats of the Mosses and the need to prioritise their conservation	SCAONB , NE, CWT, EA, F/L	1-4, 6	1-7
M7. Act to avoid erosion of organic matter into watercourses	NE , CWT, EA, F/L	1-4	1-7
M8. Promote sensitive access to the mosses to encourage enjoyment and understanding whilst reducing disturbance to species and habitats	NE , CWT, EA, SCAONB, F/L	2-6	7
M9. Provide support for farmers and land managers in order to facilitate improved management of land around Mosses – e.g. events, training, advocacy, demonstration farms	NE , CWT, EA, F/L	1-4, 6, 8	1-7
<i>See also actions FL12-14; RF4</i>			

Measures of Success

- Extent of restoration
- SSSI condition status (minimum 100% in 'unfavourable recovering' condition)
- Area of new lagg / edge habitat created
- Area of buffering of surrounding landscape
- Increase in key species

Coastal lowland farmed landscapes and their settlements

These landscapes are a combination of individually distinctive character types: coastal plain, drumlinised lowland farmland and undulating lowland farmland.

The **Coastal Plain** is a landscape of flat or slightly undulating, low lying farmland. The field structure is largely based around the medieval enclosures with a pattern of narrow strip fields and larger 'outfields' around the villages, as well as the regular geometric pattern of parliamentary enclosures. Wind sculptured trees line the roadsides, including avenues of beech.

This is a landscape with a long history of occupation, reflected in the remains of Roman fortifications, the Hadrian's Wall World Heritage Site, and the evidence of medieval cultivation and land use patterns. Later military and industrial heritage is also visible, including World War Two camps and Port Carlisle's canal and railway legacy.

Settlements provide a variety of architectural styles and building materials. Historic villages, such as Newton Arlosh, Kirkbride and Mawbray are clustered within coastal pasture and closely related to the pattern of the fields.

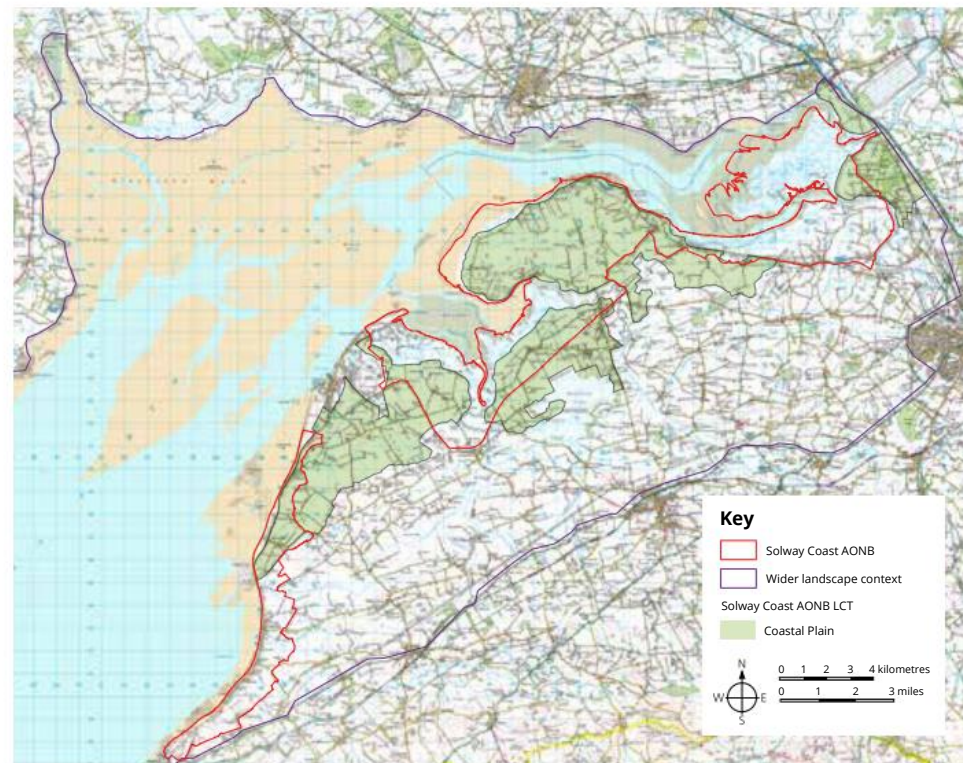
People value the open views across the Firth, intertidal flats and marshes to the north and northwest, with Criffel and the Scottish hills forming key focal points. Views inland across the higher areas of drumlinised farmland accentuate the flat and open character of the plains.



The dominant habitats are coastal pasture, enclosed by ditches and 'kested' hedgerows (planted on raised banks), with a distinctive pattern of small 'inner fields', and larger 'outer fields'. A mixture of winding lanes (often lined with wind-sculpted trees) and straight linear roads cross through the farmland, reflecting the localised pattern of fields and drainage ditches.

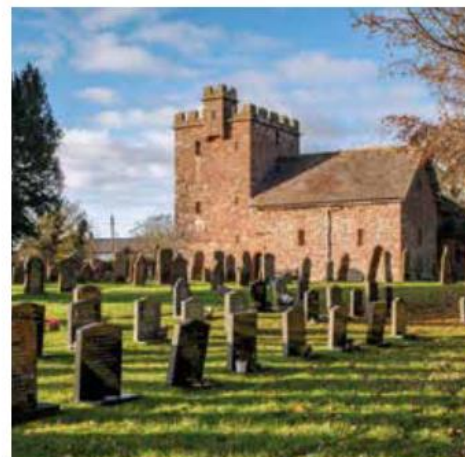
These flat landscapes contrast with the coastal margins of the marshes and dunes as well as the hills and drumlin landscape.

A Roman ceramic head of a female found at Burgh-by-Sands
Tullie House Museum & Art Gallery Trust, Carlisle



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St John's Church, Newton Arlosh



Beckfoot and the Solway Plain



Drumlinised Lowland Farmland extends across much of the Solway Coast, stretching beyond the AONB boundary and playing an important role in defining its setting. The smooth skylines of the rolling green landform and low elongated drumlins are characteristic of views looking inland from many parts of the AONB.

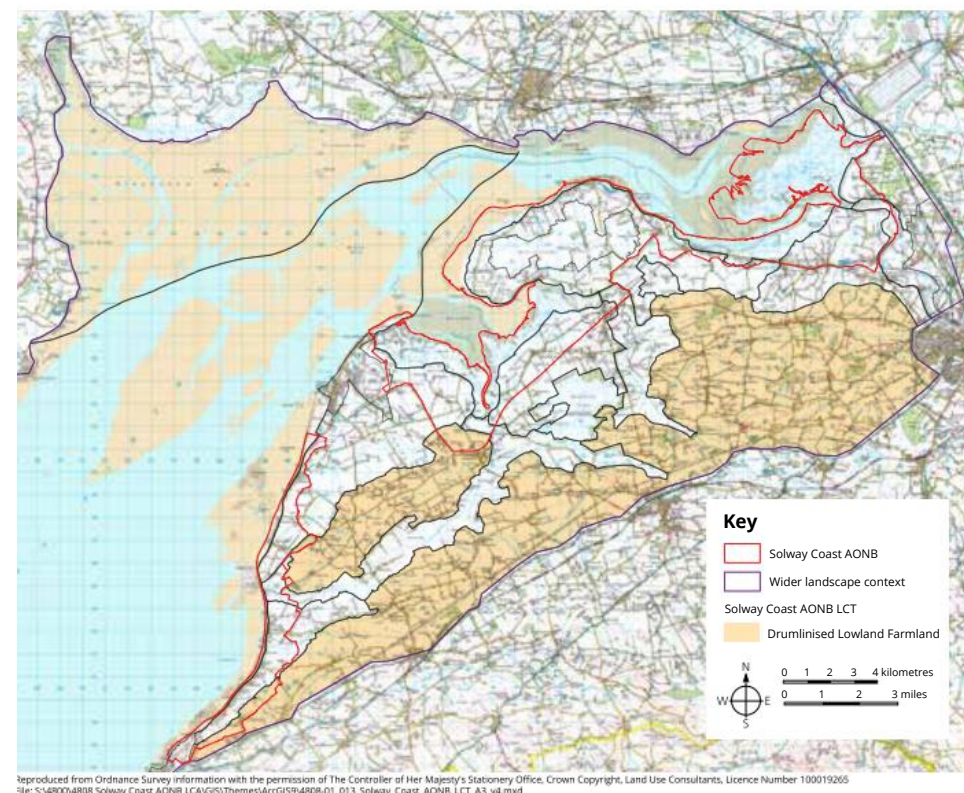
This is a tranquil agricultural landscape, less exposed and influenced by the coastal setting, and more enclosed than the adjacent coastal plains, with an attractive backdrop of upland hills. It is dominated by pasture land and occasional arable crops divided by hedges, draped over the rolling drumlin landforms. Hedgerow trees and small copses are distinctive features in the landscape.

The impact of parliamentary enclosures can be seen in large, regular, geometric fields; these are interspersed with older field enclosure patterns of medium sized irregular fields and long narrow strip fields.

The low relief drumlin landform creates wide views from along the tops of the low hills, and more sheltered and intimate landscapes contained by topography on the lower slopes, providing a sense of enclosure.

Distinctive wide and sunken lanes, that are former drove roads, rise up and down across the farmland, with clear edge profiles of ditches and raised banks topped with hedges, locally known as 'kests'. The pattern of rectilinear roads and winding lanes reflects both a rich mixture of field patterns and the orientation and profiles of the drumlin landform. Traditional finger post road and direction signs are widespread, some of which have been restored.

Scattered linear settlements, villages/small settlements such as Allerby, Westnewton, and Edderside, and farmsteads, comprising clusters of vernacular buildings, follow the orientation of the drumlins. There is a varied mixtures of architectural styles and building materials, with thatched roofs, 'cruck' barns, and long houses built of 'clay dabbin'.



Laying a kested hedgerow



Bowness Village



Immediately inland from the coastal margins of the Solway Firth, along a stretch bounding the Inner Firth and along the western coast of the Outer Firth, is a tranquil landscape of low-lying **Undulating Coastal Farmland**. This landscape shares many of the characteristics of the Drumlinised Lowland Farmland, the principal differences being a lack of narrow strip fields, the winding becks that run through the area and the distinctive linear settlement pattern of villages such as Burgh-by-Sands and Beaumont in the northeast and Allonby and Crosscanonby in the southwest. These settlements comprise clusters of traditional and historic vernacular buildings, strongly influenced by their coastal setting.

Across the country, farmland biodiversity has been declining for decades. This is true of the Solway as much as anywhere else, though there are successes, where sensitive farming is sustaining hares, skylarks and grassland flora. However, the recovery of farmland biodiversity remains one of the biggest challenges for the area.

View over Crosscanonby towards Allonby

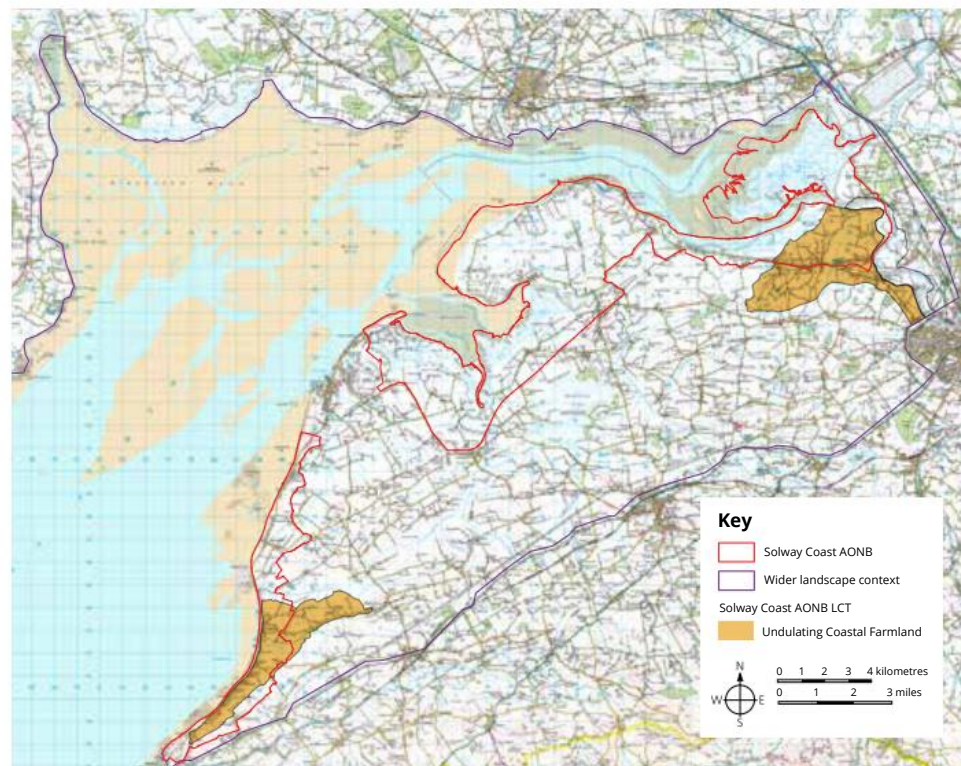


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Bowness-on-Solway



Fields at Mawbray with Criffel behind



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Looking over Raby Cote towards Skiddaw



Farm support over the life of this plan

Farmers know their land better than anyone else and the future of the farmed environment is of course tied to a viable economic future for farming. At the time of writing this plan, Britain is preparing to leave the EU; with that will come a revised method of providing Government support to farming and the farmed landscape. There is an opportunity to create new Environmental Land Management Schemes (ELMS) which are not prescription-led, but which are outcomes-focused, rewarding farmers for the public goods they produce – clean air and water, biodiversity, healthy soils etc.

On the Solway, ELMS need to be specially targeted to supporting the conservation priorities outlined in this plan. There should be encouragement, and reward, for collaboration across farm holdings aimed at maximising benefits for nature at a landscape scale. Experience from elsewhere suggests that this approach brings clear benefits for nature, farmers and the public; it is also clear that farmers need support and training to be able to help plan and monitor the works on their land under new ELMS; in turn conservation organisations need to learn from the experience and knowledge of farmers. Over the five years of this plan, the focus of work in this field will be on collaboration, improving trust and nature recovery, with an acknowledgment that any new financial system will support farmers to actively deliver what the public values and for which other markets do not readily exist.



Top 5 issues and/or forces for change

- Addressing the twin challenges of biodiversity decline and the impacts of climate change on farmland
- Retaining uncluttered views across and out of the landscape
- Conserving traditional building styles and features and ensuring that new development is sympathetic to landscape character
- Developing an outcomes focused approach to agri-environment schemes which is compatible with the national and international designations within the AONB and which delivers more for nature, rewards farmers appropriately and provides goods and services the public value
- Supporting collaboration across farm holdings on a landscape scale, and between conservation bodies and farmers on skills training, ELMS delivery and monitoring

Actions for Nature Recovery and Landscape Character

Coastal lowland farmed landscapes and their settlements

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
FL1. Promote the local development and local delivery of a results-based, outcome-focused approach to agri-environment payments, including the development of a ELMS pilot	Defra , NE, NFU	1-4, 9	1-7
FL2. Use ELMS and bespoke projects to support targeted reversal of old drainage	NE , EA, F/L	1-4	1-7
FL3. Promote cutting for hay rather than silage when the weather allows	NE , F/L	1-4	2-4, 7
FL4. Support sound conservation management of woodlands, kested hedgerows and field trees, connecting habitats across the landscape	FC , NE, F/L, SCAONB, CWT, RSPB	2,4-5	2-4, 7
FL5. Create a bespoke landscape-scale project to support farmland biodiversity over the life of this plan	SCAONB , F/L, CWT, RSPB, NE, FC, EA	1-4	2-4, 7
FL6. Develop targeted projects for key species, such as barn owl and breeding waders	CWT , RSPB, NE, SCAONB, EA, F/L	1-4	2-4, 7
FL7. Use ELMS to promote and reward good soil management, and promote Catchment Sensitive Farming, grants and initiative for soils, air and water quality	NE , F/L	2,4	1, 2, 4-6
FL8. Monitor and act on tree and plant diseases, notably Chalara and Phytophthora	FC , WT, NE, LA	1-3	1-4
FL9. Act to reduce run-off from roads and farmland to help improve the quality of watercourses	EA , F/L, NE	1, 2, 4	5, 6
FL10. Ensure that no sites or features of geological interest are lost to development or inappropriate management	LA , Cumbria RIGS, NE	2	7
FL11. Support and encourage measures which reduce visual intrusion such as re-routing or undergrounding of overhead wires	LPAs , ENW, SCAONB	3	7
FL12. Use planning policy and decision making to maintain undeveloped horizons, minimise the impact of vertical structures and retain views out of and across the landscape	LPAs	3	7
FL13. Use planning policy/decision making, and grant support to conserve traditional buildings and structures	LPAs , SCAONB	4, 5	7
FL14. Ensure net-gain for biodiversity in planning decisions; trial and use the Biodiversity Metric 2.0 or future versions	LPAs , NE, EA, SCAONB	1, 2	1-7
FL15. Act to reduce highway and roadside signage clutter	HA , LA, SCAONB	3	7
FL16. Replace high colour temperature, unshielded street lighting with low colour temperature lighting, and fully shield lighting and ensure it is only on when required.	LA	2, 3, 5	7
See also actions: OF6; RF1, RF4; L7-10			

Measures of Success

- Increase in farmland biodiversity
- Increasing numbers of farmers benefitting from receiving public money for delivering public goods
- No net loss of hedgerows, woodland or field trees / no loss of kests, veteran trees or ancient woodland

- Evidence of net gain for biodiversity in planning decisions
- No development takes place which significantly harms views out of and across the landscape
- Buildings and structures no longer at risk, due to conservation action

Top 10 Priorities for Nature Recovery

The following are the top 10 priorities to aid nature recovery on the Solway Coast between 2020 and 2025. Wherever possible, local communities should have a role in delivering this action and will require support and resources to make this happen. Collaboration between farmers, fishermen and conservation organisations is central to any successful activity in support of these priorities

Priority	Action	Main Partners
Landscape-scale connectivity and nature recovery	Act on a landscape scale to conserve, enhance, expand and connect habitats and communities of species across the whole coast and beyond. Develop an AONB Nature Recovery Plan	NE, RSPB, CWT, EA, F/L, SCAONB
Understanding / responding to the likely impacts of climate change	Provide the space for the expansion of key habitats such as saltmarsh and marshy grassland.	NE, RSPB, CWT, EA, LA, F/L
South Solway Mosses	Restore and conserve peatland habitats through rewetting, buffering and creating lagg zones	NE, RSPB, CWT, EA, F/L, SCAONB
Saltmarsh	Conserve and extend saltmarsh habitat for its wildlife and carbon storage/sequestration benefits and protect sensitive sites from disturbance and pollution	NE, RSPB, CWT, EA, F/L, LA
Mudflats	Protect mudflats from development and pollution, and reduce disturbance to species using them as feeding grounds	NE, RSPB, CWT, EA, Fishing community
Dunes	Create, restore and conserve dune habitat and protect sensitive sites from disturbance	NE, RSPB, CWT, SCAONB, LA

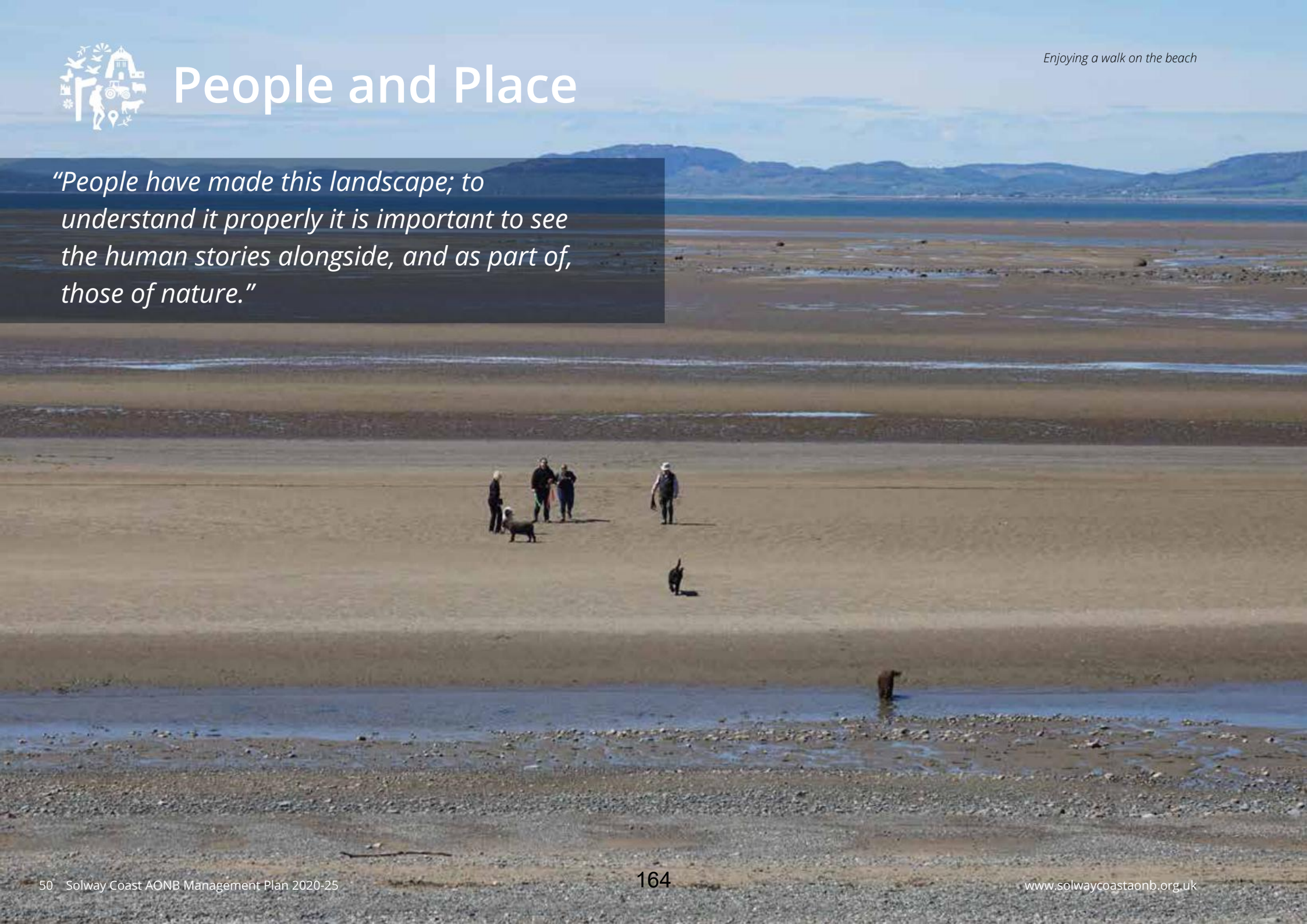
Priority	Action	Main Partners
Species-led conservation	Take action for specific species which may require bespoke effort during the life of the Plan e.g. breeding and over-wintering wildfowl and waders, little tern, marsh tit, willow tit, smelt, marsh fritillary, natterjack toad, mud shrimp, wrasse species, smallhound, bass, bell huss, thornback ray, Atlantic salmon, tope dogfish.	NE, RSPB, CWT, EA, F/L, SCAONB, Fishing community
Non-native species management	Reduce the impact of non-native species, such as Japanese rose and Himalayan balsam, on native flora and fauna	NE, RSPB, CWT, EA, F/L, SCAONB
Supporting HNV farming	Promote advice, training, support and collaboration to advance High Nature Value farming; contribute to the development and subsequent delivery of ELMS that properly rewards farmers for delivering public goods	NE, RSPB, CWT, EA, F/L, SCAONB
Evidence and data	Undertake research to improve collective understanding of the issues facing the conservation of the Solway Coast. Support Cumbria Biodiversity Data Centre	Universities, NE, RSPB, EA, SCAONB



People and Place

Enjoying a walk on the beach

"People have made this landscape; to understand it properly it is important to see the human stories alongside, and as part of, those of nature."





Introduction

The Solway Coast, like all of the AONBs and National Parks of the UK, is a living, working landscape. This plan does not address issues such as housing provision, transport and broadband provision, which are the proper subject of other strategic documents, e.g. the Allerdale and Carlisle Local Development Plans; instead the focus is on the conservation and enhancement of natural beauty and helping people to understand, celebrate and enjoy the area's rich heritage. This section of the plan focuses on finding out more about, and celebrating the landscape and its cultural heritage, promoting community action for the environment, responsible tourism, education, training and skills. Some descriptions and actions which relate to farming and fishing, and to buildings and settlements feature in earlier parts of the plan.

A cultural landscape

We can summarise the definition of 'natural beauty' as the coming together of landscape, wildlife and our built heritage; but landscape ought to be seen as much more than just the view. To see it most clearly we need to understand how the land has been used over time, how it has evolved, and to uncover the stories often hidden within it. Our appreciation of that landscape (and crucially in this context our desire to look after it) can be so much greater than when faced with a beautiful view without the time-depth of stories that may go with it.

The historian Simon Schama captured this well, saying,

"Before it can ever be a repose for the senses, landscape is the work of the mind. Its scenery is built up as much from strata of memory as from layers of rock."

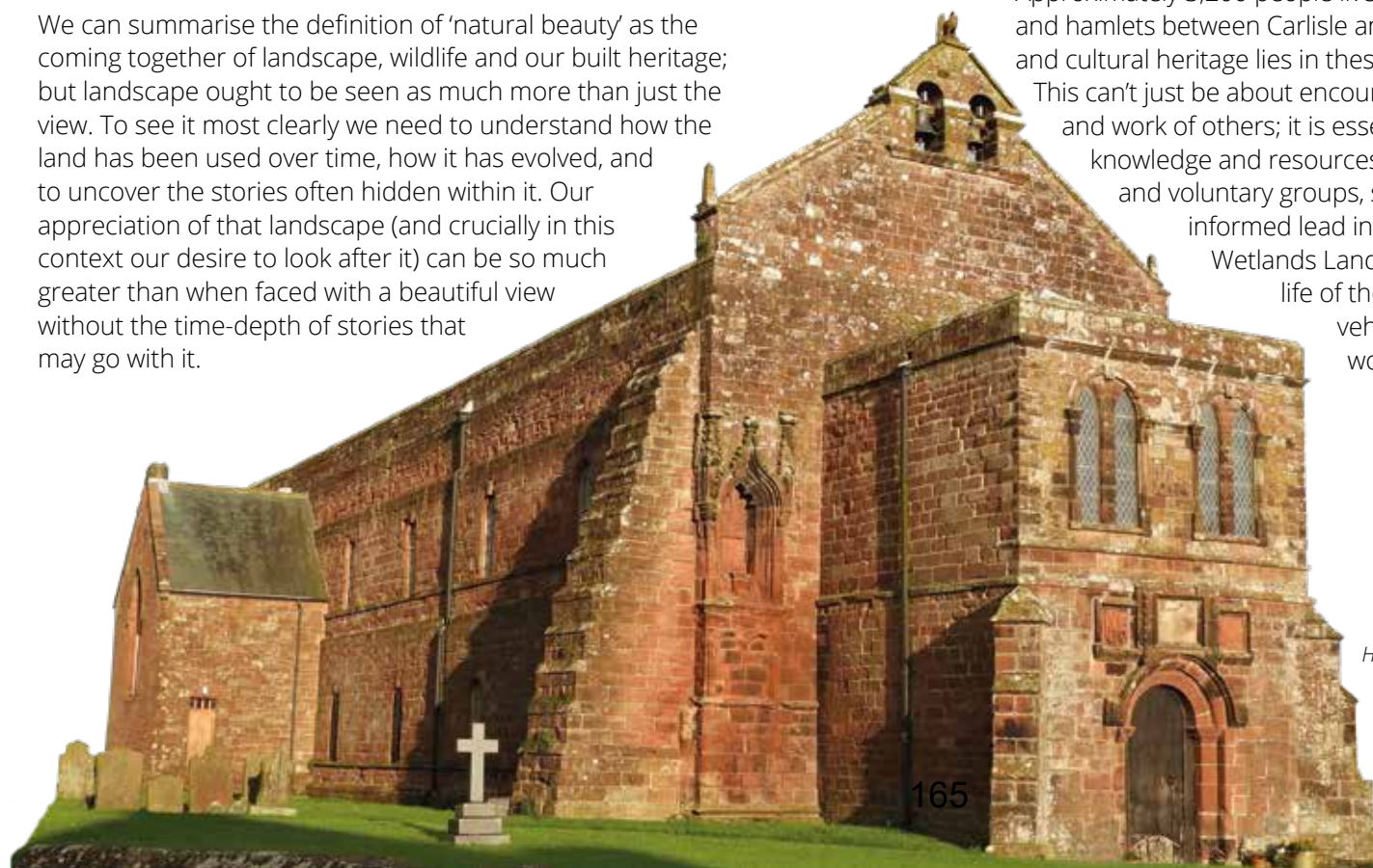
This is a landscape full of memories and stories, and keeping those things alive as well as creating new stories is to many people as much a part of conserving this landscape as looking after our Mosses, mudflats and marshes.

People have made this landscape; to understand it properly it is important to see the human stories alongside, and as part of, those of nature. To conserve it properly, this conservation effort has to be at least in part rooted in the community.

Approximately 3,200 people live on the Solway Coast in the scattered villages and hamlets between Carlisle and Maryport. The long-term future for our natural and cultural heritage lies in these local people caring about it and caring for it.

This can't just be about encouraging local communities to engage in the plans and work of others; it is essential to promote the development of skills, knowledge and resources among community organisations, businesses and voluntary groups, so they can take an increasingly skilled and informed lead in aspects of heritage management. The Solway Wetlands Landscape Partnership Scheme, delivered during the life of the last management plan, was an especially good vehicle for developing community capacity and more work of this kind is necessary.

Holme Cultram Abbey





Lamonby Farm, Burgh-by-Sands, an example of 'clay dabbins'

The area's rich historic environment has been referred to elsewhere in this plan in reference to particular landscapes, and the imprints of 5000 years of settlement, from the Bronze Age onwards, can be seen. Perhaps the most notable cultural heritage assets are associated with the Roman period and the Frontiers of the Roman Empire World Heritage Site; this includes Hadrian's Wall itself, and associated forts, milefortlets and earthworks. The Medieval influence is seen in a legacy of abbey ruins, fortified farmsteads, nucleated rural settlements and historic field patterns. More recent historic landscape features include World War Two airfields and the unusual and distinctive 'glider traps' on the marshes. Traditional building materials vary considerably and include red sandstone, limestone, cobbles, clay and slate. The most distinctive local building style is the cruck-roofed, clay-walled buildings known as 'clay dabbins' which can be found across the Solway Plain.

Some cultural practices have survived partly because they have a land management or economic purposes – haaf netting, with its Viking origins, equipment and terminology, is a prime example. However cultural associations with landscape and place are not just about the past; maintaining a living culture is about celebrating life on the Solway today, and in supporting new cultural practices to grow directly from the community.





Action for cultural landscape and community

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
CC1. Build community capacity to take a lead on conserving their natural and cultural heritage	LIG , SCAONB, NE, LA, CWT, RSPB, SFP	2, 3, 5, 6, 8	7
CC2. Continue and expand the programme of conservation volunteering opportunities, including through the provision of training for volunteers	SCAONB , LIG, ACT, RSPB, NE, CWT	2, 3, 5, 6, 8	7
CC3. Develop opportunities for communities to engage in citizen science projects	SCAONB , LIG, NE, RSPB, CWT, SFP	2, 3, 5, 6, 8	7
CC4. Develop programmes which support local people to uncover and tell their stories about their landscape and heritage	LIG , SCAONB	6, 8	7
CC5. Develop and deliver oral history projects along the coast, with a focus on farming, fishing and conservation	SCAONB , LIG	6, 8	7
CC6. Raise awareness of the cultural heritage of coastal margins, such as waths and haaf netting	SCAONB , LIG, SFP	5, 6, 8	7
CC7. Develop programmes and projects which support the conservation of historic buildings and structures, and tell their stories	SCAONB , HE, LIG, LA, F/L	5, 6, 8	7
CC8. Encourage further archaeological investigation of sites and features of interest, especially through developing new community archaeology projects	SCAONB , LIG, HE	5, 6, 8	7
CC9. Undertake research to increase our understanding of the area's historic buildings, structures, routeways and archaeological features	SCAONB , LIG, HE	5, 6, 8	7
CC10. Use the planning system to avoid the piecemeal erosion of the historic character of buildings and settlements	LPA	5	7
CC11. Use agri-environment schemes to conserve and enhance archaeological features and built heritage on private land and promote opportunities for public access to ad enjoyment of this aspect of our heritage	F/L , NE, HE	5	7
CC12. Promote sensitive new uses for historic buildings and structures	LA , LIG	5, 9	7
CC13. Promote community renewable energy schemes and other local activity on climate change, whilst ensuring the conservation of the area's special qualities	LA , LIG, SCAONB, SFP	1	1, 7
CL14. Act quickly to remove litter and fly-tipping and promote positive messages to encourage prevention and respect for the landscape and communities	LA	2, 3	7
<i>See also actions: L5-9</i>			

Measures of Success

- More historic buildings and structures undergoing conservation and/or research work
- An increase in community-devised and led conservation and heritage projects

- Increased community participation in heritage conservation and celebration



A natural place to explore and enjoy





Visiting Holme Cultram Abbey



Bogsploration on Drumburgh Moss



Investigating trees



The Solway Coast is a stunning landscape, and the area's natural beauty, in all its forms, is attractive to people. Improving people's experiences in exploring, enjoying and understanding the Solway Coast is not just something that benefits visitors; local people are a crucial audience for the many 'things to see and do' linked to nature and culture that can be made more accessible and more engaging.

For visitors to the area, historically the offer was focused around Silloth and Allonby, for a more traditional 'seaside' holiday. Fitting with the context of this plan, the offer today, for visitors and for local people exploring their landscape, is now partly based on the area's natural and cultural assets and the products, attractions and activities that have developed from them; there is a strong focus on walking, cycling, birdwatching and visiting historic places.

Visitors to the Solway Coast come predominantly from relatively close-by: Carlisle and northern Cumbria, and Southern Scotland. The day visitor dominates the market, whilst overnight stays are focused on the more traditional seaside locations, including chalets and the area's nine caravan/ holiday parks. The vast majority of visitor economy activity takes places in the spring and summer months, which can lead to reduced services for local communities in the quieter months. There is a heavy reliance on the use of private transport to explore the Solway Coast.



Signpost on the Hadrian's Wall World Heritage Site



Regardless of whether one lives on the Solway or is coming to visit, to explore the landscape on foot and by bicycle requires good access infrastructure. 'Access highlights' on the coast include:

- nearly 90km public footpaths and bridleways
- nearly 22km² of open access land (19% of the area)
- part of the Hadrian's Wall Path National Trail and the England Coast Path (also due be confirmed as a National Trail)
- numerous promoted day walks including 11km of Easy Access walks
- excellent cycling opportunities, including: road, touring, mountain biking, part of the Hadrian's Wall Cycleway and the Cumbria Cycleway.

As a destination, the area, like the rest of Cumbria, is dominated by the Lake District. Whilst there is certainly scope for making the Solway Coast better known, recent years have seen a decline in resources to support destination management activities and maintenance of the public realm. There is also currently insufficient information and interpretation available to help people discover, explore and enjoy the Solway Coast. Even now, visitor pressure on some important wildlife sites can lead to conflict with conservation objectives.

Top 5 issues and/or forces for change

- **Limited current marketing of the area**
- **The need for improved pre-and post-arrival information**
- **Relatively limited offer of nature and culture-led 'things to see and do'**
- **The need for more/higher quality interpretation of the area's heritage**
- **Difficulty in exploring the area without a private car**



Actions for exploring and enjoying the Solway Coast

Action	Key partners (initial lead in bold)	Outcomes supported	Services supported
EE1. Support the development of an environmentally and economically sustainable visitor economy based on, and sustaining, the special qualities of the Solway Coast. This should be through a positive and carefully applied planning policy framework, which supports tourism whilst protecting the environment, and through investment initiatives (eg. Growth Funds etc)	LA , CT, SCAONB, Businesses	6, 7, 9	7
EE2. Develop/expand shoulder season programming which supports the extension of the spring/summer season, focusing on themes such as winter birds, stargazing, geology and the historic environment	SCAONB , LIG, Businesses, RSPB, CWT, CT, LA	6, 7, 9	7
EE3. Ensure high standards of management of the Public Rights of Way network in the AONB, including an emphasis on promoting ease of access for all responsible and legal use	HA	6, 7	7
EE4. Promote the sustainable development and use of the England Coast Path, Hadrian's Wall National Trail and Hadrian's Cycleway	HA , NE, SCAONB, CT, LA	6, 9	7
EE5. Support the development of new (and enhancement of existing) walking and cycling products linked to public transport hubs and local settlements	SCAONB , LA, LIG	1, 6, 7, 9	7
EE6. Interpret key sites and features of heritage interest, utilising a variety of techniques	SCAONB , LIG, NE, RSPB, HE, CWT, LA, SFP	5, 6	7
EE7. Support activity which encourages a reduction in within-destination car travel e.g. improvements in public transport, car-free days and itineraries	SCAONB , LA	1, 7, 9	7
EE8. Develop opportunities for using the Solway Coast as a place to increase people's physical and mental well-being, including health walks, mindfulness activities and others	SCAONB , LIG, LA	6, 7, 9	7
EE9. Develop a programme to promote the nature and culture offer of the Solway Coast, supported by itineraries and high quality images and copy	SCAONB , CT, LA, SFP	5-7, 9	7
EE10. Explore the development of an ambassador programme with tourism businesses, focused on knowledge-based training on the special qualities of the area	SCAONB , businesses	6-9	7
EE11. Develop a tourism business toolkit, with key messages, images and copy, to help businesses promote themselves as being in the AONB	SCAONB , businesses	6-9	7
EE12. Generate AONB specific data on visitor numbers, motivations and activity	CT , LA	6	7
See also actions: IF8; IF9; OF8-10; M8			

Measures of Success

- An increase in heritage related walking and cycling products / opportunities
- Increase in heritage-led shoulder season activity
- Successful delivery of joint projects between agencies and tourism businesses

- Improvement in condition of the Rights of Way, National/Regional routes
- Increased user satisfaction in surveys

A landscape for learning



If we are to conserve our natural and cultural heritage, then it is essential that people have to the opportunity to understand how our natural systems function, can appreciate how the past has shaped the present and can engage with our living culture today. The Solway Coast has great potential to be a fascinating outdoor classroom, where schools, universities and the wider public can learn formally and informally about how nature works and how it can be better conserved, how farming can provide both food and public goods and how the area's rich culture has developed and will keep evolving.

Formal education

There has never been a greater need to engage children, in particular, with nature than there is now, as even many children in rural areas appear to be losing a connection to the natural world that would have been stronger in the relatively recent past. The nature of the education system means that inspiring children about our natural and cultural heritage needs to meet objectives in the curriculum; thankfully this is usually possible and a wide variety of work has been done by many organisations with the schools in and immediately around the AONB. From the AONB team this has included a wide range of popular and successful activities through the Solway Wetlands Landscape Partnership; Cumbria Wildlife Trust, the RSPB and Natural England also work with local schools to introduce children to nature, especially at reserves such as Campfield Marsh and Finglandrigg Wood. Partnerships with Tullie House Museum in Carlisle have also proved beneficial to helping school children learn about the Solway Coast.

Barriers to engagement with schools include the pressure of the curriculum, the cost of travel, and lack of awareness of the opportunities, allied to continued pressure on conservation organisation budgets. Despite this, there is considerable potential to build on the current offer and in particular to generate better understanding about where our food comes from and how land is farmed and managed.

*Working in partnership with Cumbria Biodiversity Data Centre
and Tullie House Museum to help young people learn about
the landscape*





Lifelong learning

Lifelong learning on the Solway Coast takes many forms including conservation and other heritage skills training of the kind delivered by the Cumbria Wildlife Trust and the AONB team, as well as a variety of community archaeology workshops and courses.

These initiatives create a deeper pool of skills and knowledge in communities, actively supports conservation and serve to connect people and place. The barrier to such provision is usually a lack of resources to make it possible, though bodies such as the National Lottery Heritage Fund, community organisations such as Action with Communities in Cumbria and conservation organisations have provided this support.

Skills Training

The future conservation of the Solway will require skills and knowledge in land-based practices as diverse as farming, forestry, ecology and practical field work of all kinds. It is also vital to retain built heritage skills, such as those that will sustain clay dabbins and cruck-roof buildings. Training and skills in this field are well-supported by Askham Bryan College through its Newton Rigg campus and this has been augmented by the work of conservation bodies such as the AONB Partnership, Cumbria Wildlife Trust and Natural England. This work actively supports improvements in conservation and increases people's environment sector employability locally. A clear area of need is to enable different sectors to learn from each other, especially farmers and conservation bodies.



Volunteers learning clay dabbin construction skills

Hard working volunteers constructing a new visitor boardwalk at Wolsty Banks





Action for Learning, Training and Skills

Action	Lead	Outcomes supported	Services supported
L1. Support school visits to the Solway Coast, through developing projects and programmes linked to the curriculum	SCAONB , RSPB, NE, CWT, LA, Schools	5-7	7
L2. Provide school travel grants where resources allow and plan for this in project development	All	5-7	7
L3. Provide training and other activities with teachers, focused on delivering aspects of the curriculum on the Solway Coast	SCAONB , RSPB, NE, CWT, Schools	5-8	7
L4. Provide support to universities to encourage and enable fieldwork and research	SCAONB , RSPB, NE, CWT	5-8	7
L5. Support organisations to deliver programmes of lifelong learning on conservation and heritage themes, including practical and knowledge-based activity and outreach events in communities within and beyond the AONB	SCAONB , RSPB, NE, CWT, HE, LIG, SFP	5-8	7
L6. Support the work of youth groups by providing informal learning opportunities on the Solway Coast	SCAONB , NE, RSPB, CWT,	5-8	7
L7. Provide land-based skills training on the Solway Coast	SCAONB , NE, RSPB, CWT, LIG, F/L	5-8	7
L8. Support an increase in professional and volunteer skills in conserving and restoring historic buildings and industrial heritage	HE , SCAONB, LA, LIG	5, 6, 8	7
L9. Identify the skills and knowledge gaps in the land-based sector in the area	SCAONB	8	7
L10. Support and deliver joint training and knowledge exchange between farmers and conservation bodies and encourage and support collaboration between all parties	NE , F/L, NFU, CWT, SCAONB	4, 6, 8	7
<i>See also actions: M9; CC1-5, CC8-9 and EE10, EE12</i>			

Measures of Success

- More school children visiting the Solway Coast for curriculum activity
- More people taking part in nature-related lifelong learning
- Increase in heritage skills training opportunities
- Increase in well-supported collaborative training activity between farmers/land managers/conservationists

Monitoring

The Solway Coast AONB team will be responsible for monitoring implementation of this plan on an annual basis. The AONB Unit will have an implementation plan, updated annually and linked to management plan outcomes, as a companion to the AONB Management Plan and setting out its work, with many partners, to conserve this special place.

Statutory agencies, NGOs, community organisations, farmers' groups and others will all be invited to add their voice to how they have all contributed to making the Solway Coast richer in natural and cultural heritage.

Indicators

A Management Plan needs a set of indicators that can be monitored and that can show whether things are heading in the right direction. Ideally, indicators should:

- be able to tell us about more than just that one factor;
- be reliably measured;
- be monitored as a matter of course or at a modest cost.

They will have a baseline and a target.

Allied to the 'measures of success' highlighted in this plan, indicators are currently being considered and will be developed during 2020.

Abbreviations

ACT	Action for Communities in Cumbria
CRoW	Countryside and Rights of Way Act (2000)
CT	Cumbria Tourism
CWT	Cumbria Wildlife Trust
EA	Environment Agency
ELMS	Environmental Land Management Schemes
ENW	Electricity North West
DEFRA	Department of Environment, Food and Rural Affairs
FC	Forestry Commission
F/L	Farmers and landowners
HA	Highway Authority
HE	Historic England
LA	Local Authorities (including Parish Councils where relevant)
LPA	Local Planning Authorities
LIG	Local Interest Groups (covering a wide range of interests and geographies)
MPA	Minerals Planning Authority
NE	Natural England
NFU	National Farmers' Union
NGO	Non-Governmental Organisation
NWIFCA	North Western Inshore Fisheries and Conservation Authority
RIGS	Regionally important geological and geomorphological sites
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation (under the European Habitats Directive)
SCAONB	Solway Coast AONB Team
SEPA	Scottish Environmental Protection Agency
SFP	Solway Firth Partnership
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
Uni	Universities and colleges
WCRT	West Cumbria Rivers Trust
WT	Woodland Trust







Redshank



Frosty morning on Glasson Moss



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Design: Lathwell & Associates (www.lathwell.com)

Images courtesy of James Smith, Fiona Smith, Judith Rogers, Charlie Hedley, Anna Gray, Tullie House Museum & Art Gallery Trust and the Solway Coast AONB staff team.



Department
for Environment
Food & Rural Affairs



NOTICE OF EXECUTIVE KEY DECISIONS

22 May 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 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.05/20	2019/20 Provisional Outturn Reports		22 June 2020
KD.07/20	Homelessness and Rough Sleeping Strategy 2021-2026	12 October 2020 consultation period to include Overview and Scrutiny as appropriate	14 December 2020
KD.08/20	Food Law Enforcement Service Plan 2020 / 2021	27 May 2020 consultation period to include Overview and Scrutiny as appropriate	22 June 2020
KD.13/20	The Asset Management Plan 2021 - 2026	20 July 2020 consultation period to include Overview and Scrutiny as appropriate	17 August 2020
KD.15/20	The Medium Term Financial Plan (including the Corporate Charging Policy) & the Capital Investment Strategy 2021/22 to 2025/26	20 July 2020 consultation period to include Overview and Scrutiny as appropriate	17 August 2020

Index of Active Key Decisions

		Date Decision to be considered:	Date Decision to be taken:
KD.16/20	Solway Coast AONB Management Plan 2020-2025	22 June 2020 consultation period to include Overview and Scrutiny as appropriate	20 July 2020

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.05/20
Type of Decision:	Executive
Decision Title:	2019/20 Provisional Outturn Reports
Decision to be taken:	<p>The Executive will be asked to consider and approve the 2019/20 Provisional Outturn reports and make recommendations on any carry forward requests to Council</p> <ul style="list-style-type: none"> • Provisional Revenue Outturn • Provisional Capital Outturn • Elected Members Allowances – Provisional Outturn • Council Tax and National Non-Domestic Rates – Provisional Outturn • Treasury Management Provisional Outturn
Date Decision to be considered:	
Date Decision to be taken:	22 June 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 Finance and Resources will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Finance and Resources, 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.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:	12 October 2020 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	14 December 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

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.08/20
Type of Decision:	Executive
Decision Title:	Food Law Enforcement Service Plan 2020 / 2021
Decision to be taken:	The Executive will be asked to decide the Regulatory Service's inspection and educational priorities for improving food safety in Carlisle during 2020 /2021.
Date Decision to be considered:	27 May 2020 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	22 June 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:	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.13/20
Type of Decision:	Executive
Decision Title:	The Asset Management Plan 2021 - 2026
Decision to be taken:	The Executive will be asked to consider the Council's Asset Management Plan and make recommendations to Council.
Date Decision to be considered:	20 July 2020 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	17 August 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:	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.15/20
Type of Decision:	Executive
Decision Title:	The Medium Term Financial Plan (including the Corporate Charging Policy) & the Capital Investment Strategy 2021/22 to 2025/26
Decision to be taken:	The Executive will be asked to consider the Council's Medium Term Financial Plan and Corporate Charging Policy, and the Council's Capital Investment Strategy and make recommendations to Council.
Date Decision to be considered:	20 July 2020 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	17 August 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 Finance and Resources will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Finance and Resources, 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.16/20
Type of Decision:	Executive
Decision Title:	Solway Coast AONB Management Plan 2020-2025
Decision to be taken:	The Executive will be asked to adopt the Solway Coast AONB Management Plan 2020-2025
Date Decision to be considered:	22 June 2020 consultation period to include Overview and Scrutiny as appropriate
Date Decision to be taken:	20 July 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 Director of Economic Development will be available five working days before the meeting
Contact Officer for this Decision:	Corporate Director of Economic Development, 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:	Economic Growth 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: 22 May 2020

INDIVIDUAL PORTFOLIO HOLDER DECISIONS

Below is a list of decisions taken by Individual Portfolio Holders acting under delegated powers, full details can be viewed on the Council's website www.carlisle.gov.uk:

PF.4/20

Leisure Contract Payment

Portfolio Holder who made the Decision:

Councillor Stephen Michael Higgs

Portfolio Area:

Subject Matter:

Support for GLL during Covid 19 Crisis

Summary of Options rejected:

Not offer support to GLL – this would likely lead to contract failure and the need to seek an alternative method of delivering the services provided by the Leisure Contract which could lead to a delay in remobilising services and increased costs to the authority.

DECISION

In accordance with PPN02/20 the Council received a request from GLL for assistance during the COVID-19 pandemic.

1. The Council currently pays its subsidy to GLL monthly and in order to assist GLL with Cash flow, it is to pay the next 3-months subsidy in advance (covering the period June to August 2020).
2. An open book approach has been put forward to determine the impact of any financial assistance that may be required over and above the normal subsidy level to the end of June 2020 (Any additional payment to be paid by the Council once actuals are known and agreed by both parties.)

Reasons for Decision

To support our Leisure Partners during the Covid-19 closure period and enable them to remobilise quickly and effectively.

GLL have and continue to mitigate the impact and reduce costs to the minimum.

The City Council is currently carrying out a major capital investment project on its leisure facilities which is integral to reducing the leisure subsidy to a net zero position through the existing 15-year Leisure contract which commenced in 2017.

To ensure that the City Council complies with Cabinet Office Public Procurement Notice PPN02/20.

Guidance from the LGA also indicates that local authorities may have an obligation to meet financial assistance requests by Leisure Trusts should they suffer losses.

Background Papers considered:

- GLL-COVID-19 Financial Assistance Executive briefing note *** *This item is not for publication by virtue of Paragraph 3 of Schedule 12A to the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).*
- [Cabinet Office Procurement Policy Note 02/20 – Supplier relief due to COVID-19](#)
- [Guidance notes on Model Interim Payment Terms - Procurement Policy Note 02/20](#)

Date Decision Made: 04 May 2020

**Implementation
Date:**

Officer Decisions

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.75/20	Asset management of Kingstown Industrial Estate & Parkhouse Business Park – update on progress Asset management of Kingstown Industrial Estate & Parkhouse Business Park – review of performance report (ref GD.21/20) for Leader and Portfolio Holder for Finance, Governance & Resources. To be referred to Business & Transformation Scrutiny Panel at the Panel's request.	Report to Leader and PHG, F & R and Managing agents KPI report – private pursuant to paragraph 3, Schedule 12A, Local Government Act 1972.	04 June 2020	Corporate Director of Governance and Regulatory Services
OD.74/20	The Centurion Inn, Walton The decision, following consultation with Councillor Mrs Mallinson, Communities, Health & Wellbeing Portfolio Holder, is not to list The Centurion Inn, Walton, Carlisle, as a community asset under the Localism Act 2011.	PC 15/14 – Community Right to Bid report at Executive 15/12/14 Application form for Community Right to Bid - Private * Not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972	03 June 2020	Town Clerk and Chief Executive
OD.73/20	Licensing Decisions taken between 1 May 2020 and 31 May 2020 The Licensing Manager has granted the attached licences or permissions under an express authorisation delegated to her and in accordance with the Council's policy requirements. (can be viewed on the Council website http://carlisle.cmis.uk.com/CMIS/CouncilDecisions/OfficerDecisions.aspx)	Applications for various licences. Private *Not for Publication by Virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act.	31 May 2020	Licensing Manager
OD.72/20	Extension to ITrent contract (1-year period) – May 2020 The Council entered into a call off contract with Insight Direct UK Limited for delivery of the ITrent services (HR & Payroll System) to operate from 6 th September 2017. The Call Off was expressed to run for three years with an option to extend from 5 th September 2020 until 4 th September 2021.	N/A	27 May 2020	Corporate Director of Finance and Resources

	<p>The Council wishes to trigger the extension option so that the existing call off is extended for a period of one year with effect from 5th September 2020 to 4th September 2021.</p> <p>In this case the Council is seeking to extend a 2017 call off against a framework that expired on 7th December 2019. Because the 2017 call off prescribes at clause 5 that the initial three year call off term expiring on 5th September 2020 can be extended for up to one year, and the totality of the permitted call off contract term does not exceed four years in this case, it is legitimate for the Council to exercise a one year call off.</p> <p>After exploring other possible procurement options, it was decided the most suitable would be to extend the current ITrent contract for 12 months. We are happy with the service they provide, that value for money continues to be provided, and the option to extend is in the contract. Future procurement options will be investigated during the extension.</p>																			
OD.71/20	<p>Reinstatement of parking charges in all city council car parks with effect from 07:00 on Monday 01 June 2020.</p> <p>Following consultation with the Portfolio Holder and Members of Executive, a decision has been taken to reinstate all parking charges in all city council car parks with effect from 07:00 on Monday 01 June 2020. Free parking will continue to be offered to NHS and health / care sector workers, those classed as top priority, that are eligible for free parking under the Government's scheme. This exemption to apply until such time as the Government withdraws this free parking scheme. The exemption will apply in nominated 'long stay' car parks.</p>	None	26 May 2020	Deputy Chief Executive																
OD.69/20	<p>Release of Flood Reserve</p> <p>Following the floods of Storm Desmond in December 2015, Council assets were significantly damaged and capital repairs are still ongoing. £84,300 is approved for release from the Flood Reserve to fund capital expenditure as follows:</p> <table><tr><td></td><td>Bitts Park</td><td>Civic Centre</td><td>Total</td></tr><tr><td>2018/19 Expenditure</td><td>16,400</td><td>51,700</td><td>68,100</td></tr><tr><td>2019/20 Expenditure</td><td>11,900</td><td>4,300</td><td>16,200</td></tr><tr><td>Total</td><td>28,300</td><td>56,000</td><td>84,300</td></tr></table>		Bitts Park	Civic Centre	Total	2018/19 Expenditure	16,400	51,700	68,100	2019/20 Expenditure	11,900	4,300	16,200	Total	28,300	56,000	84,300	N/A	19 May 2020	Corporate Director of Finance and Resources
	Bitts Park	Civic Centre	Total																	
2018/19 Expenditure	16,400	51,700	68,100																	
2019/20 Expenditure	11,900	4,300	16,200																	
Total	28,300	56,000	84,300																	

OD.67/20	Landlord's consent to a tenancy at will of Unit 31 at The Lanes Shopping Centre, Carlisle To grant Landlord's consent to the grant of a tenancy at will of unit 31 at The Lanes Shopping Centre, Carlisle	None	13 May 2020	Property Services Manager
OD.66/20	Re-opening of West Walls Car Park after temporary closure Re-opening of the West Walls Car Park on 15 th May 2020	None	12 May 2020	Neighbourhood Services Manager
OD.76/20	Transfer of funds from Planning Reserve to Economic Development Administration Operational Budget To transfer £38,200 to cover additional staff resource to deliver the operation of Development Management service during 2020/2021	N/A	01 May 2020	Corporate Director of Economic Development
OD.70/20	Insurance Brokerage Insurance brokerage arrangements from 1 May 2020 to 30 April 2024 have been awarded by awarded by direct award through the ESPO framework to Marsh	None	29 April 2020	Corporate Director of Finance & Resources
OD.68/20	Appointment of new Occupational Health provider To award a contract to provide Occupational Health support for the period 1.6.20 – 31.5.22 to OH Acquisitions Limited trading as Choose Occupational Health.	Full tender process undertaken reference CPU 202001 and all received returns evaluated. 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)	17 April 2020	Corporate Director of Governance and Regulatory Services

JOINT MANAGEMENT TEAM

MINUTES – 26th May 2020

Attendees	Leader; Deputy Leader; PH Economy, Enterprise & Housing; PH Environment & Transport; PH Culture, Heritage & Leisure; PH Communities, Health & Wellbeing; Chief Executive; Corporate Director of Governance & Regulatory Services; Corporate Director of Finance & Resources; Revenues & Benefits Operations Manager; Neighbourhood Services Manager; Team Manager – Parking & Enforcement; Development Manager
Apologies	Deputy Chief Executive; Corporate Director of Economic Development

Agenda Item 1 – Minutes of Meeting 15th April 2020	Action
Noted and agreed	
Agenda Item 2 – Parking Charges & Free After Three	
The Neighbourhood Services Manager and Team Manager – Parking & Enforcement joined the meeting to discuss the content of the previously circulated Reports. An in-depth discussion followed after which Executive Members and SMT thanked them for their comprehensive update	
Agenda Item 3 – Hardship Fund	
The Revenues & Benefits Operations Manager attended the meeting to provide further background to the earlier circulated Reports regarding this Fund. Executive Members and SMT	

appreciated this and thanked him following a full round table discussion	
Agenda Item 4 – Relaxation of Lockdown & Recovery Agenda Item 5 – Staff return to work within Civic Centre	
The Chief Executive, leading on both these Agenda Items, preferred to update together. All steps on relaxation of lockdown and recovery will follow the direction advised by Government. Risk Assessments will be undertaken prior to any return of Staff or Members to work within the Civic Centre to ensure their safety	
Agenda Item 6 - Updates on Borderlands; Civic Centre; St Cuthbert's Garden Village; Central Plaza; J44	
Members of SMT and the Development Manager provided the Executive with their update on the current position regarding each area	
Agenda Item 7 – Future Items for Notice of Executive Key Decisions	
Noted and agreed	
Agenda Item 8 - JMT Forward Plan	
Reviewed and updated	

Report to Executive

Agenda
Item:

A.8

Meeting Date: 22nd June 2020
Portfolio: Economy, Enterprise and Housing
Key Decision: No
Within Policy and Budget Framework YES
Public / Private Public

Title: POTENTIAL DESIGNATION OF CONSERVATION AREAS AT BRISCO AND WREAY
Report of: Corporate Director of Economic Development
Report Number: ED 24/20

Purpose / Summary:

This report presents the work that has been undertaken to progress the proposed conservation area designations for the villages of Brisco and Wreay. It outlines the background and rationale to the proposed designations, the engagement and consultation with the local communities to date and the feedback received.

Following a positive response from the residents of Brisco, the report recommends that the Council proceed with the designation of a conservation area. Due to concerns raised in respect of Wreay, it recommends that the Council do not proceed with the designation at this time.

Recommendations:

That Members of the Executive:

- Note the contents of the Report and, the consultation feedback from the local residents in relation to the proposed designation of conservation areas for Brisco and Wreay.
- Authorise the designation of a conservation area for the village of Brisco following the boundary defined on the map at Appendix 3.
- Defer the decision to designate a conservation area for the village of Wreay to enable further community engagement and clarification on potential impact to residents.

Tracking

Executive:	22 nd June 2020
Scrutiny:	

Council:	
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1. BACKGROUND

- 1.1** Conservation Areas are defined as “[...] Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance” by Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990. Section 69 (2) of the Act states that “[...] It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any further parts of their area should be designated as conservation areas; and, if they do so determine, they shall designate parts accordingly”.
- 1.2** Paragraph 9.24 of the Carlisle District Local Plan states that: “[...] The Council will continue to review existing and designate new conservation areas to ensure that the areas continue to justify their conservation area status through their special architectural and historic interest thus ensuring the concept of conservation is not devalued through the inclusion of areas lacking special merit. In order to promote the enhancement of conservation areas the City Council will carry out appraisals for each area, highlighting its special characteristics as well as any existing problems and make suggestions regarding their solution. A series of management plans for each conservation area will also, as far as resources allow, be prepared setting out the way in which development pressure and neglect will be managed to ensure the specific character of each area is maintained.”
- 1.3** Conservation area designation introduces controls over the way that owners can alter or develop their properties. For example,
- Control over demolition of unlisted buildings
 - Control over works to trees
 - Fewer types of advertisements which can be displayed with ‘deemed consent’
 - Restriction on the types of development which can be carried out without the need for planning permission (permitted development rights).
- However, owners of residential properties often consider these controls beneficial because they can also sustain and/or enhance the value of property within it.
- 1.4** There are 19 Conservation Areas in the District designated between 1968 (Wood Street and Victoria Road) and 1997 (Stanwix).
- 1.5** The villages of Brisco and Wreay featured on a list of potential future conservation areas in the 1997 Carlisle Local Plan but the designation of the two areas was not pursued. In recent years the location of Brisco within the St Cuthbert’s Garden Village area spurred a need to objectively assess its heritage interest and its relative robustness or vulnerability to accommodate change. The Brisco pre-designation report was commissioned and prepared in 2018 as part of the evidence base for the master planning of St Cuthbert’s Garden Village.

- 1.6** Wreay, while outside of the St Cuthbert's Garden Village boundary, has long been recognised as a unique survival of very high quality buildings unique among such a small rural village, and was seen as an appropriate area to assess for potential conservation area designation.
- 1.7** The village of Wreay is a well-preserved north Cumbrian rural settlement which is notable for its nationally and internationally important series of buildings designed in the early nineteenth century by Sarah Losh, including the Grade II* Church of St Mary. These sit within a designed landscape which is considered important to their setting. A pre-designation appraisal for Wreay was prepared in-house.
- 1.8** The village of Brisco has a number of listed buildings but also retains its special character as a small Cumbrian village in a distinctive landscape setting. The village compares favourably to other similarly scaled rural conservation areas such as Cumrew, and warrants consideration as a prospective conservation area.
- 1.9** At its meeting 14th October 2019 the Executive approved a period of consultation for the two prospective conservation areas at Brisco (ED 30/19) and Wreay (ED 31/19). The consultation documents took the form of a pre-designation conservation area appraisal for each village, and a series of possible boundary options.

2. PROPOSALS

- 2.1** Following Executive approval as above, consultation on the two draft appraisals began in late autumn 2019. Consultation included presentation of both appraisals to the St Cuthbert Without Parish Council at its meeting 26th September, and a separate public consultation event at the Village Hall in Wreay 18th November. The period for formal public consultation ran from 11th November to 6th January – an 8 week period. The Village Hall 18th November event was publicised by means of an invitation to St Cuthbert Without Parish Council – who advertised it on their notice board; and by written invitation to the Friends of the Church of St Mary; Carlisle and District Civic Trust.
- 2.2** Both pre-designation appraisal documents provided an appraisal of the special character of the villages, and set out a series of options for a possible conservation area boundaries– including a 'do nothing' option of not pursuing designation.
- 2.3** The public event 18/11/19 was well attended, with a general presentation on the two possible conservation areas followed by break-out workshops where possible boundaries were discussed, along with conservation and planning issues at both villages. The response among the 30+ attendees was overwhelmingly positive with no stated opposition to the principle of either conservation area designation.

- 2.3** At Brisco, four options were proposed, along with an option to suggest an alternative boundary option. The options were:
Option 1: No Conservation Area
Option 2: A Conservation Area Largely Confined to the built environment
Option 3: A Conservation Area that includes the fields around the village
Option 4: A Conservation Area that includes Brisco Hill House
- The recommendation of the appraisal was Option 3: A Conservation Area that includes the fields around the village as it was felt by the authors (North of England Civic Trust) that Brisco Hill House was already afforded increased protection through its Grade II listed status. 13 public responses were returned for the Brisco proposal. These were unanimously in favour of designation of a conservation area and unanimously in favour of Option 4. Two responses suggested an extensive boundary stretching north to take in Brookside and Cammock House, at Cammock Beck.
- 2.4** The St Cuthbert Without Parish Council advised 06/01/20 that the Parish Council “ [...] has consulted with the residents in Brisco in forming the view that they support the proposals. The feedback from Brisco was that the majority favoured the wider boundary and the Parish Council supports that view”.
- 2.5** At Wreay, three options were proposed along with an option to suggest an alternative boundary option. The options were:
Option 1: No Conservation Area
Option 2: A Conservation Area Largely Confined to the built envelope
Option 3: A Conservation Area including the eastern ‘parkland setting’
- 2.6** Although at the November public consultation event the Wreay proposals were well-received, with no stated opposition, the response by returned consultation form was predominantly against the proposed designation. The Wreay responses numbered 28. 15 responses were in favour of designation, with the majority favouring the larger potential boundary, Option 3. Respondents in favour included Jenny Uglow – author of the book ‘The Pinecone’ on the life and work of Sarah Losh.
- 2.7** However, 13 responses were against designation, and included a 36 name petition citing “[...] We the undersigned say no to Wreay being designated as a conservation area and appeal to Carlisle City Council to support our petition’. Diverse points were made in the letters objecting to the designation. Concerns included the potential constraint of the local farming community; existing development, which objectors felt removed the justification for further protection; and the potential to constrain development.
- 2.8** Consequently, the Clerk advised 04/02/20 that “At their meeting last week (29/01/20) the Parish Council agreed that it must represent the views of the parishioners on this matter [...] The Councillors assessment of this evidence was that the majority were

against the proposals. The Parish Council agreed (having listened to its local Parishioners) that it is not supportive of the proposals for conservation status at Wreay”.

3. RISKS

- 3.1** The designation of new conservation areas could generate more planning applications due to the limitation of permitted development rights, but the level of impact is relatively minor and can be managed within existing staffing and budget resources.
- 3.2** Non designation could result in deterioration of the special character of the Brisco and Wreay villages and the setting of their heritage assets.

4. CONSULTATION

- 4.1** The draft appraisal documents have been consulted on as set out above.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1** The Council has a statutory duty to review its area for the potential to designate new conservation areas. The special interests of Wreay and Brisco warranted consideration for designation and a period of public consultation has been undertaken to determine the view of local residents, statutory and Civic bodies and other interested parties in this regard.
- 5.2** Both areas contain sufficient quality to justify/warrant conservation area designation. There is local support for the designation at Brisco. However, there is not the same degree of consensus at Wreay and without widespread support there is a risk that the designation may not be as effectual. On this basis, it is recommended that Members of the Executive:
 - Note the contents of the Report and, the consultation feedback from the local residents in relation to the proposed designation of conservation areas for Brisco and Wreay
 - Authorise the designation of a conservation area for the village of Brisco following the boundary defined on the map at Appendix 3.
 - Defer the decision to designate a conservation area for the village of Wreay to enable further community engagement and clarification on potential impact to residents.

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 6.1** The consultation on the potential to designate a conservation area at Brisco will contribute to the Council’s aspirations to:

- Continue to improve the quality of our local environment and green spaces so that everyone can enjoy living, working in and visiting Carlisle.

Contact Officer: Roger Higgins

Ext: 7077

**Appendices
attached to report:**

Appendix 1 – Draft Report ‘Brisco, Carlisle, Cumbria – Potential for Designating a Conservation Area’
Appendix 2 – Draft Report ‘Wreay, Carlisle, Cumbria – Potential for Designating a Conservation Area’
Appendix 3 – Proposed Conservation Area boundary for Brisco

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:

- The Planning (Listed Buildings and Conservation Areas) Act 1990
<http://www.legislation.gov.uk/ukpga/1990/9/contents>
- National Planning Policy Framework (2019)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

CORPORATE IMPLICATIONS:

LEGAL – The relevant legislation, section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is set out in paragraph 1.1 of the Report and is self explanatory.

FINANCE – The costs associated with both consultations have been met from within existing revenue budgets. There are no other financial implications of designating Brisco as a conservation area.

EQUALITY – None

INFORMATION GOVERNANCE – Any public consultation must comply with the General Data Protection Regulation in relation to the gathering, processing and in some cases, disclosure of personal information. Consultees should be appropriately advised of how their information will be used through an appropriate privacy notice, and all processing must comply with the Data Protection Principles. Advice can be accessed from the Information Governance Manager.

PROPERTY SERVICES – No property implications



Brisco, Carlisle, Cumbria Potential for designating a Conservation Area



CARLISLE
CITY COUNCIL



www.carlisle.gov.uk

This document was produced by the North of
England Civic Trust for Carlisle City Council.

If you would like this document in another format,
for example large print, braille, audio tape or
another language, please contact:

October 2018

1.0 Introduction

1.1 North of England Civic Trust has been commissioned by Carlisle City Council to assess Brisco, Carlisle, Cumbria, to see whether a conservation area should be designated there under Section 69 the Town & country Planning Act 1990. Local planning authorities are under a positive legal duty to assess their area from time to time to review conservation area coverage (<https://historicengland.org.uk/advice/hpg/has/conservation-areas/>).

1.2 This work has been prompted by recent development proposals for land immediately south of the urban City of Carlisle.

1.3 Standards

1.3.1 As conservation areas are designated locally, there are no standard criteria.

1.3.2 The **National Planning Policy Framework** (NPPF) states that heritage assets, including conservation areas, are an irreplaceable resource and should be conserved in a manner that is appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

1.3.3 It also says:

“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest” (paragraph 186).

1.3.4 The NPPF is supported by the **Planning Practice Guide** (PPG), a web based resource to allow for regular review. This includes particular guidance on matters relating to protecting the historic environment. Historic England has produced a series of **Good Practice Advice** (GPA) planning notes dealing with specific issues including Local Plan Making.

1.3.5 These are supported by a series of **Historic Environment Advice** (HEA) notes including **Conservation Area Designation, Appraisal & Management, Historic England Advice Note 1** (February 2016) that provides guidance on what can and cannot normally form the basis of an area.



Figures 1, 2: Brisco — A linear Village with a range of buildings rooted in its agricultural history

1.3.6 It suggests considering places where the controls which designation brings would be of benefit such as:

- Varied areas with numbers of designated heritage assets
- Areas defined by particular architectural styles or materials
- Areas linked to a theme of local interest such as an industry or a person
- Areas with historically significant layouts visible in the modern street pattern or built development
- Areas with special public realm, designed landscapes or open spaces.

1.3.7 It also encourages consideration of the following:

- Development from more recent times
- Wider development patterns as well as building groups
- Areas with archaeological potential, the setting of settlements

1.3.8 Survey and Research

A site survey of Brisco and its surrounding area was carried out on 20th June 2017, when the weather was fine and long views were clear. The study area was approached by car along minor roads from the south. The study area was walked from the north end of the settlement (NY418522) to the southern end of the settlement (NY423516) along the Brisco Road, a minor road that runs north-south from Upperby to Wreay. St Ninian's well was approached along the public footpath from the Brisco road. An overgrown track running north was followed from there following the line of the field boundaries as far as the last field to the north east of Brisco where the minor road was joined again to the north of the settlement.

Desk-based study has researched the following sources:

Ordnance Survey County Series 1:10,000 1868.
Ordnance Survey County Series 1:2,500 1900
Ordnance Survey 1:10,000 1975
Ordnance Survey Map 1:25,000 Explorer 315 & OL5

The Victoria History of the County of Cumberland, Volume I & II, A. Doubleday & J Wilson. 1901 & 1905.

Cumbria, Cumberland, Westmorland and Furness, N Pevsner & M Hyde, 2nd Edition 2010.

Vernacular Architecture of the Lake Counties, R.W Brunskill. 1974.

Landscape and Townscape Appraisal, St Cuthbert's Garden Village. Report prepared by LUC in association with Nick Haynes, 2017.

National Heritage List for England, <https://historicengland.org.uk/listing/the-list/>

Cumbria Historic Environment Record

Cumbria Record Office, Carlisle National Record of the Historic Environment (Pastscapes)

Historic England Archive

Cumbria Landscape Character Guide and Toolkit (Cumbria County Council, 2011)

PART 1.1: Description



Figure 3: Brisco has various areas of rural landscapes and open spaces.

1.9 a. Location

1.9.1 Brisco is located approximately 1 kilometre to the south of Upperby, an area on the edge of the City's urban area. Brisco lies in a distinctive and attractive rural landscape. The wider settlement pattern south of the built-up area comprises a spread of small villages and hamlets surrounded by open countryside decorated by mature hedges and trees. The sloping topography of the land creates undulations, folds and elevated development platforms where a necklace of agricultural settlements were established overlooking the City.

1.9.2 This layout pattern has remained substantially unaltered since enclosure in the C19th, with features associated with the earlier medieval settlement and land use still evident in the landscape. There are no other designated conservation areas in the parish of St Cuthbert Without (Blackwell, Brisco, Burthwaite, Durdar, Scalesceugh, Carleton Village, Carleton Grange, Pennine View, Parkland Village and Wreay). The nearest are within Carlisle City Centre. There are 6 listed buildings in the study area. These are 'Wooden Walls', Brisco Farmhouse, Brisco Hall, Langarth, St Ninian's well and Brisco Hill House. No other designations are listed in the Historic Environment Record (HER).

1.9.3b. Historic Development

1.9.4 We know that the A6 just to the east of Brisco is roughly on the line of the Roman road that ran between the fort at Penrith and Carlisle and any native settlement in this area would have been exploited to provide food and raw materials to the garrisons. The name Brisco comes from Old Norse for the 'wood of the Britons' and we know that the Vikings settled in this part of Cumbria from the C10th; their legacy evident in the place names that have survived across the northern counties. Brisco also sits within the former Royal Forest of Inglewood ('Wood of the English') created at the beginning of the C12th.

1.9.5 Forests usually consisted of poor or marginal agricultural, heath or wet land that was sparsely populated. Inglewood Forest stretched from Carlisle to Penrith and was subject to forest law, limiting its use to royal hunting.

1.9.6 Brisco lies within the parish of St Cuthbert Without; the parish of St Cuthbert Carlisle having been divided in the C19th into the land inside (Within) and outside (Without) the city walls. It is set within a characteristic post medieval field system with the fragmentary remains of the open fields strips within the later pattern of enclosure field boundaries.



Figure 4: Brisco Common looking south west from Brisco Road



Figure 5: Looking towards Brisco with High Woodbank in the foreground

1.9.7 The Historic Landscape Characterisation (HLC) mapping has identified the field systems immediately surrounding the hamlet as being former Common Arable Land moving to ancient enclosures to the west of Cammock Beck.

1.9.8 A small pocket of Designed Landscape adjoins the west side of Brisco Hall. The Historic Environment Record (HER) identifies traces of extensive clusters of narrow late and post-medieval ridge and furrow ploughing around Briscoe and its immediate hinterland. This, together with the presence of a number of medium to large farm complexes in the hamlet, provides ample evidence of the importance of agriculture to Brisco's economy over many centuries. This continues, albeit on a limited scale, with two working farms continuing to reinforce the agricultural character of the settlement. The hamlet is linear and spread along both sides of Brisco Road without any layout evidence of a central village green.

1.9.9 It is not large and is anchored by two fully operational farms, Croft Farm to the south and Brisco Hall to the north, both located on the west side of Brisco Road. Brisco Hill House and farm lie approximately 300metres to the south of the hamlet's built envelope, detached from the main settlement by a field where there is evidence of a possible Roman-British period enclosure. Built as a mansion in the late C18th, it sits on top of the ridge where it overlooks the hamlet and the Solway plain. The house was ornamented by formal gardens and is now marked by a dense and visually significant collection of mature trees. Brisco Hill Farm is detached from the house but forms part of the same historical pocket of development

1.9.10 A variety of C19th and C20th buildings line both sides of the road but the principal historic structures date from the C17th and C18th centuries, reflecting a time of relative peace and prosperity following the Union of the Crowns in 1603. The settlement is set within a characteristic post medieval field system with the fragmentary remains of the open fields strips within the later pattern of enclosure field boundaries. Brisco Common at the southern limits of the settlement is all that remains of the common (waste, pasture and common) that would have surrounded the settlement in the medieval and post-medieval periods until gradual piecemeal enclosure, by agreement or Acts of Parliament in the C18th and C19th centuries allocated and divided the land into individual ownerships.



Figure 6: Track to the east of Brisco hamlet looking north

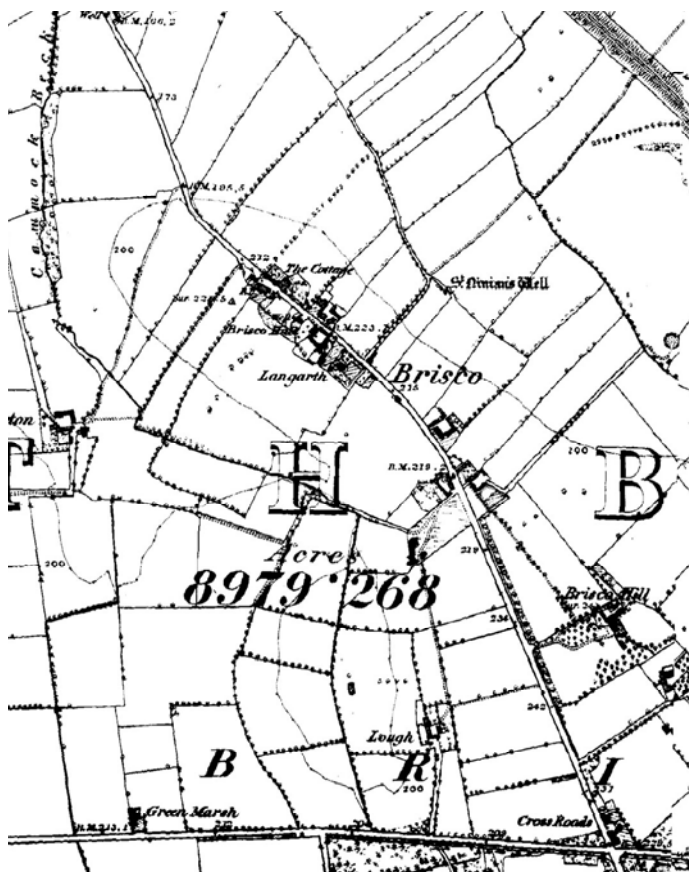


Figure 8: Ordnance Survey County Series 1896



Figure 7: Ordnance Survey modern map

1.9.11 In the fields to the north and south of the hamlet there are clumps of trees (primarily oaks) that probably represent traces of lost field boundaries or later parkland associated with Brisco Hall and Langarth House.

1.9.12 Scattered surviving buildings of three former farms, Brisco Farm, Manor House and an unnamed complex opposite the Common, spread along the east side of the road. Some of the residual land is occupied by a mixture of former workers houses, dwellings and gardens dating from the C18th to the post WWII period. A large field butts up to the west side of the road to create an open aspect to the west whereas a loose arrangement of houses provides a firmer built edge against the road.

1.9.13 The remains of substantial back lanes on both sides of the hamlet are defined by pronounced depressions and dense hawthorn hedges with a number of single oak trees. The lanes run parallel to the road with the track to the east of the settlement leading to a holy well dedicated to St Ninian.

1.10 c. Settlement pattern

1.10.1 The hamlet is a ribbon development which was and still is, albeit to a lesser degree, dominated by agriculture and farm buildings. The two major working farmsteads that survive, Brisco Hall and Croft Farm, are large and both visually and functionally dominate the street. The substantial and attractive architecture of the farm houses illustrates how this was a productive and wealthy industry for centuries. Manor House, dating from the late C18th, sits within the remains of its courtyard farm complex and carries on the tradition of high quality farmhouses with its dressed sandstone walls and Georgian front facade.

1.10.2 The farms are of visual and historical importance. They bind the hamlet together with the built complexes providing physical and visual links from one end of Brisco to the other, the large barns acting as landmarks. This layout pattern and the arrangement of spaces, buildings and circulation and has substantially helped to define the shape, character and settlement pattern of the hamlet for centuries.



Figure 9: Brisco Hall farm yard from Brisco Road

1.10.3 C19th Ordnance surveys show that buildings and activities, including Brisco's post office, smithy and inn were concentrated around the north end of Brisco with fields separating a more modest cluster of three smaller sets of farm buildings to the south end near the Common, halfway to Brisco Hill House. Any working or ownership relationship between the hamlet's farms is unclear but they were probably independent of each other.

1.10.4 A short terrace of workers houses, now private dwellings, was built at right angles to the main road opposite Croft Farm in the early/mid C19th. Later, in the mid C20th, a short terrace of two storey houses, including two flat roofed dwellings, were built facing the road and opposite the Common, possibly for workers employed at the large ESK brickworks located at the bottom of the Petteril valley where it is substantially hidden from view. The Victorian brickworks, located some 600 metres to the east of the hamlet, closed in 2010.

1.10.5 A loose group of C20th houses are ranged along the east side of Brisco Road between Manor House and Brisco Farm. They are mostly single storey and partly obscured by substantial hedges. The east side has been developed in the C20th bringing a low key and limited suburban feel to the hamlet. Tracks lead from Brisco Road between buildings to provide vehicular access to fields and visual links to the wider surrounding countryside.

1.10.6 Two thatched roof houses, The Cottage and Fox Cottage are situated towards the northern tip of the hamlet. The Cottage, a building with a large square footprint can be seen on the 1st Edition OS where it has remained substantially unchanged in size and shape to date. Fox Cottage, the adjacent thatched house, was built in 1991. The Cottage is a cruck-framed building. It is unclear whether its thatch is a continuation of historic roofing treatment or if it is a later addition for aesthetic reasons.

1.11 d. Listed buildings

1.11.1 There are six Grade II listed buildings located in the hamlet. Four can be found around its historic core which is focussed on Brisco Hall at the north end of the hamlet, and the fifth, St Ninian's well, to the east of the historic core, by the track running along the east edge of the adjoining field adjacent to the public footpath between Brisco and Carleton.

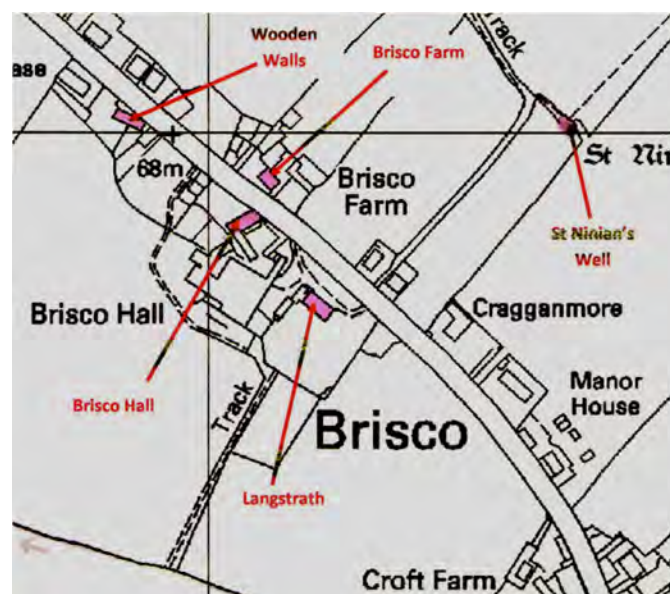


Figure 10: Listed buildings within Brisco

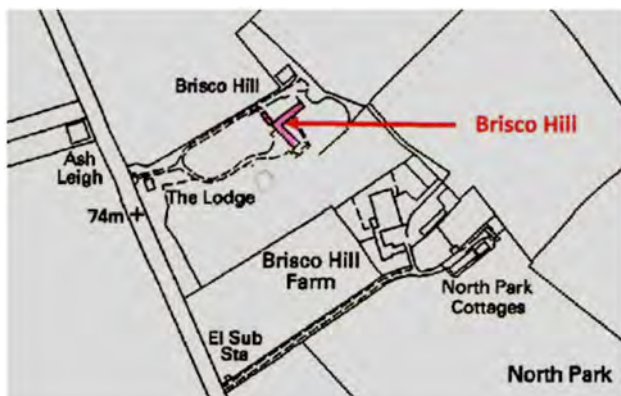


Figure 11: Brisco Hill, a sixth listed building, is 300m south of Brisco

10.11.2 Brisco Hall

The core of the hamlet is laid out around Brisco Hall, a typical early C17th non-fortified house of two storeys with coursed red sandstone and mullioned windows and a slate (formerly stone) roof. The date stone and initials above the door is a typical embellishment found on many vernacular halls of this period in Cumbria (Cumberland) (1610 with initials TP, MP). The architectural detail probably represents the aspirations of the most important tenant farmer in the hamlet. At some point the back of the Hall has been remodelled which can be seen clearly in the gable end facing the road. The principle elevation of the hall does not face the road, but is set at right angles to it looking south east into what is now the farmyard.



Figure 12: Brisco Hall with Brisco Farmhouse in the background



Figure 13: Brisco Hall from the entrance

10.11.3 The Hall would originally have been surrounded by a complex of buildings, all of which have been replaced. The farm buildings associated with the present Hall are all later and represent successive developments in farming technology. The brick barn directly opposite the Hall is probably C18th and has been repurposed with the blocking up of doorways and vents. The buildings that make up the other 2 sides of the farmyard are C19th. All are still in use as farm buildings along with a series of larger C20th barns to the rear.



Figure 14: Brisco Farm from Brisco Hall's Entrance

10.11.4 Brisco farmhouse

Brisco farmhouse is a typical and elegant early C19th building with stuccoed walls, raised stone quoins and stone surrounds to the sash windows and door. The door has an entablature cornice and fanlight. The house faces the road and there is a small, walled garden between the house and the road with an entrance gate and straight path to the front door. A few trees and scrubs in the front garden do not obscure the house from the road.



Figure 15: Brisco Farmhouse



Figure 16: Entrance to Brisco Hill House



Figure 17: St Ninian's well

10.11.5 St Ninian's Well

St Ninian's Well probably has an early, possibly medieval, foundation, but it is notoriously difficult to establish any dating evidence for the veneration of natural features like this beyond their physical association with other tangible features in the surrounding landscape. The most recent well head construction, designed and built by Sarah Losh at the beginning of the 19th century, is recognition of the significance of the holy well on this site. Closer investigation may reveal the relationship between the open field system and the later enclosure scarp and bank, but the well head is very overgrown and in need of management, possibly as a community-led project. The relationships between the well, Brisco, and Carleton to the east via the path that crosses the River Petteril (by footbridge today, but formerly over stepping stones) would also be worth exploring.

10.11.6 Brisco Hill House

Brisco Hill House on top of the ridge is a mansion built in the late C18th for a John Thomlinson. It is visually contained by both formal gardens and woods.

10.11.7 Wooden Walls

Wooden Walls is an intriguing name for a building of rendered stone and brick. Although it has a prominent date stone over the main entrance door (1681) with a heavily moulded stone surround and mullioned window on the ground floor there would appear to be little else left of the C17th building. There is also a rendered stone foundation and stone wall surrounding the main entrance. Without further investigation inside and to the rear it is not clear how much of the 17th century structure remains. There is a small garden in front of the house with low level planting that does not obscure a view of the principle elevation. A later C18th rendered extension to the south in brick is probably part of the C19th Inn.



Figure 18: Wooden Walls



Figure 19: Wooden Walls in 1905.
The thatch cottage in the foreground was demolished in 1975



Figure 20: Entrance to Langarth

10.11.8 Langarth

Langarth is difficult to see apart from glimpses between the trees and shrubbery in the front garden of the house. The map shows that the long elevation faces the road with a drive curving in from the road to the front of the house. The gate at the northern end of the drive is open and clearly used, but the southern gate has not been used for some time and may retain the original wooden gate between the gate posts.

This building, along with St Ninian's Well, represents an important association with the Losh family and it would probably be safe to assume that Sarah Losh (architect) designed and built the house for a member of her family.



Figure 21: Langarth from entrance

10.12 e. Use of Traditional Materials

There is a wide range of both historical and modern materials used throughout the hamlet.

10.12.1 Stone

Brisco's older buildings are mostly built in rough or dressed red sandstone with some being fully or partly rendered. Coursed, roughly coursed and random stonework can be found throughout the village. Stone boundary and retaining walls facing the road are usually precise and well maintained with one or two exceptions. There are interesting variations including the use of a double course angled flat stone retaining strip along on the east side the road, a feature more commonly found in the North East of England.

10.12.2 Stone gateposts reflect their function with simple and unadorned stone posts supporting field gates and more ornamental domestic pillars at the entrances to houses. Field walls are less engineered and rise and fall with the surrounding topography. There are both flat and angled coping stones. Some short lengths of field walls can still be found tucked away in the newer parts of the built envelope of the village to illustrate the hamlet's overwhelming historical agricultural character. Some old stone footings support later post WWII farm buildings (such as the roadside barn at Manor Farm).



Figure 22: Graffiti, Brisco Hall



Figure 23: Cobbled path, Langarth Cottage

10.12.3 The re-use of stones can be seen, including:

- The bedding of old redundant lintels, cills and isolated cut and dressed sandstone into domestic boundary walls (such as to the front of Cragganmore), possibly taken from earlier local buildings. **(Figure 20)**
- The reuse of stone from a variety of sources in both the first and second phases of the construction of Brisco Hall. The wide range of stone dressings, shapes and sizes and the use of arbitrary cut quoins suggest that there was a rich resource of reusable stone in the area from the late medieval period onwards.
- Inscribed stones of unknown origin, can be seen set into the eastern wall of both phases of the Hall's development — they look very old and potentially vulnerable. **(Figure 18)**

10.12.4 Brick

The use of bricks in the construction and/or repair of older buildings is not particularly common with the construction of the large C18th/C19th barn at Brisco Hall being the major exception. However, bricks have been used to repair stone structures. The combination of red sandstone and red handmade bricks contribute to the creation of a mellow, settled and aged feel to the hamlet.

Brick is used as a primary building material in the construction of houses added to the village in the C20th. They are either left as exposed brickwork, painted or rendered, the latter probably over blockwork. The most common use of bricks throughout the village is in the construction of chimney stacks.

10.12.5 Slate

Slate is used extensively throughout the settlement. All of the older buildings have slate roofs with clay ridge tiles. Some have one or two courses of thin pale sandstone flags at eaves level. This suggests that the roofs might have been covered in clay pantiles at some time in the past where the flags would have prevented channelled water from spurting off the roofs.



Figure 24: Reused lintols in stone boundary walls

Cement pantiles and tiles can be seen on one or two mid/late C20th houses but they have an insignificant visual impact.

10.12.6 Wood

Wood is not used extensively as a visible building material although it will be used internally to provide structural support. Most timber framed windows have been replaced using PVCu units to the detriment of the historical character of Brisco. Exceptions such as the traditional 6-over-6 sliding sash windows on the front elevation of Manor House are of high value and illustrate how repair and improvements should be tackled. Most of the timber field gates have been replaced by galvanised steel units.

10.12.7 Metalwork

Metalwork is present in a range of traditional contexts throughout the village

This includes:

- New C20th corrugated metal sheet roofs and walls to farm buildings (such as Manor Farm)
- Cast iron rainwater gullies, spouts and downcomers together with cast iron brackets (such as Brisco Hall and Wooden Walls)
- C19th timber gate furniture include wrought iron hinges and pillar mounted support brackets (such as Langarth)
- Sections of well preserved wrought iron four- and five-rod continuous bar fencing along the front of Langarth and along the east side of Brisco Road at the centre of the hamlet – possibly a formal part of the C19th parkland around Brisco Hall.

11.0 f. Ecology

The mature and sometimes impenetrable vegetation in the hedges, copses and the uncultivated field margins provide shelter, security and a variety of attractive habitats for animals, flora and birds which introduce a range of important ecological benefits to the hamlet and its countryside hinterland, reinforcing its the rural atmosphere and character. Small areas of dampness and standing water around the St Ninien Well spring head adds to the habitat mix.

11.2 g. Archaeology

The archaeological information for the area surrounding Brisco is dominated by evidence from the later Iron Age and Romano-British periods. This suggests that the area was the focus of extensive agricultural exploitation during this time and that activity was more modest in later periods, partly as a result of it forming part of Inglewood Forest and the strict laws that governed it. Brisco was a short distance from the Roman town and forts at Carlisle and it sits between two important Roman roads along the modern lines of the A6 (to the fort at Old Penrith and south) and A595 (to the fort at Old Carlisle and west to the Cumbrian coastal defences). An Iron Age agricultural system would have been in place when the Romans arrived in the area and this would have been exploited and significantly developed to provide the necessary foodstuffs to support the military garrison and civilian population that had settled in Carlisle.

Brisco does not have the most fertile land in the region and would not have been best suited to arable farming, but aerial photos do show cropmark remains of later Iron Age and Romano-British irregular-shaped field systems that would most likely have been for livestock. The photos also show a number of enclosed farmsteads around the village that housed the extended families that worked the land.

11.3 h. Public Realm

Public realm usually includes accessible open and enclosed spaces together with land in and around buildings that can be used by the public.



Figure 25: Overgrown track to the east of Brisco running north from St Ninian's well

In the case of Brisco, this is along the transport corridor which runs along the spine of the hamlet, footpaths and rights of way which move from the hamlet's built envelope into and across its rural hinterland together with the Common.

11.4 *Brisco Road corridor*

Brisco Road moves downhill from its junction with Newbiggin Road to the south, along the level ridge which provides the development platform for the hamlet to dip down the slope to the north of the settlement. It occasionally dips and twists as it follows natural undulations but with little impact on its relatively straight alignment. The road bends to the north of the built envelope where it follows the centre of the ridge as it curves to and past High Woodbank.

The road is channelled as it travels along this length of carriageway, the depth being amplified by the high earthen banks topped by dense hedges on both sides and the lack of verges. The dense high hedges to the south of the hamlet create an impenetrable barrier obscuring views across the adjoining fields. The macadam road is bordered by short lengths of tar footpaths with concrete kerbs. The footpaths are located in the centre of Brisco, the remaining edges comprise grass verges set immediately adjacent to the road. The lack of hard footpaths and presence of grass verges softens edges and reinforces the rural character of the hamlet.

There is little evidence of historical surfaces other than a path/forecourt area between Wooden Walls and Langarth Cottage, which is surfaced by river rounded cobbles – probably field-stones, or sourced from the bankside and bed of the River Petteril. This gives a glimpse of how surfaces were constructed in the past and is of great value.

Brisco road is not cluttered by signage which is limited to entrance and speed limit notices. Electricity is provided via underground cables. BT phone services are supplied to properties via timber pole mounted wires which blend into and against the tree canopy which decorates the street scene.

11.5 Footpaths

Two footpaths lead into the countryside from the east side of the village. One follows a hedgeline as far as St Ninian's Well where it abruptly bends left to follow the old entrenched track along the back of fields where it eventually crosses the River Petteril. The path is enclosed by high hedges to open out into a field where the removal of some of the vegetation offers wide views across the countryside. The second path starts on the roadside to cut across a field to join up with the St Ninian's path. This path is exposed and not visually obscured by hedges. A path leading from the north west corner of the Common along the back of fields is old and overgrown. None of the paths are metalled. Other footpaths, now lost, are shown on early editions of the Ordnance Survey.



Figure 26: Track (public footpath) from Brisco Road to St Ninian's well



Figure 27: View from the northern edge of Brisco looking North towards Carlisle

11.6 Brisco Common

As previously mentioned, Brisco Common located at the southern end of the settlement, is all that remains of the common that would have surrounded the settlement in the medieval and post-medieval periods until gradual piecemeal enclosure divided the land into individual ownership. It juts sharply into the adjacent field. The hamlet's noticeboard sits on the edge of the Common to underpin its role as a social space. The east half of the space is roughly mowed and the west half is left as meadow. As above, early OS maps show footpaths crossing the space with a large pond, now vanished, running the length of the west boundary.

Occasional tree planting, the footpaths and the pond suggest that the space was more intensively used – possibly as a planted village green.

12.0 PART 2: Assessment of Significance

12.1 The heritage significance of Brisco can be summarised as follows:

12.2 Brisco is one of a small number of historic agricultural settlements located on rising ground to the south of the City where individual farms came together to form hamlets and small villages, possibly to secure safety and mutual support and to take advantage of resources such as shelter, accessibility to markets and water.

12.3 Brisco hamlet is a rare survivor of an early farm settlement in that it has substantially retained its C17th shape and maintained the importance of agriculture over other active uses. Infill housing is limited, located within the settlement envelope where it does not spill out over neighbouring fields and is concentrated on the east side. The west edge of the hamlet is remarkably untouched and has been saved from visual and physical harm. Other hamlets/villages have been subsumed by development, such as Carleton, Durdar and Blackwell, leaving Brisco as a fine and rare example of its type.

12.4 The hamlet can still be characterised as an old agricultural settlement which has substantially retained its historical integrity. Farms continue to visually and physically dominate the shape the village as they have done for centuries. Rather than being totally swept away, the remains of earlier farms have been incorporated into either later developments (the barn and east boundary wall of the substantially lost farm on the east side of the hamlet opposite Croft Farm and the scattering of sound and dilapidated buildings that remain from the Manor House courtyard farm). Old stone boundary walls from lost landholdings can be seen buried in vegetation.

12.5 The Common at the south end of the settlement is a community space which is an ancient remnant of the pre-enclosure common that once surrounded the hamlet. Its presence adds to the depth of history that can be found in the hamlet.

12.6 St Ninian's Well, designed and rebuilt by Sarah Losh in the mid C19th, is the site of an ancient spring set beside a track that led to the Roman Road suggesting that this could have been a

location for blessing, possibly raising the profile and notoriety of the hamlet.

12.7 The historical buildings are architecturally attractive and generally physically robust. Some include datestones to strengthen the sense and knowledge of history that can be found in the hamlet. There is the strong possibility that some of the current older buildings have been built upon the sites or remains of earlier structures – it is unlikely that the settlement benefits enjoyed in this location would have been ignored as can be seen in the spread of narrow late and post-medieval ridge and furrow ploughing around Briscoe and its immediate hinterland

12.8 The broad sweep of fields and trees across the south side of the City create an eye-catching and exhilarating panorama. It incorporates Brisco to make it part of the composition of the outstanding settled and worked landscape.



Figure 28: Mature oak trees on top of the earthworks of old field boundaries

13.0 PART 3: Conservation area criteria

13.1 a. Conservation area status

The special character of Brisco outlined above (assessment of significance) and the contribution that it makes to the formation of a distinctive and historically enriched rural envelope along the southern edge of the City make it worthy of protection and long-term enhancement through conservation area status. The tools that conservation area status will bring to the area will increase the ability of the Council to protect the historic environment. This includes control over the demolition of unlisted buildings, securing advance notice of undertaking work to trees together the availability of Article 4 Directions which will provide protection against some of the more simple and nuanced alterations to unlisted buildings and their settings that can gradually accumulate to impair their appearance and the diminish the historical integrity of the hamlet.

If necessary, other measure could be introduced to protect the hamlet's hinterland including woodland Tree Preservation Orders covering the undifferentiated mass of trees in critical locations such as around Brisco Hill House. Hedgerow Regulations control the loss of field and non-domestic boundaries.



Figure 26: Wooden Walls with lintol date stone * 1681 T.N & E.N



Figure 25: View from the northern edge of Brisco looking west

13.2 b. Policies

National planning policy and guidance

The National Planning Policy Framework (NPPF) sets out national planning policy and guidance. Including that 'Heritage assets, including conservation areas, should be preserved in a manner that is appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'.

Furthermore, Historic England states that 'conservation area designation...provides a basis for planning policies whose objective is to conserve all aspects of character or appearance including landscape and open spaces that defines an area's special interest'.

13.3 Possible Brisco Conservation Area policies

If it is decided that Brisco should become a conservation area, the designation report will, inter alia, identify the broad range of management policies that should be introduced to secure conservation-led objectives, particularly managing and investing in the area in a way that secures, protects and enhances its intrinsic and wider special historic character, particularly in the context of development proposals.

13.4 Policies could include:

- To preserve and enhance Brisco's historic character and distinctiveness through the sensitive implementation of conservation-led development management policies, actions and investment.
- To respect and protect the historic arrangement of buildings and related spaces when making planning decisions.
- To ensure that proposals involving heritage assets (including both listed and unlisted buildings) in the hamlet should recognise the significance of the assets and their surroundings through siting, massing, form, material content and the protection/repair of historical details. All proposals should reinforce its special character to work with property owners to bring unoccupied historic buildings into sustainable use.



Figure 27: View towards Brisco from the Petteril

- To recognise the need to fully understand and appreciate the settlement's special historical qualities and the strengths and weaknesses through the preparation and adoption of a **Brisco Conservation Area Character Appraisal**. An appraisal will include the important information and evidence that will underpin and guide development management policies. An appraisal is a public document where members of the local community will be invited to make contributions during its preparation and help in its delivery. Historic England states that adopted appraisals are a material consideration when making planning decisions. The appraisal will be reviewed on a regular basis.
- To acknowledge that places change and that decision making should recognise the need to manage that change in a way that maintains and strengthens Brisco's special qualities and starts to reverse some of the changes that have happened in the recent past which dilute and compromise the visual and historic integrity of the hamlet. The adoption of a **Management Plan** will guide and, if necessary, direct the process of change and inform reaction to unforeseen demands.
- To give special recognition to the hamlet's historic hinterland. The boundary/field hedges and mature trees are an intrinsic part of its historic composition and greatly enhance the appearance of Brisco and the views to and from the settlement. This immediate rural setting should be cared for and managed to ensure that trees and bushes are gradually replaced as and when they start to die back in order to maintain the settings shape, appearance and the rich population of plants.
- To ensure that where changes to heritage assets have been agreed, recording and interpretation will be undertaken to document the assets historic significance and the information gained made publically available through the HER.

13.5 c. Possible boundaries

Four boundary options have been assessed against a need to secure the optimum heritage benefits that can be derived from the fusion of the historical shape, mass, layout pattern and appearance of the hamlet. This includes the well established tree and mature hedge cover which weaves its way through and around the hamlet. It is the combination of its known history marked by the Jacobean mansion located at the heart of the settlement and subsequent surviving developments over each of the following four centuries, the fields and pastures that visually contain the buildings, the way the elevated land form offers extensive views to and from the hamlet together with protecting its individual and collective historical and current strengths which direct the need to identify a conservation area boundary that recognises and delivers the safeguards needed to protect its special and valued character.

The conservation area boundary should be coherent and, wherever possible, follow features on the ground such as field boundaries and paths. It should not be drawn too tightly and exclude integral parts on the edges but equally should not include elements without special interest to avoid devaluing the designation. The boundary should be drawn to ensure that Brisco's immediate rural setting is adequately protected – this is particularly significant given the importance of trees and hedgerows in the historic shape and composition of the hamlet's hinterland.

There are a number of conservation area boundary options to be considered. They are:

13.6 Option 1: No conservation area.

This will leave the hamlet and its immediate hinterland open to possible change which could damage its historical character. It could also lead to adversely altering the established balance between the natural and cultivated landscape which surrounds and penetrates the hamlet, its buildings and open spaces. The exceptional views to and from Brisco would not have the level of protection necessary in view of the proposed St Cuthbert's Garden Village proposed in the surrounding area. Cuthbert's Garden Village proposed in the surrounding area.

13.7 Option 2: A conservation area confined to the built envelope.

The boundary would be drawn to fit the boundaries of buildings and their curtilages. It would include Brisco Common. The visually important rural hinterland surrounding the hamlet would be excluded. This could compromise the long-term future of the settlement's rural/built envelope's historical and visual relationship. The raised position of Brisco on the bluff where the Cathedral and the Castle can be seen in the distance reinforces the historical, visual and functional importance of the open fields abutting the hamlet.

13.8 Option 3: A conservation area that includes the fields around the village.

This option includes the single depth of fields that surround the hamlet from Fox Cleaves/Shields to the north to the track leading to the former brickworks to the south. It also includes, the fields to the west of the hamlet, to Cammock Beck, and the field between Ash Leigh and the Common. This would offer protection along the edge of the built envelope and safeguard the relationship between the buildings and adjacent fields.

This would also protect the Common's historic landscape context and setting the relationship between the settlement and its wider hinterland should be respected and recognised as being of particular importance. New development would have to recognise the importance of retaining these important arrangements and relationships. It would also protect individual and groups of trees which play a vital role in the configuration and appearance of the surrounding countryside. This is the approach that was taken by the City Council when the designating Cumrew Conservation Area in 1995, another linear settlement where adjacent fields are included within the conservation area.

***This is the Recommended Option;
see explanation on page 19.***

13.9 Option 4: A conservation area that includes Brisco Hill House.

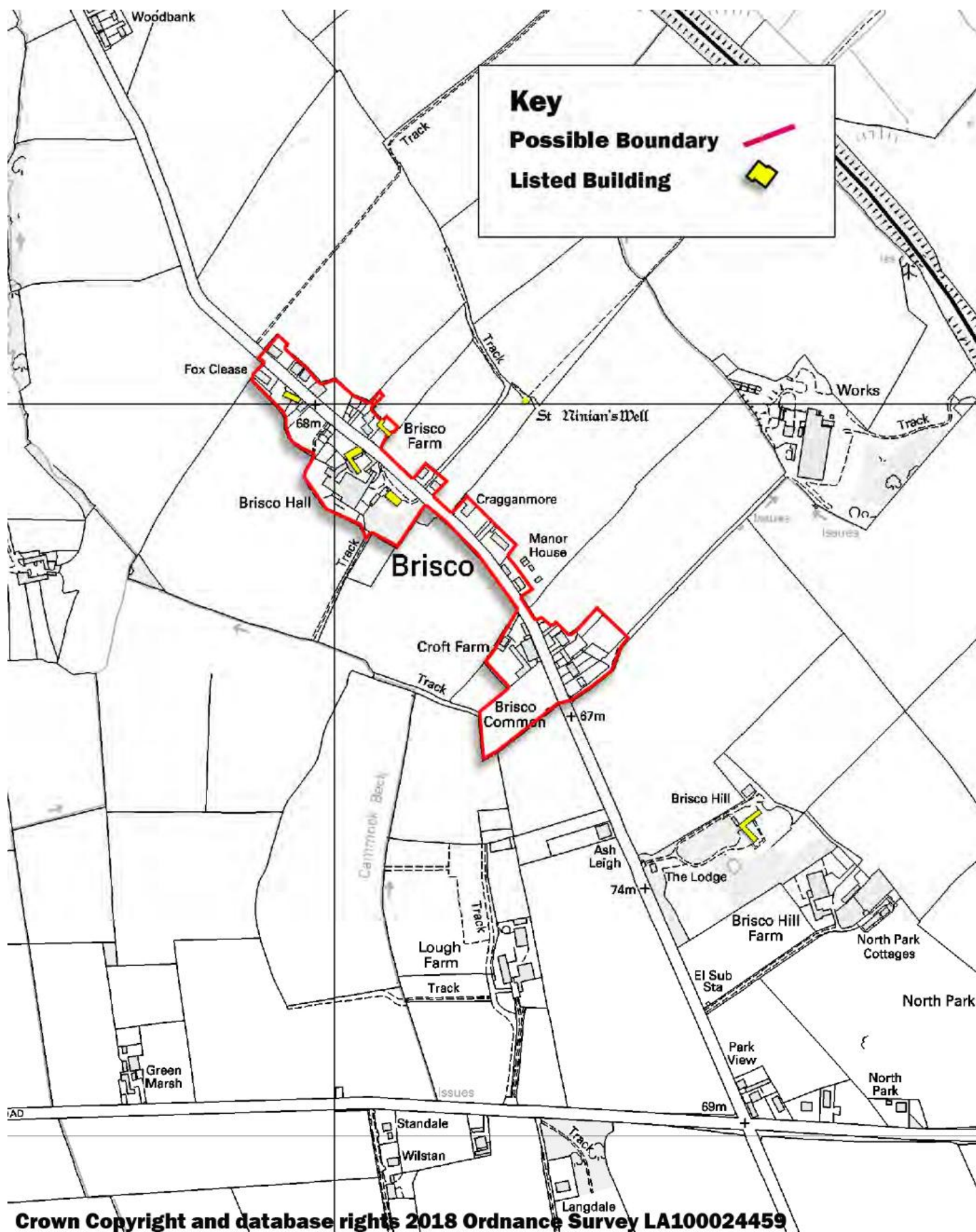
This is the same as three above but with the inclusion of Brisco Hill House. This stretches the conservation area to the south. The house is detached from the village built envelope. It is a listed building with its curtilage spreading over the planned gardens. The property already benefits from the existing strength of listed building protection and the adjacent woodland garden could be protected by a Woodland TPO if thought necessary.

14.0 Summary

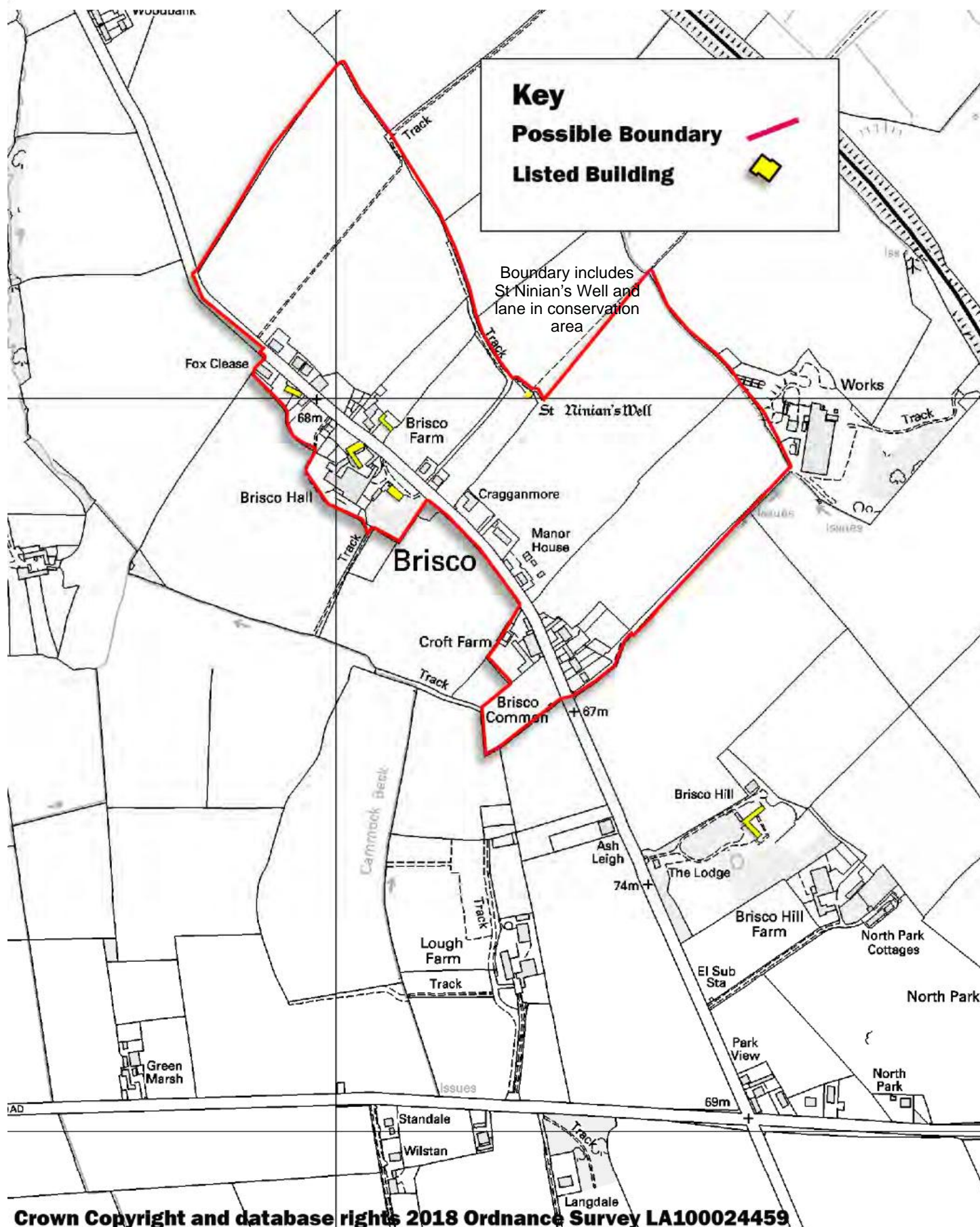
Of the four options, Option 3 addresses the conservation area boundary issues in the most comprehensive, unambiguous, concise and practical manner. The proposed boundary includes the built layout of the hamlet, private gardens and grounds, public spaces, medieval tracks and most of the fields which abut the settlement. This will ensure that the frequently subtle historical and contemporary relationships between buildings and their mixed and overlapping hinterlands together with the wider environment can be managed both sensitively and sympathetically.

It is recommended that Option 3 is selected as providing the most appropriate conservation boundary.

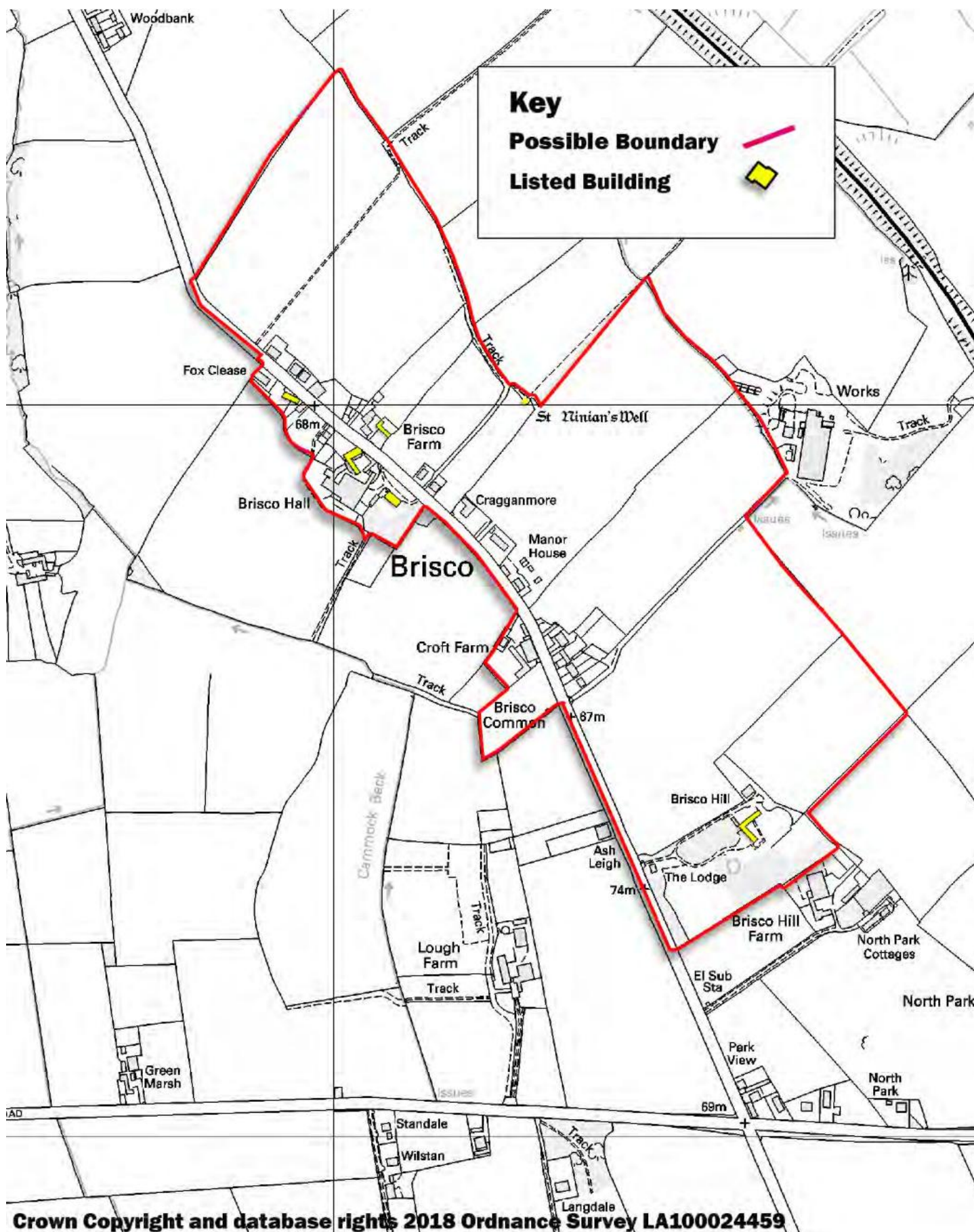
Option 2 : Conservation area confined to the built environment



Option 3 : A Conservation area that includes the fields around the village



Option 4 : A Conservation area that includes Brisco Hill House



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15.0 PART 4: development criteria

15.1 a. Development

15.2 Brisco is exposed to development possibilities both within the hamlet and across its rural hinterland. This is largely a consequence of its historical shape and distinctive layout pattern which includes combinations of open/agricultural spaces and buildings that create gaps in and along the edge of the built envelope. The gaps have the physical potential to accommodate infill development but which also have great value as intrinsic elements of the hamlet's historical form. Furthermore, Brisco's position on the south edge of the City brings it into the St Cuthbert's Garden Village study area where up to 10,000 homes and associated new services might be developed.

15.3 Brisco is the most intact surviving historic settlement sitting on the rim of the Caldew/Pettril basin. The others, Durdar, Cartmel, Blackwell and Cummersdale were all expanded in the C20th to become dominated by groups of new houses and associated structures which have altered the shape of village envelopes and diluted their historic characters. By comparison, reduced development activity has left Brisco's historic layout pattern and its immediate physical relationship with its extremely attractive rural setting relatively intact. The hamlet still visually dominated by clusters of agricultural buildings.

15.4 If the hamlet is to retain its largely intact centuries-old historic layout and character the capacity to accommodate new development will be limited to pockets of land where buildings are capable of being absorbed into the historic shape of the village and where they are subservient to the historic mass, shape and arrangement of existing old buildings and spaces. The historical balance between open space and buildings is delicate and could be degraded and ultimately lost if unacceptable levels and types of development are introduced into the hamlet.

15.5 The key elements of Brisco's historic layout pattern which describe its distinctiveness and which should be protected are:

- Its linear shape ranged alongside Brisco Road.
- The survival and distribution of the four farms which create distinctive clusters of agricultural buildings around which some later additional development has taken place.
- Brisco Hall together with its associated agricultural buildings and nearby houses which is the built and the historical focus of the hamlet. This area, which comprises the northern part of the hamlet, includes five listed buildings.
- The ancient Brisco Common.
- The substantial medieval tracks and lanes which are sunk along the edges of surviving pre-enclosure field strips.
- Fields which sit immediately behind the hamlet's built envelope and which occasionally reach the edge of Brisco Road to preserve views into and from the settlement across open countryside. They also safeguard the historical gaps which have separated the groups of buildings, both visually and physically, from each other for centuries.
- Tree cover, hedges and gardens.

15.6 If Brisco is designated a conservation area, future development proposals should recognise and respect the above special characteristics and be assessed against the Council's policies together with guidance from conservation bodies and the government. The Council's conservation policies (Carlisle District Local Plan 2015-2030 Policies SP7 – Valuing our Heritage and Cultural Identity, HE3 – Listed Buildings and HE7- Conservation Areas) offer direction and guidance when assessing the appropriateness of development proposals in conservation areas and within the setting of listed buildings. They include the overarching need to preserve and enhance the special character and appearance of listed buildings, conservation areas and their settings.

15.7 In the context of rural conservation areas, more detailed requirements can be applied including, inter alia, the need to preserve or enhance features which contribute positively to the area's character or appearance and not have an unacceptable impact on important open spaces or significant views into, out of and within the area.

15.8 Similarly, listed buildings and their settings will be preserved and enhanced. The protection spreads beyond the buildings to include their curtilage spaces and wider settings. The extent of its setting is not fixed and can overlap and include other heritage assets. For example, the extent of the settings of Brisco Hall, Brisco Farm and Langarth can stretch and join to create a single, linked, area of special historical sensitivity at the heart of the hamlet.

15.9 Development can be used as a positive tool to help protect and preserve important historical buildings which make a contribution to the character, functioning and appearance of conservation areas. The NPPF (Para 126) states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. It suggests that local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets by putting them to viable uses consistent with their conservation. This could include the conversion of redundant farm buildings to preserve their appearance and ensure that they continue to make a strong and extremely important contribution to defining and illustrating the rural character of the settlement.

15.10 The impact of potential development on the heritage and landscape sensitivity of the site is not just limited to potential changes to the hamlet's intrinsic historical character but also in the way that it is seen from the wider area. Its elevated position at the top of the bluff overlooking the Petteril valley to the east and the less dramatic Cammock valley to the west means that it can be seen from considerable distances. The fields that surround Brisco together with the trees and hedgerows that decorate the slopes and the plateaus combine to create an outstanding rural setting. Any development that affects this relationship will have to be justified and undertaken with great sensitivity. New development could have other consequences. If limited in scale and quantity it should not place undue pressure on the hamlet's infrastructure. Increasing volumes of development will eventually lead to the need to build of new roads leading into areas of new housing.



Figure 28: Brisco Farm

15.11 Brisco Road, particularly to the north of the hamlet, sinks below the surrounding fields with high banks to produce a tightly defined carriageway which makes an important contribution to the composition of the historical character of the area. Substantial new development could lead to highway 'improvements' resulting in an engineered composition and appearance.

16.0 Summary

16.1 A limited number of well designed buildings placed in sites woven into the historical building pattern and landscape matrix that spreads through and along the built edge of the hamlet might be acceptable depending upon their impact on existing buildings and their layout patterns. Consideration should be given to the change of use/conversion of redundant historical buildings so that they can continue to make a positive contribution to the character and appearance of Brisco. The extent of the built envelope of the hamlet together with curtilage spaces should be protected, particularly the gap along the west side of the hamlet between Croft Farm and Langarth which should be left undeveloped. Access to any new development should be directly from Brisco Road and not via feeder roads. A more detailed assessment of possible development opportunities would be undertaken in the preparation of a Conservation Area Character Appraisal and Conservation Area Management Strategy.

16.2 b. Topography, landscape and views

16.3 Brisco lies on the top of the eastern side of a relatively gentle Triassic Sandstone bluff which forms part of the large expanse of rising ground to the south of the City between the Rivers Petteril and Caldew. This area is cut by dry and semi-dry valleys to create a series of straight and twisted bluffs, ridges and scarps. The high ground is permeated by springs which would have been important to earlier settlers.

16.4 Brisco overlooks the active River Petteril to the east and is contained by the normally dry Cammock Beck, a relatively shallow valley where water occasionally seeps to the surface, to the west. This is at a point where the high ground breaks and descends to eventually meet the Caldew/Petteril basin which forms the south section of the River Eden floodplain. The leading edges of the scarps break down and fragment into haphazard arrangements of secondary domes, folds and knolls. The incline of the Brisco bluff flattens off as it passes through the village to create a relatively level development platform. It continues to gently rise up the slope towards Brisco Hill House at the south end of the hamlet.

16.5 Generally, the settlement flows along the level ridge but occasionally the surface of the ground dips to sink rooflines closer to horizons to create a variety of shapes and views. High and dense hedges sitting on earthen banks enclose fields, including the remnants of late medieval strip fields, which together with groups of trees, principally oak, establish a mature and distinctive rural setting to the historical agricultural origins of Brisco.

16.6 The hamlet is located close to the brow of the bluff, a position that commands extensive views to the north, east and west. It is a defensive position with access to spring water (such as St Ninian's Well) where safety, security and sustainability would have provided strong reasons to choose this location to settle.

16.7 There is a long history of occupation of the site going back to the pre-Roman Iron Age. Other neighbouring villages and hamlets to the south of the City overlooking the river basin conform to a similar locational formula.

16.8 c. Landscape

16.9 Trees and hedges weave their way throughout the length and width of the Brisco to make a vital contribution to defining the special character of the hamlet and how it complements and blends into the adjacent rural envelope. This brings elements of the surrounding countryside into and through the settlement.

16.0 Large mature individual and groups of trees provide green bulk and movement and occasionally overarch the road. Plantations associated with planned designs such as in the grounds of Brisco Hill House, Langarth and Brisco Hall are not only important landmarks but they are also important elements in their historical design compositions. Landscape, topography and twists in the carriageway combine to frame, tunnel and deflect views. The seasonal changes have a dramatic impact with spring and summer canopy and foliage obscuring many of the buildings and structures which are exposed when leaves fall and the density of vegetation diminishes. The panoramas and tighter views to, from and within the village change and open out to expose more of the land form, the settlement and field patterns as the tree canopy and hedges thin out.

16.11 The west side of Brisco Road between Croft Farm and the Brisco Hall/Langarth group of historical buildings remains as an open field as it has from time immemorial. This gap brings the countryside to the road edge. The east side has been developed in the C20th with four dwellings and their curtilage space giving a low key suburban feel to a small part of the hamlet. Tracks lead from Brisco Road between buildings to provide vehicular access to fields and visual links to the wider surrounding countryside. The tracks and paths beside hedge lines are channelled with dense undergrowth, trees and flowers cloaking embankments.

17.0 d. Rural setting and views

17.1 Brisco is surrounded by open fields which, as outlined above, substantially conform to a post-enclosure pattern where the splintered remains of the earlier open field strips can be found within the later arrangement of enclosure field boundaries. The fields are a mix of arable and pasture and contained by substantial hedges with a combination of both loose groups of trees and individual specimens set into the hedgerows. The visual and functional links between the farm buildings and the fields which wrap around the hamlet remains largely intact and are of great value.

17.2 The balance and visual relationship between fields and groups of buildings which substantially establishes the historical character of the hamlet has been respected and maintained for centuries. Historically, Brisco along with other similar settlements including Carleton,

17.3 Blackwell, Durdar and Cummersdale combined to make a distinctive contribution to establishing the historical and extremely attractive visual character of the City's rural hinterland ranged to the south of the urban area. Although the other villages have been substantially subsumed by late C19th and C20th development, mapping shows that views to and glimpses of Brisco set in its countryside surroundings from across the urban/rural fringe have remained remarkably unchanged for centuries. Views can be divided into views within the settlement, views from the settlement and views to the settlement.



Figure 29: View north towards Brisco Hill from the track to the brickworks



Figure 30: View South to Brisco from High Woodbank

17.4 Views within Brisco

The built envelope of the hamlet follows the alignment of Brisco Road. Views are channelled along the road which gently curves from Brisco Common to Manor House where it straightens out to exit the settlement at its northern end. Slight undulations wrinkle the carriageway profile. There are no dramatic changes to this comfortable rural hamlet layout pattern and built form. The visual drama comes from the large trees and vegetation which add height, density and motion to the street scene. Views move, twist and turn to follow the road, but they change gradually with few surprises. The farms add visual anchor points and provide a sequence of large groups of buildings which visually link together to provide a connected chain of agricultural holdings.

17.5 Views to Brisco

Brisco sits at about 60 metres above sea level in common with a number of other old settlements to the south of the City including Carleton, Durdar, Cummersdale and Blackwell. They overlook the Caldew/Petteril basin with its twisted and sometimes jumbled landform and where spurs and hillocks bend to block medium distant views. Vistas to the north flow out of Brisco where the elevated platform at the end of the settlement offers expansive views towards the City and the distant hills of the Scottish border country and the North Pennines.

Brisco Road drops downhill from the north edge of the village past High Woodbank to rise up a curved ridge where it meets the south edge of Upperby and the City. Glimpses of the housing estates of Upperby can be seen from Brisco as can part of a short length of a more distant horizon decorated by the roof and tower of Carlisle Cathedral. Views along the road are constrained by high hedges with wider aspects of the surrounding countryside seen through field gates. Higher ground can be seen over hedge lines as the slope rises. Views to the west run over fairly flat raised ground and the valley of Cammock Beck which is, at times, difficult to detect. Where seen, the countryside is verdant with pockets of woodland, dense hedges and specimen trees determining the visual pattern and character of the countryside.

The flatter land to the west is not as dramatic as to the north. Views are partially hemmed in by groups and hedgerow trees which cross the raised plateau of land between Brisco and Durdar immediately to the west Scalegate Road reducing and fragmenting views to Durdar Road along the horizon.

Views to the east can be seen from the two field paths that skirt past the hamlet's built envelope. They stretch over the sharp inclines of the Petteril valley and across the rising slope that sits behind the expanded village of Carleton. Views go well beyond the slope to take-in the northern slopes and summits of the Pennines. There are dramatic, expansive and attractive views to the south that are truncated by the rising landform that terminates at Brisco Hill House. The topography dips slightly behind the Hall to leave a relatively close horizon along Newbiggin Road. The Lakeland fells can be seen in the distance.



Figure 31: Possible remnants of former parkland

17..7 Views From Brisco

Brisco sits on a spur of land where it levels off to create a flat area partway up the slope. The land falls less than one metre over its length between the Common in the south and Fox Clease in the north to provide a near level development platform. A ripple in the landform creates a slight dip along part of its east edge which means that the buildings sit slightly lower in the surrounding landscape.

Brisco and its spur can be seen from Carleton, Upperby and the lower reaches of the Petteril valley. This view swings over attractive fields and trees as the countryside spreads up the escarpment to the edge of the hamlet. This links to the views from the edge of the city towards Brisco. The landform undulates between Scalegate Road and the hamlet with hedgerows arcing over curved fields as views from Cammock Beck focus on the west side of the hamlet. Views from the south are partially obscured by the top of the Petteril valley which creates a woodland surrounding the Brisco Hill complex high hedges.

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18.0 Development impact of St Cuthbert's Garden Village Proposals

The St Cuthbert's Garden Village proposal includes examination of a number of development options together with their landscape and townscape impact. The Concept Proposals and Vision document (June 2018) recognises the sensitivities of Brisco, and that this conservation area study has been commissioned. The document also refers to the heritage significance of historic woodlands, historic and scenic undulating field systems around Brisco, and its designated heritage assets.

19.0 Conclusion

This appraisal has mapped out and looked at the historical significance of Brisco and the contribution that it makes to our appreciation and understanding of how this area of land was settled for centuries. Other similar hamlets and villages sitting on the Calder/Petteril valleys rim to the south of the City have been expanded and developed since WWII in a way which has affected their historical composition and appearance. C20th developments in Brisco are limited to a handful of houses built within its historical built envelope. The visual strength of the old farms and associated buildings located in the hamlet continue to define its rural and historical character and appearance. qualities and secures it long term sustainable future.

Designation of Brisco as a conservation area, together with associated management policies and controls, will enable the Council to guide and administer future changes in a way that protects its distinctive agricultural/rural/historical qualities and securing a long term sustainable future.



Figure 32: Brisco field boundaries.
Hedges and

It is the combination of its known history marked by the Late Tudor mansion located at the heart of the settlement and subsequent surviving developments over each of the following four centuries, the fields and pastures that encircle the settlement, the way the elevated land form offers extensive views to and from the hamlet together with protecting its individual and collective historical and current strengths which direct the need to identity a conservation area boundary that recognises and will deliver the safeguards needed to protect its special and valued character.

It is recommended that the conservation area boundary arrangement identified in option 3 is adopted.

The next stage will be, subject to a positive response to this appraisal, a consultation exercise leading to the designation Brisco Conservation Area followed by the preparation of a conservation area management plan which will be developed in parallel with the St Cuthbert's Village Masterplan.



Wreay, Carlisle, Cumbria Potential for designating a Conservation Area



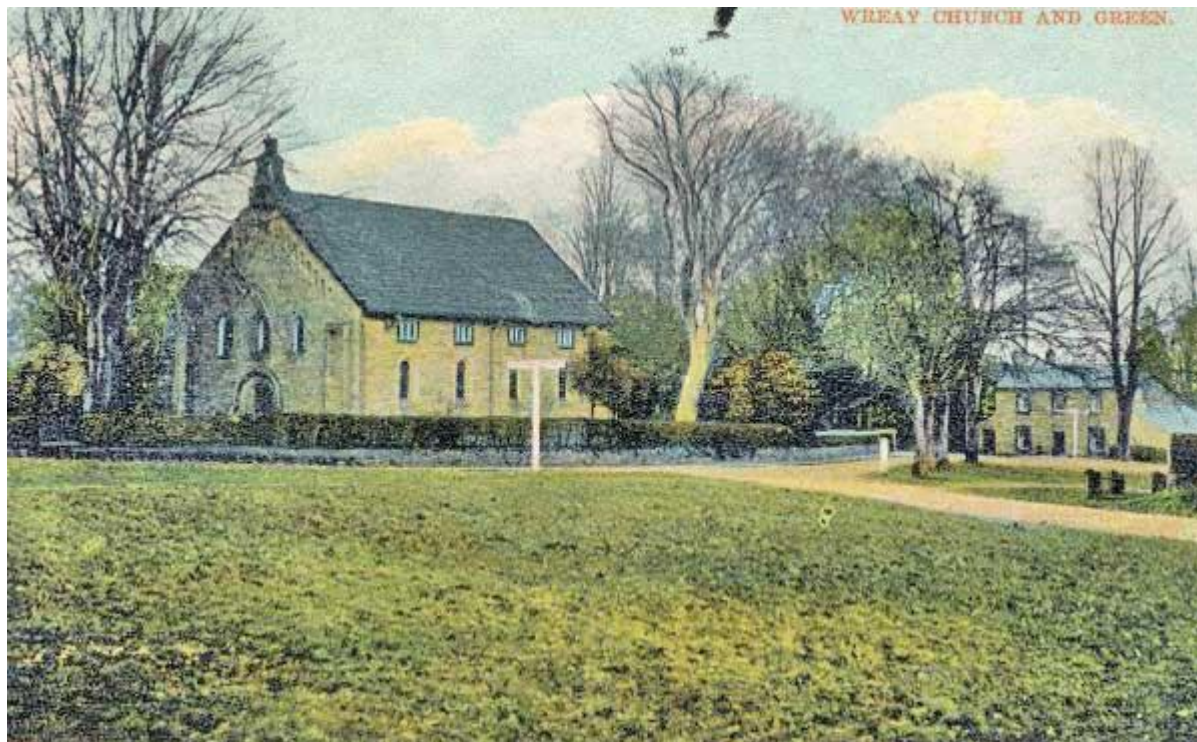
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September 2019

Wreay – Potential for Designating a Conservation Area



Draft Pre Designation Conservation Area Appraisal

1.0 Introduction

1.1 The village of Wreay lies just over 4 miles south of the centre of Carlisle. It is within the Parish of St Cuthbert Without, and sits in a rural setting between the M6 to the west and the River Petteril to the east.

1.2 The 1997 Carlisle District Local Plan identified in Policy E38 a number of potential future conservation areas – this included Wreay but since this date no formal measures have been undertaken to assess Wreay’s suitability for designation. Local planning authorities are under a positive legal duty to assess their area from time to time to review conservation area coverage. Conservation Areas are designated by local planning authorities under the duty set out in Section 69 ‘Conservation Areas’ of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Act requires that:

(1) Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as conservation areas.

1.3 The **National Planning Policy Framework** (NPPF, February 2019) states that heritage assets, including conservation areas, “are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations” (paragraph 184).

It also says:

“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest” (paragraph 186).

The purpose of this document is to assess the potential for the designation of the village of Wreay as a conservation area.

1.4 This appraisal seeks to assess the special character of Wreay as a potential conservation area. It sets out which features make the area special and gives a recommendation over whether the creation of a conservation area at Wreay should be established.

1.5 Wreay can be characterised as a small, nucleated village, with agricultural origins, which retains its rural setting and distinctive character. It is predominantly stone-built and its footprint has not expanded far beyond its 19th century level of development. It is remarkable for its association with the late Georgian/early Victorian self-taught building designer Sarah Losh, and has a legacy of her distinctive buildings, many of which are statutorily listed. Other buildings in the village are representative of the north-Cumbrian vernacular, and all is set within a landscape context of fields and substantial tree planting, much of it attributable to the Losh family.

1.6 Planning Policy Context

The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local authorities to designate as conservation areas any "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The Act emphasises that the appraisal and designation of conservation areas are not to be considered ends in themselves. It places a duty on local authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts, and to consult the local community about these proposals.

The Carlisle District Local Plan (2015-30) has several policies relating to Conservation Areas, the most important being HE7 -

“HE7 Conservation Areas” – The supporting text for Policy HE7 states that “The Council will continue to review existing and designate new conservation areas to ensure that the areas continue to justify their conservation area status through their special architectural and historic interest thus ensuring the concept of conservation is not devalued through the inclusion of areas lacking special merit. In order to promote the enhancement of conservation areas the City Council will carry out appraisals for each area, highlighting its special characteristics as well as any existing problems and make suggestions regarding their solution”

The policy states that:

“Any new development and/or alterations to buildings in conservation areas should preserve or enhance the special character and appearance of the conservation area and its setting.

Specifically proposals should:

1. seek to harmonise with their surroundings and be sympathetic to the setting, scale, density and physical characteristics of the conservation area;
2. preserve or enhance features which contribute positively to the area’s character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;

3. not have an unacceptable impact on the historic street patterns/boundaries, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
4. not, other than as a last resort, result in demolition and redevelopment behind retained facades;
5. wherever practicable, draw on a local pallet of materials to reinforce the distinctiveness of an area;
6. retain individual features of interest e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges etc. Where this is not possible or practical any replacement should match the original; and
7. not generate a significant increase in traffic movements, heavy vehicles or excessive parking demands where these would be prejudicial to the character of the conservation area.

Proposals to utilise vacant land for car parking for interim or longer term use within conservation areas, will be resisted except in exceptional circumstances.

Development which would result in harm to a public or private open space that contributes positively to the character of a conservation area will be permitted only where this harm is outweighed by the public benefits of the proposals.

There will be a presumption in favour of the retention of buildings and/or features which make a positive contribution to the special character and appearance of a conservation area. Demolition or other substantial loss of these assets will only be permitted where it can be clearly demonstrated that the tests set out in national policy can be met. Such proposals must also be accompanied by clear details of the proposed redevelopment”.

Further relevant Local Plan policies include:

Policy SP 7 – ‘Valuing our Heritage and Cultural Identity’

Policy HE 3 ‘Listed Buildings’ and

Policy HE 6 ‘Locally Important Heritage Assets’

Policy SP7 states that the Council will ‘seek to identify, protect and enhance locally identified heritage assets’ and to ‘produce conservation area appraisals and management plans’.

Historic England’s advice Note 1 - ‘Conservation Area Designation, Appraisal & Management’, (February 2016) provides guidance on what can and cannot normally form the basis of an area. It suggests considering places where the controls which designation brings would be of benefit such as:

- Varied areas with numbers of designated heritage assets
- Areas defined by particular architectural styles or materials
- Areas linked to a theme of local interest such as an industry or a person
- Areas with historically significant layouts visible in the modern street pattern or built development
- Areas with special public realm, designed landscapes or open spaces.

It also encourages consideration of the following:

- Development from more recent times
- Wider development patterns as well as building groups
- Areas with archaeological potential, the setting of settlements

1.7 Protection Offered by Designation as a Conservation Area

Conservation area designation introduces controls over the way owners can alter or develop their properties. However, owners of residential properties generally consider these controls to be beneficial because they also sustain, and/or enhance, the value of property within it. This has been confirmed by recent research by the London School of Economics¹.

These controls include:

- the requirement in legislation and national planning policies to preserve and/or enhance the character or appearance of the area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area²
- control over demolition of unlisted buildings
- control over works to trees
- fewer types of advertisements which can be displayed with 'deemed consent'
- restriction on the types of development which can be carried out without the need for planning permission (permitted development rights)

1.8 The designation of a conservation area does not mean every building will be preserved and no changes allowed. Change is inevitable and may be necessary for the day-to-day life, prosperity and enhancement of an area. But designation helps ensure changes respect the area's character and appearance.

The additional planning controls within conservation areas give more control over new development to ensure it is of good quality and protection for important features or buildings.

¹ See G Ahlfeldt, N Holman and N Wendland, *An Assessment of the effects of Conservation Areas on Value*, London School of Economics, 2012 - <https://historicengland.org.uk/research/current-research/social-and-economic-research/role-and-impact-of-heritage/value-conservation-areas/>

² see Planning Practice Guidance: Conserving and Enhancing the Historic Environment, paragraphs 002 (reference ID:18a-002-20140306); 025 (reference ID: 18a-025-20140306); 047 (reference ID: 18a-047-20140306)

2.0 Character Appraisal

2.1 Summary of Special Interest: Definition of the Potential Wreay Conservation Area's Special Interest

2.2 Wreay is a rural, nucleated village with its origins in agriculture. Although it lies close to the M6, Wreay retains a tranquil and rural character. It has experienced very limited expansion in the C20 and its building stock is generally locally distinctive – typically buff-sandstone under slate roofs. It is notable for its association with the Losh family - local landlords whose land management, landscape planting and endowments of a fine set of buildings for public use in the village, raise Wreay well above most similar-sized rural settlements. In particular the building legacy is that of Sarah Losh (1785-1853), whose Church of St Mary and several other associated buildings are statutorily listed – the Church being Grade II*. Near the church are a series of other Sarah Losh buildings – seemingly forming a ‘memorial landscape’ conceived by Sarah as a tribute to her deceased parents and sister. These ring the open space north of the Church with a unique array of high-quality listed buildings and other heritage assets.

2.3 The unlisted buildings of the village – including the Plough Inn, and a series of cottages, generally provide a high-quality vernacular background in which these highly unusual Sarah Losh buildings sit – a juxtaposition of the ordinary and extraordinary that makes Wreay unique.



Figure 1 The Grade II listed Church of St Mary*

2.4 Assessment of Special Interest

2.4.1 Location and Setting

2.4.2 The village of Wreay is located just over four miles due south of the centre of Carlisle and 2.5 miles south of its southern edge. Part of the Parish of 'St Cuthbert's Without', it is a small, nucleated village, with its residences located mainly east of the Brisco Road, but with scattered elements also set along the other roads which are linked by a short section south of St Mary's Church. Although the M6 lies close by to the west, and the west coast main line lies only 150m east of the village edge, the village retains a very rural and tranquil character. Its wider context is a patchwork of fields, hedgerows and woodlands, with an increasingly undulating landscape to the east and the Petteril valley. A small village green lies just south of the Church.

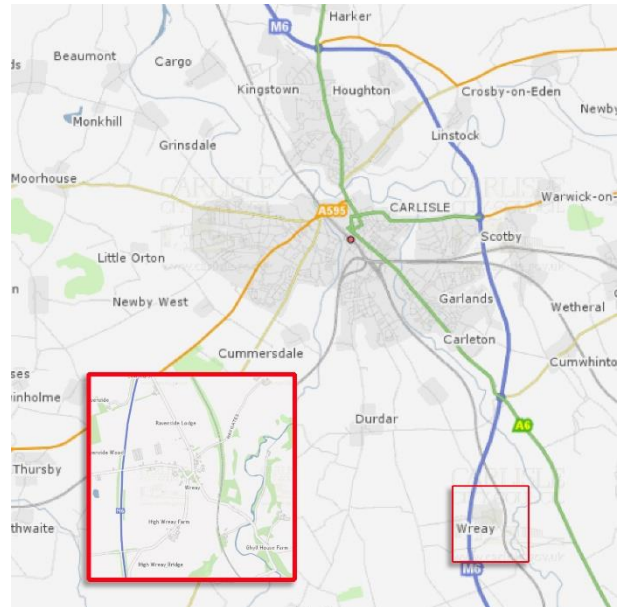


Figure 2 General location

2.4.3 Bounded by the Parish of St Cuthbert to the north and west, and High Hesket to the south, its fertile soils, meadows and arable land rests on clay and sometimes sandy subsoil. The parish contains the village of its own name, and the hamlets of High Wreay and Foulbridge.

2.4.4 The village sits at the irregular junction of four rural roads, with a fifth minor lane 'Waygates' leading eastwards to Park House Farm. The main route through the village is the Brisco Road, running roughly north-south before crossing the Petteril and splitting again before its main branch joins the A6, the historic Roman Road linking Carlisle with the south. The now minor 'Waygates' leading to Park House Farm also leads to the Scheduled Monument Park House Roman Fort. Just east of this, over the Petteril, lie two further Scheduled Monuments, these being Roman tile works at Scalesceugh Hall, just off the A6.

2.4.5 Its layout is very similar to that which existed in the mid C19th as can be seen in Figure 5. The field pattern retains a strong presence today.

2.4.6 Along with Brisco to the north it is a village with origins in agriculture, although it distinguishes itself from the many other dispersed villages of the District by its unusually unspoiled character and its legacy of highly distinctive C19 buildings designed by Sarah Losh. There is no strong agricultural presence in the form of farms within Wreay, although many of the houses do have adjoining barns and outbuildings.

2.4.7 The topography of the main body of the village is largely level, and retains agricultural use that penetrates to the centre of Wreay, notably the large area of pasture north of the Church. To the north and west the level agricultural ground continues, interrupted only by the M6 motorway. To the east and south east, the ground becomes more undulating, with a significant descent to the River Petteril

which weaves through its valley heading north to Carlisle. East of the Petteril the ground again is undulating, until it meets the A6.

2.4.8 The village is well-wooded with a legacy of mature tree planting, and the wider landscape is a patchwork of attractive fields, hedgerows and copses – much of which is attributed to the Losh families’ landscaping activities in the late C18 and early C19.

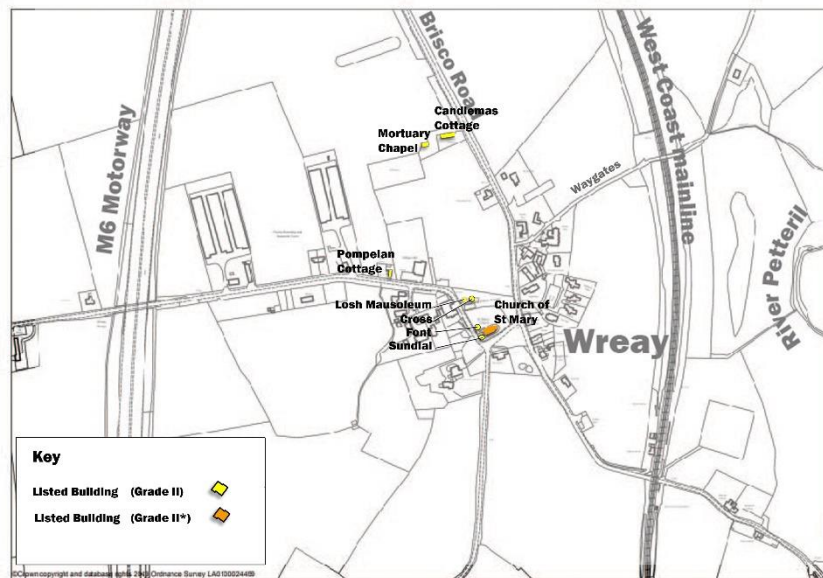


Figure 3 Listed buildings and key features in immediate vicinity of Wreay

2.4.9 There are 8 listed buildings in the village which is a high proportion given its individual buildings total only 50 or so.

2.5 Character Areas

2.5.1 The size of the village suggests that subdivision into character areas is unlikely to be required. The village’s focal point is the Grade II* St Mary’s Church, facing the green and with the ‘Plough Inn’ public house a short distance away. To the north of the church is the open space around which the ‘memorial landscape’ designed and created by Sarah Losh is arrayed. Housing is predominantly located along the Brisco Road’s eastern side.



Figure 4 The southern approach to Wreay - Plough Inn to the right and village green to the left

2.6 Historic Development and Archaeology

2.6.1 The fertile agricultural land at Wreay, a spring, and proximity to the River Petteril is likely to have made the site attractive to habitation since early times. The River Petteril was a focus for prehistoric activity but most of the recorded prehistoric archaeological sites lie on the eastern side of the river and away from the village. The few known remains on the western side around Wreay comprise cropmarks that are shown on aerial photos. These cropmarks are former enclosures that would have held farm animals probably during the Iron Age, and also relic field boundaries from a similar period.

2.6.2 Remains from the Roman period are concentrated on the eastern side of the River Petteril and spread along the line of the modern A6, which is the route of the Roman road between Carlisle and the forts at Old Penrith and Brougham. An important industrial site that made pottery and tiles and was under the control of the Roman military is located at Scalesceugh Hall. A Roman fort is positioned nearby at Park House Farm and linked to the tile-manufacture site by a zig-zagged road that crossed the river.

2.6.3 During the medieval period, Wreay lay on the edge of Inglewood Forest and was called 'Peterelwra', meaning 'a clearing in the wood beside the Petteril'. There are no surviving buildings from the medieval period in the village. The 13th century Church of St Mary was reportedly in a very poor state when it was demolished to make way for Sarah Losh's church in the 1840's. It stood on, or very close to, the site of the present church. The only other building that is known from this period is a 16th century defensive tower that once stood at Woodside Farm. When the old Chapel was dismantled

Losh wrote that 'On clearing the ground for the present chapel, the workmen discovered at no great depth, a series of broad, thick, white flagstones, forming two angles of a considerable building, of which no other trace has been left'. She speculated that 'It is possible that a square tower may have anciently occupied this place, adjoining to which is a field still denominated the guards. Some sort of defence must have been required at a manufacturing village, as Wreay formerly was, especially

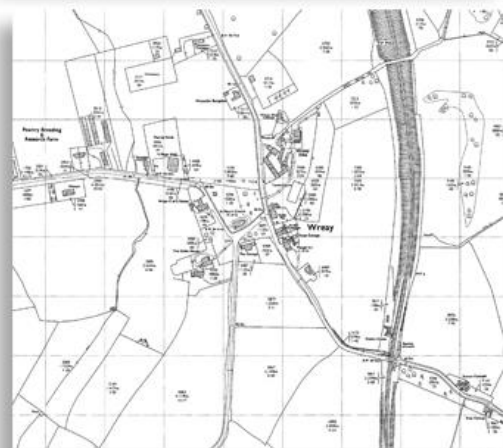


Figure 5 1866, 1945 and current Ordnance Survey mapping

exposed to aggression by its proximity to Inglewood Forest, the noted retreat of desperate outlaws'. Matthews p66

2.6.4 Historic Landscape Characterisation (HLC) mapping has identified a large area to the south of the Church is an area of former common arable land. To the east of the Carlisle Road is 'ancient enclosure' and to the west, C19th 'parliamentary enclosures'.

2.6.5 In the 17th and 18th Centuries the common land was diminished by acts of parliamentary enclosure. At Wreay the Common north of the Church was enclosed in 1778 with hedges to be used for 'cow grassing for the parish clerk'. Because Wreay lay on the edge of Inglewood Forest, the HLC shows that much of the land was unenclosed until a comparatively late date in the early 19th century.

2.6.6 Wreay retains its rural character although it is sandwiched between the busy M6 and the railway. The railway - now known as the West Coast Main Line (WCML) was originally built as the London and North Western Railway (L&NWR). It was constructed between the village and the River Petteril, and was opened in 1846. Wreay has been served by both Brisco and Wreay Stations. Brisco Station operated only briefly, closing in 1852. Wreay Station opened in 1853 and operated until its closure in 1943. The station buildings are now private houses.

2.7 The Losh Family and Wreay

2.7.1 The Losh family gained greatly from the enclosures, and held 600 acres on both sides of the Brisco Road, as far as Upperby.

William Hutchinson, in his 1794 'The History of Cumberland' wrote that Wreay held '21 families, sixty men and fifty-four women' and that 'Mr Losh of Woodside is making everything smile round him; his garden, his farms, are almost daily under his

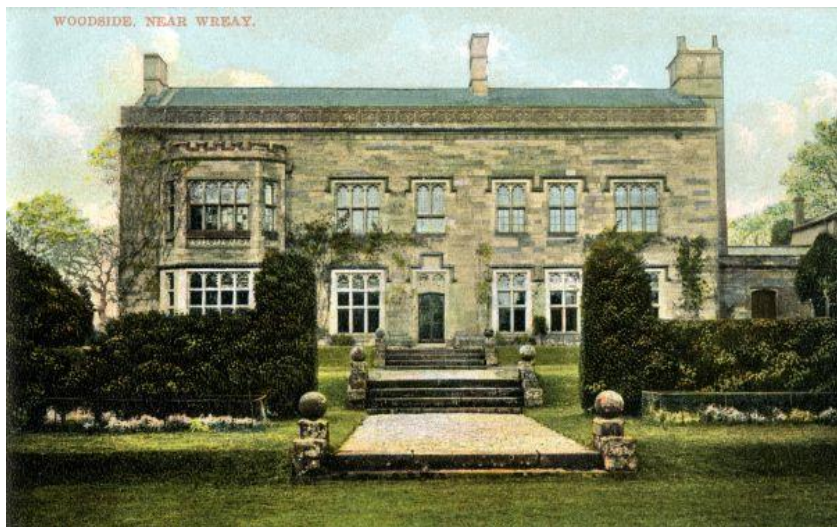


Figure 6 Woodside, as it stood in 1905, after remodelling by Sarah Losh

improving hands, lands too barren for tillage he plants with wood'. Uglow p44. The same John Losh, (Sarah's father) planted larch extensively, along with sessile oaks which remain prevalent in the area. The larches were a forestry crop, the wood being resistant to rot and good for fencing and for the cladding of buildings. The Losh interest in planting continued with Sarah's introduction of evergreens to the centre of the village, (Uglow p8).

2.7.2 Already wealthy Cumbrian landowners, the Losh fortunes were increased by the opening of an alkali works in Walker in Newcastle which was founded in the 1790s by John Losh and which

provided a source of synthetic alkali for the glass making and bleaching industries. The prospering of this industry allowed a fortune which Sarah and her younger sister Katharine jointly inherited on his death in 1814.

2.7.3 Sarah Losh (1785-1853) was inspired by her 1815 'Grand Tour' of France, Germany and Italy, which she took alongside her sister Katharine, to develop an interest in architecture which stamped itself so clearly on the village.

2.7.4 The inhabitants of Wreay in the early C19 were almost exclusively tenants of the Losh family. Of a progressive 'Whig' tendency, the Losh sisters expended their finances on public works – they paid for the bulk of a new bridge over the Petteril south of the village - and in the late 1820s they built the new 'Dame Infant's School', as females were until then not catered for. The new 'Dame School' – now known as 'Wreay Syke Fold - still stands on the western side of the Brisco road to the north of the village. The funding of schools and public works by local gentry was not unheard of, but what was remarkable in Wreay is that not only did the Losh sisters fund the project, but also designed it, and oversaw its building.

2.7.5 The Dame School was followed in 1830 by a new 'free school', to replace the 1750 school house endowed by the 'Twelve Men of Wreay' – the local committee who met yearly to allocate public funds and oversee projects in the village. This 1830 school forms the core of the present Wreay Church of England Primary School.

2.7.6 The Grand Tour inspiration then manifested itself strongly in the design of the new School Master's house – Pompeian Cottage – now listed at Grade II and located on the northern side of the road striking westwards from the centre of Wreay. This building is a replica of a house unearthed at Pompeii, with its curious monopitch design and crowstepped detailing buried in the gables.

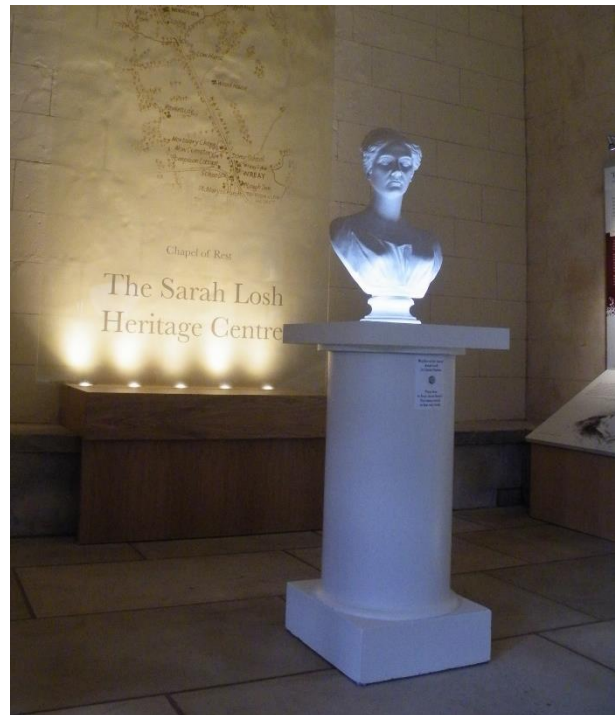


Figure 7 A bust of Sarah Losh in the Mortuary Chapel - now the Sarah Losh Heritage Centre



Figure 8 The Dame School, now a private residence



Figure 9 'Pompeian Cottage' built for the school master

2.7.8 The antiquarian tendencies of the Sisters was to focus next on a memorial to their parents, a cross based on the 7th Century Bewcastle obelisk, but before it was commissioned, in 1834 Katharine Losh took ill and died early in 1835 at the age of 47. Sarah's response was to embark on the design and building of a series of memorial structures. This included the 1835 Chapel of Rest, located to the north of the village next to the Cemetery, and now the Sarah Losh Heritage Centre. The building is a copy of the ancient Chapel of St Piran, which had been briefly unearthed from shifting sand dunes in Cornwall in 1835, and recorded by antiquarian John Mitchell. Sarah obtained drawings and measurements and created a replica to serve the new graveyard which they provided for Wreay to ease its overcrowded existing graveyard.



Figure 8 The 'Chapel of Rest' (Mortuary Chapel) - image taken 2015 prior to conversion to Heritage Centre

2.7.9 On the request of Sarah Losh the road which passed north of the original C14 chapel of Wreay was diverted to the south in order to free up land to build her Church. The open land between the Church and the new cemetery remains undeveloped – an atmospheric expanse of countryside penetrating to the heart of the village and ringed with the civic and spiritual buildings designed by Sarah Losh.



Figure 9 The Chapel of Rest viewed across pastureland from the graveyard of the Church of St Mary, with Candlemas Cottage and the Dame School to the right

3.0 Spatial Analysis & Settlement Pattern

3.1 The character and interrelationship of spaces within the area

3.1.1 The historic focus of buildings at Wreay has been a tight cluster east and south of the irregular crossroad. The Plough Inn and the smithy present on the 1st Edition Ordnance Survey Map (1866) show a focus of activity here. The settlement has never been large, rising in population from 118 in 1801 to a peak of 181 in 1881, then falling back to 131 by 1931 (the last census year for which separate figure available¹). A handful of new houses have been built with small developments east of the Brisco road and at the more recent 'Saint Mary's Court' to the west of the School.



Figure 10 Wreay viewed from the south east (Image copyright Visit Cumbria)

3.1.2 On the outskirts of the village an extensive pasture to the east is studded with mature trees as it runs down towards the River Petteril (Figure 10). This land is understood to have formed an extended 'parkland' setting for Wreay Syke, home of Losh's nephew William Septimus. This grand but unlisted house has design references that draw on Sarah's designs – notably its round-headed windows.



Figure 11 Cottages fronting the Green

3.1.3 More conventional agricultural land lies to the west and undulating farmland to the south. North of the Church lies the open grazing land ringed by Losh structures (Figure 10). North of this, conventional agricultural extends northwards to Brisco.



Figure 12 A wing of 'Wreay Syke' – built in the 1840s by William Septimus and Sarah Spencer Losh – Cousins to Sarah Losh

4.0 Key views and vistas

4.1 When approached from the south from the A6 along the C1017 the village is glimpsed occasionally though the hedges and trees on the far side of the River Petteril, until it becomes prominent on crossing the Petteril at Wreay Bridge. As one ascends the road the Church of St Mary can be seen as Wreay's primary landmark. Figure 12 shows Wreay in its cluster of mature trees framed by open fields with Wreay Hall Farm in the foreground (Eden District).



Figure 13 Wreay occupies an elevated position over the River Petteril – a key view from the south west

4.2 From the C1041 to the south east, the approach is again rural but with flatter terrain – Wreay closes the vista but with its buildings almost lost in its mature tree cover.



Figure 114 Wreay as seen from the south eastern approach along the C1041

4.3 From due west, along the U1159 the approach to Wreay includes some very dispersed modern housing and prominent agricultural sheds. As Wreay draws closer though Pompeian Cottage is passed on the left, followed by the utilitarian modern village hall and new development to the south of this. At this point the Losh Mausoleum comes into view, with the Church set amongst trees to the right and to the left the expanse of pasture on whose far side sit the Dame



Figure 15 Approaching from the west, with the modern village hall in the middle-distance

School, Candlemas Cottage and the Mortuary Chapel (Figure 09). In winter the austerity of this open space is in striking contrast to the intimate rural periphery of the rest of Wreay, and is significant in forming the setting of the various listed buildings which are arrayed around it – the appearance is more reminiscent of the Bewcastle area which inspired the Celtic cross than the gentler farmed landscape elsewhere in Wreay. In summer extensive planting softens the view into this space.

4.4 Approaching from the north the sparsely hedged open pasture frames both sides of the Brisco Road, the route is well-planted with mature oaks which may require a replacement strategy as they are almost all veterans. Candlemas Cottage announces the outskirts of Wreay, with its low and simple form matching the adjacent Mortuary Chapel. As the village centre is neared late C20, and more recent, development is predominant on the left-hand side of the road while the extensive pasture to the west is largely clear of intrusion. The village



Figure 16 The Mortuary Chapel viewed from the church yard of St Mary's with the Losh Mausoleum in the foreground

heart is dominated by the mature planting in the grounds of the Church of St Mary, and the definition given to the central green by back-of the footpath C18 and C19 cottages. The crossroads affords views south to open countryside, west to 'the Glebe' the former vicarage – which almost deliberately terminate this view – and north across the expansive pasture back towards the Chapel of Rest and Wreay cemetery.

4.5 Key views are present from the Church across to the Mortuary Chapel (Figure 16) and there is strong intervisibility between the Losh structures arrayed around the open space north of the Church.

5.0 Public Realm

5.1 The public realm in Wreay is relatively free of discordant modern intrusion and retains a simple and rural character. Roads and pavements are in tarmac with no historic surfacing evident, but the village is unscathed by intrusive highway lining, signage or other urbanising clutter. Lighting is low-level and mid-C20 in date. It is not obtrusive and any replacements should endeavour to be equally discreet. Any proposed highway works should recognise the need to respect Wreay's strong 'sense of place' and should be designed to preserve its special character. Kerbing



Figure 17 Wreay's public realm reinforces its tranquil rural character, with few urban intrusions – its focal point being the village green

is standard C20 concrete although there remain a number of soft verges e.g. on the western side of the Brisco road, which reinforce the rural character of the area.

6.0 Trees and Landscape

6.1 Wreay benefits from a fine legacy of historic tree planting and this lends a green and verdant character to the village. Many trees are veterans though and new planting will be required to ensure a succession of tree cover. The scale at maturity of the planting – in particular the numerous oak trees – should be matched in new planting.

6.2 Trees feature strongly in the village environment. Many were planted by the Losh family. Three lime trees in the centre of the village were planted by children from the school –

one in memory of Sarah Losh, one for Katherine, and a third to commemorate Queen Victoria's diamond jubilee in 1897. There are a number of single Tree Preservation Orders and a group Preservation Order around Wreay Syke Gardens, but otherwise the fine legacy of tree planting is unprotected.

6.3 The simple village green with its stone commemorative sculpture and cast-iron finger post is an attractive heart to the village. This could be compromised if parking were to become an issue. Should this be the case any controls on parking should be exceptionally sensitive so as to minimise visual impacts.

6.4 A notable feature of the village is the large area of pasture due north of the Church around which is arrayed the principal Losh buildings of the village. Roughly oblong in shape it is bounded to



Figure 18 Specimen trees on the village green



Figure 19 and 20 – the Millennium pinecone sculpture and restored historic cast-iron finger post

the



Figure 21 The expansive open pasture to the north of the Church of St Mary

north by Wreay cemetery and the Mausoleum (now the Sarah Losh Heritage Centre), and to the east by the Brisco Road. To the west it abuts the modern village hall and to the south the cluster of highly significant structures around the Church of St Mary – the expansive area forming what Uglow viewed as the setting for a unique memorial landscape (citation). A separately commissioned study of the historic landscape of Wreay reinforces the view that this area of open space is important to the setting of the heritage assets which ring it.

7.0 Boundaries

7.1 The hedges walls and fences of an area can have a marked impact on its appearance. At Wreay the areas outside the village are typically native hedgerows with some post and wire fencing where this is absent. Towards the centre of the village are low buff-stone walls, with some dry stone walling. Remnant estate fencing is evident on the Brisco Road. Some recent modern fencing is incongruous, and any future development should look to a more locally distinctive treatment.



Figure 22 Locally distinctive boundary walling

8.0 Materials

8.1 The dominant building material in the village is stone, but this is variously a buff sandstone as used by Losh in her buildings, or at the Plough Inn, or a russet sandstone. The more modern buildings



Figure 23 Buff roughly dressed coursed sandstone; mixed red and buff sandstone; and roughly- tooled and dressed ashlar walling

dating from the second half of the C20 have a wider palate of various bricks and some concrete roof tiles – these do not strongly reflect local character. Roofs are typically in slate on pre C20 buildings. While timber would have been the standard material for all windows and joinery in the village, historic fenestration has been lost to PVCu in recent years. This generally has an adverse visual impact particularly when installed in otherwise period buildings.

8.2 The extensive stone walling in Wreay – in houses, outbuildings and boundary walling – gives a uniformity in materials which contribute greatly to the character of the village.

8.3 Rainwater goods, historically being in cast iron, are still to be seen in this material although modern plastic guttering is also evident. Traditional guttering is mounted on drive-in metal brackets, and should be replicated in new work.

9.0 Listed buildings

9.1 Although Wreay is a small village of some 50 or so buildings, it has a high proportion of listed structures. Listed buildings in Wreay are:

- Church of St Mary (Grade II*)
- Mortuary Chapel (Grade II)
- Candlemas Cottage (Grade II)
- Pompeian Cottage (Grade II)
- Cross in Wreay Churchyard (Grade II)
- Re-erected font in Wreay Churchyard (Grade II)
- Sundial in Wreay Churchyard (Grade II)
- Wreay Churchyard, Losh Mausoleum (Grade II)

9.2 Three further buildings lie outside the village in Eden District. These are:

- Dovecote south west of Wreay Hall Farmhouse (Grade II) (Eden District)
- Wreay Bridge (Grade II) (Eden District)
- Wreay Hall Mill (Grade II) (Eden District)

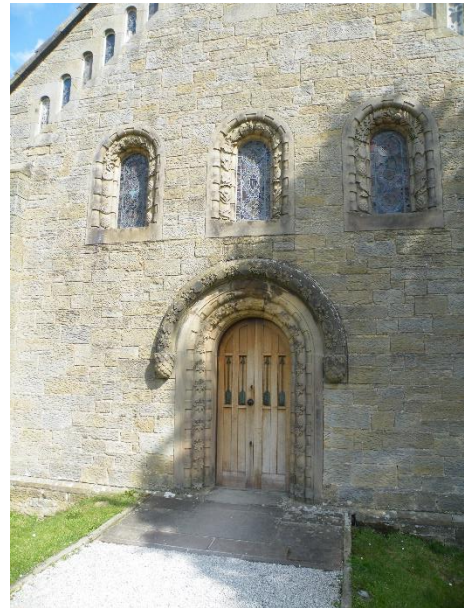
9.3 Church of St Mary

9.3.1 A chapel dedicated to St Mary is known to have existed in Wreay since 1319. It was improved in 1739 and its font – dated -1738 – can still be seen in the churchyard today where it is separately listed at Grade II. By 1840 the chapel was in a very dilapidated condition and the Losh sisters agreed to defray the cost of erecting a new church to the south of the old one, provided Sarah Losh was left unrestricted as to its design and building.



Figure 24 The southern elevation of Losh's basilica-inspired masterpiece

9.3.2 Grade II* listed in 1957, the Church is in an Italian Romanesque style with a western gable pierced with an arcade of small arches. The entrance is boldly carved and the nave windows are Romanesque in character. The building iconography borrows from designs from other faiths and from nature, using them to illustrate her Christian beliefs – the pine cone and animal themes feature strongly. The interior features an Italian green marble altar.



the Church with its unique biological motifs

9.3.3 Throughout the design architectural references are freely sourced with French glasswork (retrieved from Archbishop's Palace in Paris), a bronze water-pail from Normandy (now in Carlisle Cathedral) and slit windows on north and south elevations referencing the C14 Church of St John the Baptist in Newton Arlosh – the original seat of her family.

9.3.4 Nikolaus Pevsner visited Wreay in the 1960s when researching his 'Buildings of Britain'. He was astonished by Sarah Losh's originality – 'Asking which was the finest Victorian church in Cumberland, he wrote, aware of the oddity of the claim, 'The first building to call out, one introduces with hesitation; for it is a crazy building without any doubt, even if it is a most impressive and in some ways forward-pointing building; the church at Wreay' (Uglow p2)

9.3.5 Pevsner highlights the originality of Losh's 1842 Church, a basilica which anticipated 'Lombardic' style, whose English examples were all built after Wreay was conceived. Decoratively, Pevsner writes, her symbolic carvings' have no parallel at all', in fact, anticipating Arts and Crafts style by half a century. (p212 Pevsner).

9.3.6 Stephen Matthews writes in his 2007 book 'Sarah Losh and Wreay Church' that "The church is not just the work of one person. It is the work of one person who has chosen to work determinedly outside of any prevailing practice and tradition. She has selected from her wide knowledge those practices and traditions which meet her requirements with little or no respect for prevailing



Figure 26 Animalistic exterior carving possibly inspired by her readings on palaeontology

expectations. In fact Sarah Losh may have gone so far as to reconceive the nature of architecture and its expressive power in her own personal terms. Nevertheless, despite the eclecticism of structure, style and imagery, the work as a whole has a harmony and coherence. It has an artistic unity in conception and detail which very few buildings possess" Matthews P32

9.4 Mortuary Chapel

9.4.1 Now the Sarah Losh Heritage Centre the Mortuary Chapel and adjacent Sextons Cottage were further works by Sarah Losh accompanying the new cemetery. The Mortuary is a close copy of St Piran's Oratory in Cornwall, revealed by drifting sands in 1835 and thought to be one of the earliest Christian Churches in the country. The excavation was documented in antiquarian journals and Ms Losh replicated the structure at Wreay, adding her own unique detailing. The building is 10 metres long by 6 metres broad and 4 metres high. Its entrances have round-headed arches with roll-mouldings and springers of carved heads with lion's heads in keystone position (these were not on St Piran's Oratory, but were added by Miss Losh). It features iron-studded oak plank doors with slit vents.



Figure 27 The Mortuary Chapel prior to its conversion to the Sarah Losh Heritage Centre



Figure 29 The interior of the new Heritage Centre



Figure 28 Heavy studded doorway with flanking stone human heads and surmounted by a lion

9.5 Sexton's Cottage

9.5.1 The Sexton's cottage was built in 1835 to provide accommodation for the Sexton who would look after the new public cemetery. Now known as Candlemas Cottage and previously as Cemetery Cottage, the modest building holds in miniature many of the features of the Church of St Mary. Constructed of roughly coursed dressed calciferous sandstone it has a slate roof with a bottom course of stone-slates. Hallmark round-headed windows and a series of niches are a feature of the building.



Figure 30 The Grade II listed Sexton's Cottage

9.6 Pompeian Cottage

9.6.1 Built 1830 to serve the school master of the new village school, the unusual roof form replicates that of a Pompeian villa excavated from the ash and noted by the Losh's on their grand tour.



Figure 31 The Grade II listed Pompeian Cottage



Figure 32 Carved stone cross in Wreay Churchyard

9.7 Cross in Wreay Churchyard

9.7.1 The cross was modelled on the Bewcastle Cross and carved around 1843 shortly after completion of the Church. Carved by Sarah Losh and her mason William Hindson, it is inscribed with carved figures, Celtic patterns, text and a Latin inscription to her parents John and Isabella Losh.

Awaiting Image

Figure 33 Re-erected font in Wreay Churchyard



Figure 34 Re-erected font in Wreay Churchyard

9.8 Re-erected font in Wreay Churchyard

9.8.1 Re-erected from the demolished Church the red sandstone font is dated 1733. It has a squared base, chamfered-edged column, surmounted by square shallow bowl, with moulded panels to each face, one dated. removed from church on rebuilding in 1842 and now forms churchyard ornament to left of west entrance.

9.9 Sundial in Wreay Churchyard

9.9.1 With a square chamfered base inscribed with 'Do Today's Work Today' the circa 1842 sandstone structure features characteristic eclectic Losh detailing.

10.0 Losh Mausoleum

10.1 The Mausoleum was built in 1850 by Sarah Losh for her sister Katherine (d 1835). Built in monolithic, cyclopean calciferous sandstone it echoes the elemental tendencies of much of Sarah's architecture. Cell-like in design its narrow windows give a view of a life size marble figure of a seated Katherine, sketched by Sarah near Naples in 1817. The sculpture is by David Dunbar.



Figure 34 Losh Mausoleum

10.2 In conjunction with the nearby Cross and the stone-balustraded compound of Losh family graves adjacent, it comprises an austere and romantic series of hand-crafted and distinctive memorials.

11.0 Undesignated heritage assets

Wreay has a number of other buildings of note which are not statutorily designated but which deserve a special mention because of their historic associations.

Wreay Syke

Wreay Syke Fold

Wreay Church of England Primary School

The Glebe House

12.0 Opportunities for Enhancement

12.1 Wreay has few areas where the building stock or areas of the village are in a poor condition. Some buildings do not reflect the high quality of the village in general – for example – the somewhat utilitarian village hall. It may be that should this be modified in future a higher standard of materials and design could be achieved. Should the area be designated a conservation area it would be hoped that residents and planning authorities would jointly endeavour to enhance the village further through safeguarding and sensitive change. This would be supported by the statutory duty placed on the Planning Authority by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states in regard to its planning functions, that ‘in the exercise, with respect to any buildings or other land in a conservation area....*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*’.

12.2 The striking legacy of C18 and C19 tree planting is a key feature of the village and its wider context. Designation would offer some protection to these trees whose felling would come under additional conservation area controls. The present tree stock is somewhat over-mature and there may be further opportunity to introduce new planting to enable a succession of trees. Disease-based die off is evident on Brisco road.

12.3 The opening of the Sarah Losh Heritage Centre has helped to bring an appreciation of Wreay to a wider audience and to illuminate the unique legacy of Sarah Losh. It may be that there are additional opportunities for interpretation of the wider Losh landscape and legacy elsewhere in the village – a useful information panel is already present.

12.4 The public realm of Wreay is understated and enhancement here would be mainly to maintain rural character and to recognise this important factor in consideration of any new works. Intrusive lighting, signage and urbanising highway features should be either absent or carefully designed to respect the unique character of the hamlet.

13.0 Impact of designation

13.1 Properties within conservation areas are subject to marginally tighter controls than elsewhere. These controls can be summarised as:

13.2 Some minor works to houses is no longer ‘permitted development’ and may require planning permission;

13.3 Most proposals for demolition will require conservation area consent – the expectation is that a plan must be in place for a ‘material improvement’ arising from the redevelopment of the demolished site.

13.3 Most work to trees should be notified to the Council which has six weeks to decide whether to impose restrictions e.g. designation of a tree protection order.

13.4 A higher standard of design may be required within the boundary of a conservation area, or where development affects the setting of a conservation area.

14.0 Possible Wreay Conservation Area Policies

14.1 If it is decided that Wreay should become a conservation area, the designation report will identify the range of management policies that should be introduced to secure conservation-led objectives, particularly managing and investing in the area in a way that secures, protects and enhances its intrinsic and wider special historic character, particularly in the context of development proposals.

14.2 Policies should seek to:

- Preserve and enhance Wreay's historic character and distinctiveness through the sensitive implementation of conservation-led development management policies and actions.
- Respect and protect the historic arrangement of buildings and related spaces when making planning decisions.
- Seek to ensure that proposals involving heritage assets (including both listed and unlisted buildings) in the village should recognise the significance of the assets and their surroundings through siting, massing, form, material content and the protection/repair of historical details. All proposals should reinforce its special character to work with property owners to bring any unoccupied historic buildings into sustainable use.
- Recognise the need to fully understand and appreciate the settlement's special historical qualities and the strengths and weaknesses through the preparation and adoption of a full Wreay Conservation Area Character Appraisal. An appraisal will include the important information and evidence that will underpin and guide development management policies. An appraisal is a public document where members of the local community will be invited to make contributions during its preparation and help in its delivery. Historic England states that adopted appraisals are a material consideration when making planning decisions. The appraisal will be reviewed on a regular basis.
- To acknowledge that places change and that decision making should recognise the need to manage that change in a way that maintains and strengthens Wreay's special qualities and starts to reverse some of the changes that have happened in the recent past which dilute and compromise the visual and historic integrity of the hamlet. The adoption of a Management Plan will guide and, if necessary, direct the process of change and inform reaction to unforeseen demands.
- To give special recognition to the Village's historic hinterland. The boundary/field hedges and mature trees are an intrinsic part of its historic composition and greatly enhance the appearance of Wreay and the views to and from the settlement. This immediate rural setting should be cared for and managed to ensure that trees and bushes are gradually replaced as and when they start to die back in order to maintain the setting of the village.
- To ensure that where changes to heritage assets have been agreed, recording and interpretation will be undertaken to document the assets historic significance and the information gained made publicly available through the Historic Environment Record (HER).

15.0 Possible Conservation Area Boundary

15.1 If it is decided that Wreay should become a conservation area a boundary must be identified. The conservation area boundary should be coherent and, wherever possible, follow features on the ground such as field boundaries and paths. It should not be drawn too tightly and exclude integral parts on the edges but equally should not include elements without special interest to avoid devaluing the designation. The boundary should be drawn to ensure that Wreay's immediate rural setting is adequately protected – this is particularly significant given the importance of trees and hedgerows in the historic shape and composition of the village's hinterland.

15.2 Clearly any conservation area at Wreay must contain those buildings of historic interest including the Church, Pompeian Cottage, the Mortuary Chapel and Candlemas Cottage. Inevitably then the boundary would also include the village hall, which while not in keeping with the character of the village, does feature in the village's social life. The western boundary of the conservation area should include this, as it should the School and Glebe House. To the north, any boundary should include the Cemetery, the Chapel of Rest and Candlemas Cottage. The eastern boundary should include the bulk of the village of Wreay, encompassing Wreay Syke and running southwards to take in the Plough Inn and adjacent cottages. Some modern development falls within this boundary but should be included to protect the village comprehensively from inappropriate development. The boundary could usefully end at the cottages south of the Plough Inn, encompassing the C19 footprint of the village and the critical area of farmland which penetrates its centre and creates the setting for its most important buildings.

15.3 There are a number of conservation area boundary options to be considered.

They are:

15.4 Option 1: No Conservation Area

15.4.1 This will leave the village and its immediate hinterland open to possible change which could damage its unique historical character. It could also lead to adversely altering the established balance between the natural and cultivated landscape which surrounds and penetrates the hamlet, its buildings and open spaces.

15.4.2 The exceptional views to and from Wreay would not have the level of protection necessary in view of the national and international significance of its heritage assets.

15.5 Option 2: A conservation area confined largely to the built envelope

15.5.1 A conservation area which enwraps most of the built form of Wreay but which would be fairly closely drawn to the boundaries of building curtilages. The area of informal grazing land with its parkland character to the east of Wreay would be excluded.

15.5.2 The boundary shown below reflects this, although to the Wreay Syke Gardens area the boundary steps back from the curtilages, following the 300m contour level and providing some buffer with the agricultural land beyond.



Figure 35 Option 2 – A conservation area confined largely to the built envelope

15.6 Option 3: A conservation area including the eastern 'parkland setting'

15.6.1 Inclusion of the land east of Sarah Losh's cousin William Septimus's residence at Wreay Syke – studded with its now mature broadleaved trees it presents a striking parkland setting for the village from its prominent southern approach. With the railway cutting as its natural eastern boundary.

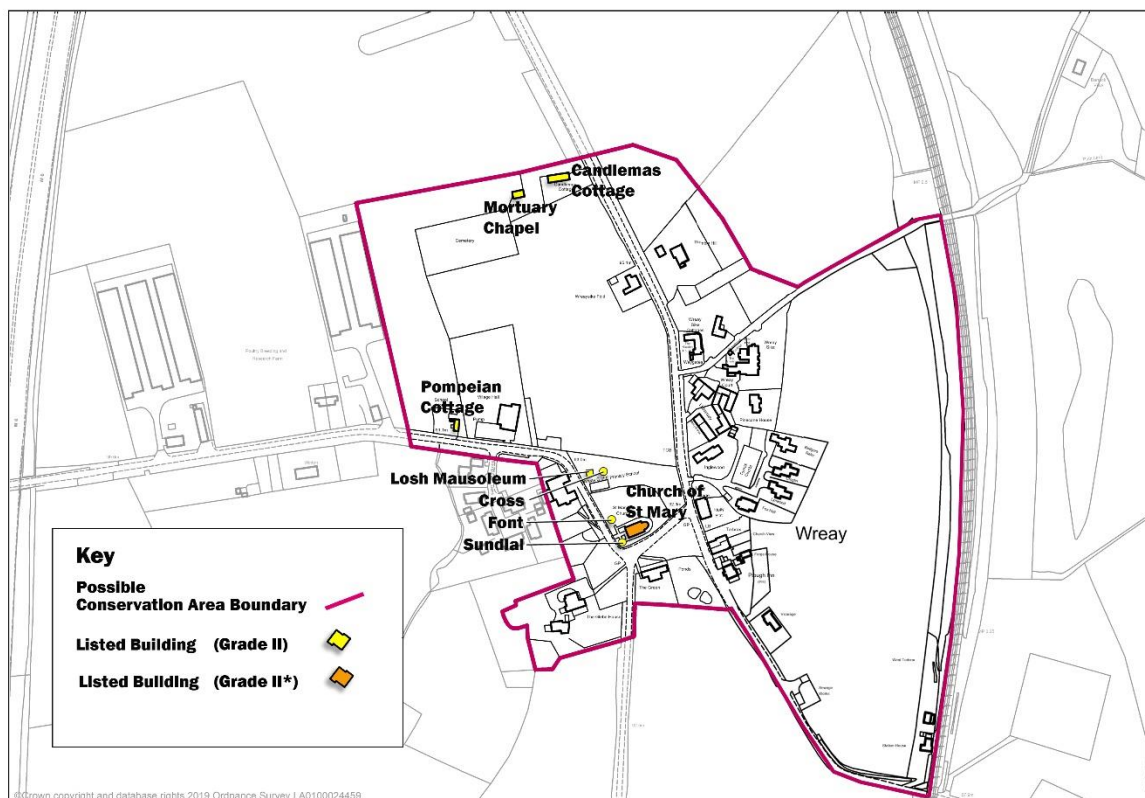


Figure 36 A conservation area including the eastern 'parkland setting'

16.0 Next Steps

16.1 Following authorisation of this draft document from the City Council Executive, a period of public consultation will begin in autumn 2019 to determine public views on the proposed Wreay Conservation Area. A formal response form will be added to this draft document.

For further information contact:

R Higgins

Conservation & Urban Design Officer

Planning Policy, Economic Development, Carlisle City Council, Civic Centre, Rickergate, Carlisle
CA3 8QG tel: 01228 81707 email: roger.higgins@carlisle.gov.uk

Appendix 1 List Entries

POMPEIAN COTTAGE

Heritage Category: Listed Building

Grade: II

List Entry Number: 1087761

Date first listed: 22-Sep-1983

Statutory Address: POMPEIAN COTTAGE

County: Cumbria

District: Carlisle (District Authority)

Parish: St. Cuthbert Without

National Grid Reference: NY 43372 49018

Details

ST CUTHBERT WITHOUT WREAY NY 44 NW

11/35 Pompeian Cottage II

House. Circa 1830 by Sarah Losh as replica of house excavated at Pompeii. Caliciferous sandstone rubble walls and slate roof with bottom courses of stone-slates. 2 storeys, single bay with single bay extension to right under same roof and extension to rear. 2-light casement windows, sloping half gable roof and brick chimney stacks. Gabled 2 storey extension to rear of single bay now forms entrance. Sarah Losh travelled extensively in Italy and brought back many ideas for buildings, this being built for the village schoolmaster.

Listing NGR: NY4337249018

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

WREAY CHURCHYARD, LOSH MAUSOLEUM

Heritage Category: Listed Building

Grade: II

List Entry Number: 1335501

Date first listed: 22-Sep-1983

Statutory Address: WREAY CHURCHYARD, LOSH MAUSOLEUM

County: Cumbria; District: Carlisle (District Authority)

Parish: St. Cuthbert Without; National Grid Reference: NY 43486 48973

Details

ST CUTHBERT WITHOUT WREAY NY 44 NW 11/31 Wreay Churchyard, Losh Mausoleum II

Mausoleum, 1850 by Sarah Losh for her sister Katherine Losh (died 1835). Quarry-cut Cyclopean blocks of calciferous sandstone to walls. Single-storey, 7 one bay. Entrance has vertical plank door flanked by lancets with vertical iron bars. Projected cornice, blocking course and flat roof. Single chamber has white marble statue of. Katherine Losh by David Dunbar, dated 1850, based on a sketch by Sarah near Naples in 1817. On walls are medallions in marble to John and Isabella Losh, also by Dunbar. Statue illustrated, Country Life, 4 November. 971. p.1231.

Listing NGR: NY4348648973

Sources

Books and journals: 'Country Life' in 4 November, (1971), 1231

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

CROSS IN WREAY CHURCHYARD

Heritage Category: Listed Building

Grade: II

List Entry Number: 1087759

Date first listed: 22-Sep-1983

Statutory Address: CROSS IN WREAY CHURCHYARD

County: Cumbria; District: Carlisle (District Authority)

Parish: St. Cuthbert Without

National Grid Reference: NY 43507 48969

Details

NY 44 NW 11/32

ST CUTHBERT WITHOUT WREAY Cross in Wreay Churchyard

Cross. 1835 by Sarah Losh. Carved calciferous sandstone. Tapered column with carved figures and Celtic designs in alternating panels, surmounted by triform cross. Erected as memorial, with latin inscription to John and Isabella Losh (parents of Sarah Losh) and based on the Bewcastle Cross.

Listing NGR: NY4350748969

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

RE-ERECTED FONT IN WREAY CHURCHYARD

Heritage Category: Listed Building

Grade: II

List Entry Number: 1335502

Date first listed: 22-Sep-1983

Statutory Address: RE-ERECTED FONT IN WREAY CHURCHYARD

County: Cumbria; District: Carlisle (District Authority)

Parish: St. Cuthbert Without

National Grid Reference: NY 43510 48923

Details

ST CUTHBERT WITHOIJT WREAY NY 44 NW 11/33 Re-erected font in Wreay Churchyard

Font dated 1733 (church guide says 1738) from earlier church. Red sandstone. Squared base, chamfered-edged column, surmounted by square shallow bowl, with moulded panels to each face, one dated. removed from church on rebuilding in 1842 and now forms churchyard ornament to left of west entrance.

Listing NGR: NY4351048923

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

SUNDIAL IN WREAY CHURCHYARD

Heritage Category: Listed Building

Grade: II

List Entry Number: 1087760

Date first listed: 22-Sep-1983

Statutory Address: SUNDIAL IN WREAY CHURCHYARD

Statutory Address: SUNDIAL IN WREAY CHURCHYARD

County: Cumbria

District: Carlisle (District Authority)

Parish: St. Cuthbert Without

National Grid Reference: NY 43514 48914

Details

ST CUTHBERT WITHOUT WREAY NY 44 NW 11/34 Sundial in Wreay Churchyard

Sundial. Circa 1842 for Sarah Losh. Sandstone with brass dial. Square chamfered base inscribed DO TODAY'S WORK TODAY, rounded column with carved pine-cones, capped by carved sunflower head surmounted by dial with Roman numerals. Forms churchyard ornament to right of west entrance to church.

Listing NGR: NY4351448914

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

CHURCH OF ST MARY

Heritage Category: Listed Building

Grade: II*

List Entry Number: 1087758

Date first listed: 01-Apr-1957

Statutory Address: CHURCH OF ST MARY

Location

Statutory Address: CHURCH OF ST MARY

County: Cumbria; District: Carlisle (District Authority)

Parish: St. Cuthbert Without

National Grid Reference: NY 43525 48921

Details

ST CUTHBERT WITHOUT WREAY NY 44 NW 11/30 Church of St Mary

Church. 1840-42 by Sarah Losh, with sculptural stonework by William Hindson, erected by estate workers at her own expense. Dressed sandstone walls, stone- slate roof. 4 bay nave with semicircular apse. Romanesque style showing both French and Italian influence. Nave has 4 round-headed windows to each side, with triple clerestory windows above. 2 gargoyles to each side representing reptiles. Apse has recessed and round-headed niches with clerestory arcading above. West gable entrance has round-headed arch decorated with roll-moulding of formalised water-lilies and pine-cone motifs. 3 round-headed windows over entrance with rising arcade of small windows above, surmounted by stone bellcote with carved stone eagle. Down steps to right of entrance, is a small stone-enclosed well. Interior on 3 levels, sunken body, steps up to apse. Apse is surrounded by arcade of 14 columns with carved capitals. Ceiling of pine panels and trusses of oak, floor of sandstone slabs. Seating of oak and Spanish chestnut, other chairs and pulpit of carved local bog oak and ebony: lecturns of carved chestnut representing eagle and pelican on bog oak stands: pulpit of carved bog oak. Font of varved alabaster by Sarah Losh and W.S. Losh: altar of green Italian marble on brass eagles. Non-figurative stained glass partly of re-used glass from Archbishop's Palace, Paris. Carved wooden archangles on either side of chancel arch. Carved wood and other details by local craftsmen. Built close, or on site of, medieval church which was totally demolished on rebuilding, except for font (now in churchyard, listed separately), re-used corbel stone above entrance to boiler house, and some re-used timber. See, Pevsner, Buildings of England, Cumberland & Westmorland, p. 212; Country Life, 4 November, 1971 p. 1230-31.

Listing NGR: NY4352548921

Sources

Books and journals

Pevsner, N, The Buildings of England: Cumberland and Westmorland, (1967), 212

'Country Life' in 4 November, (1971), 1230-31

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

MORTUARY CHAPEL

Heritage Category: Listed Building

Grade: II

List Entry Number: 1087757

Date first listed: 22-Sep-1983

Statutory Address: MORTUARY CHAPEL

Location

County: Cumbria; District: Carlisle (District Authority)

Parish: St. Cuthbert Without; National Grid Reference: NY 43425 49217

Details

ST CUTHBERT WITHOUT WREAY NY 44 NY 11/29 Mortuary Chapel II

Chapel to adjoining cemetery. Circa 1835 by Sarah Losh. Dressed calciferous sandstone, stone-slate roof. Single storey and one bay: built as a reconstructed copy of St Perran's Oratory found at Perranzabuloe, Cornwall in 1835, in drifting sand dunes and thought at the time to be the earliest Christian church in the country.

Approximately 10 metres long by 6 metres broad and 4 metres high. Entrances in east and south walls have round-headed arches with roll-mouldings and spingers of carved heads with lion's head in key position (these were not on St Perran's Oratory, but were added by Miss Losh). Single window in south wall has roll-moulding surround with round-head and diamond leaded casement: window in east wall is a round-headed splayed lancet. Iron-studded oak plank doors with slit vents. Projecting purlins to gables with slates carried over.

Interior has stone wall seats. Now used as a store shed for the Sexton's Cottage nearby.

Listing NGR: NY4342549217

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Candlemas Cottage

Heritage Category: Listed Building.

Grade: II.

List Entry Number: 1087756.

Date first listed: 22-Sep-1983.

Statutory Address: Candlemas Cottage, Wreay, Carlisle, CA4 0RJ.

Statutory County: Cumbria; District: Carlisle (District Authority).

Parish: St. Cuthbert Without; National Grid Reference: NY 43460 49232.

Details

This list entry was subject to a Minor Amendment on 08/02/2018

NY 44 NW 11/28

ST CUTHBERT WITHOUT WREAY Candlemas Cottage

(Formerly listed as Sexton's Cottage)

II Cottage. Formerly known as Cemetery Cottage, circa 1835 by Sarah Losh, for Sexton of Wreay Church.

Dressed calciferous sandstone walls, slate roof with bottom course of stone-slates, C20 brick chimney stack.

One and a half storeys, two bays. Entrance has plank door in plain surround, flanked by two round-headed window with same surrounds: windows C20 two-light iron casements. Rear wall has similar round-headed windows, with arched small round-headed attic windows of five lights each. C20 flat-roofed left extension and right garage extension not included.

Listing NGR: NY4346049232 .

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

DOVECOTE SOUTH WEST OF WREAY HALL FARMHOUSE

Heritage Category: Listed Building

Grade: II

List Entry Number: 1326723

Date first listed: 24-Oct-1986

Statutory Address: DOVECOTE SOUTH WEST OF WREAY HALL FARMHOUSE

Location

County: Cumbria

District: Eden (District Authority)

Parish: Hesketh

National Grid Reference: NY4420748467

Details

NY 44 NW HESKET WREAY

1/198 Dovecote south-west of Wreay Hall Farmhouse

Dovecote. Early C18. Dressed calciferous sandstone walls, with eaves modillions, under pyramidal graduated greenslate roof with lead ridges; open wooden lantern. Single-storey octagonal dovecote with side doorway.

Interior has remains of its original shelves. See Transactions Cumberland & Westmorland Antiquarian &

Archaeological Society, old series, ix, pp.423-4.

Listing NGR: NY4420748467

Sources

Books and journals

'Transactions Cumberland and Westmorland Antiquarian and Archaeological Society' in Transactions

Cumberland and Westmorland Antiquarian and Archaeological Society, , Vol. 9, (), 423-4

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

WREAY BRIDGE

Heritage Category: Listed Building

Grade: II

List Entry Number: 1290339

Date first listed: 24-Oct-1986

Statutory Address: WREAY BRIDGE

County: Cumbria

District: Carlisle (District Authority)

Parish: St. Cuthbert Without

County: Cumbria

District: Eden (District Authority)

Parish: Hesketh

National Grid Reference: NY4406548520

NY 44 NW 1/199

HESKET WREAY

Wreay Bridge

Roadbridge over River Petteril. 1830's. Red sandstone ashlar with channelled joints and voussoirs. 3 segmental arches on 2 rounded piers, under string course and coped solid parapet.

Listing NGR: NY 44065 48520

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

WREAY HALL MILL

Heritage Category: Listed Building

Grade: II

List Entry Number: 1391527

Date first listed: 21-Jul-2005

Statutory Address: WREAY HALL MILL

County: Cumbria

District: Eden (District Authority)

Parish: Hesket

National Grid Reference: NY 44193 49112

Summary

Details

1791/0/10006

HESKET, WREAY, Wreay Hall Mill

Water-powered corn mill and attached drying kiln. Dated 1663 and 1808, with later architect unknown. Rock-faced red sandstone with dressed sandstone quoins beneath sandstone and slate roof coverings. PLAN: L-shaped plan form with the kiln house stepped back from the main elevation and with an attached brick and rock-faced sandstone wheelhouse outshut to rear. EXTERIOR: Main east elevation has doorway to kilns with timber door on ground floor, small window with two vertical iron bars on upper floor and roof vent above. Mill has chamfered door surround with timber door at north end of structure with stone lintel above door and two date stones above lintel. Oldest date stone has triangular inset with initials and date carved in relief, youngest date stone is carved with three lines of initials above date. Ground-floor window to left of door with timber-doored opening on upper floor above. Aperture for drive shaft to left of window. South gable has central ground-floor window and timber-doored opening on first floor. Rear elevation has timber-doored opening on upper floor of mill. Outshut contains in situ waterwheel, entrance doorway on west elevation, opening on north elevation. Kiln house has two small windows, one on ground floor one on upper floor, and two ground floor vertical wall vents. North gable has five rectangular vent or putlog holes on upper floor. INTERIOR: Ground floor contains main drive machinery from wheelhouse including primary and secondary gear wheels, drive shafts and a hoist. Timber ceiling to ground floor. Access from ground floor of mill to original brick-built drying kiln Timber stairs to former stone floor of mill which contains timber floor, the hoist wheel and timber roof structure. Upper floor of kiln house has timber floor and timber roof structure.

HISTORY: Date stones suggest an earlier building of 1663, remodelled in 1808. Both date stones are initialled.

Sources: Unpublished information provided by the applicant. Davies-Shiel, M. Watermills of Cumbria. See <http://www.cumbria-industries.org.uk/corn.htm>

Wreay Hall Mill is of special architectural interest as a water-powered corn or grist mill, thought to have been built in 1663, subsequently remodelled in 1803, and retaining much of its machinery, its water wheel and drying kiln.

Sources

Books and journals

Shiel, M Davies , Watermills of Cumbria, (1978)

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Bibliography

Matthews, Stephen (2007) 'Sarah Losh and Wreay Church', Carlisle

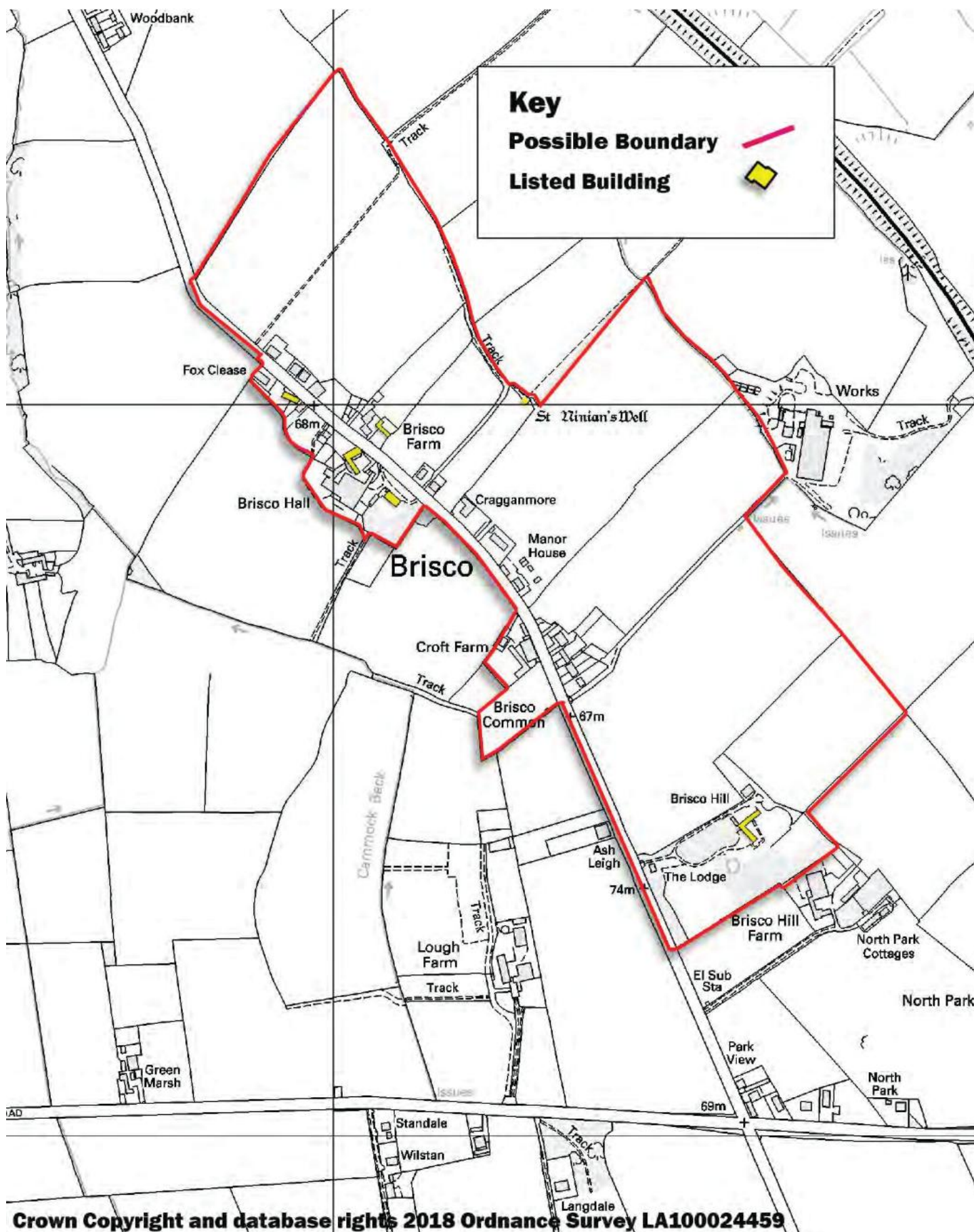
Green, Fiona (2019) 'Sarah Losh and the landscape setting of her buildings' - paper

Uglow, Jenny (2013) 'The Pinecone', London

Web Resources

ⁱ <https://www.cumbriacountyhistory.org.uk/township/wreay>

Option 4 : A Conservation area that includes Brisco Hill House



EXCERPT FROM THE MINUTES OF THE CITY COUNCIL MEETING HELD ON 3 MARCH 2020

C.53/20 NOTICES OF MOTION

(c) Flood Protection and Resilience

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services reported the receipt of the following motion submitted on notice by Councillor Mrs Atkinson:

“This Council wishes to place on record, our thanks to the emergency services, the Environment Agency and other front-line response and recovery services, along with volunteers, who continue to support our communities through severe storm and flood events, such as those experienced recently.

We recognise the physical and emotional stress experienced by local residents and businesses and commit to continue working in partnership, to provide support and practical help to secure timely protection for our communities.

The Council asks the Executive to:

- Work with relevant agencies and seek the support of Carlisle’s MPs to accelerate delivery of flood protection projects across all phases of the planned work and call on the government to increase funding to the Environment Agency to enable them to meet the increasing challenges of managing flood risk.
- Gives all assistance needed for any business cases that the Environment Agency need to prepare in order to draw down funds and call on central government to look at supporting further flood management work as part of future proofing against changing climate conditions.
- Call on Government to review the Flood Re scheme to include homes that are part of a management company (e.g. apartments in Willowholme) and also businesses, to enable them to access affordable insurance.
- Assist in organising a volunteer flood warden scheme to provide practical help to residents to protect their property at times of risk.

We welcome the positive and proactive way that the Environment Agency continues to engage with the Council’s scrutiny process and commit to working together to do everything possible to support and protect our communities.”

Councillor Mrs Atkinson moved and Councillor Mrs Glendinning seconded the motion.

Councillor Mrs Atkinson then elaborated upon the reasons for submission of the motion, expressing the hope that the City Council would be supportive thereof.

Councillor Betton gave notice of an amendment, copies of which were tabled (strikethrough to be removed, red/underlined to be inserted):

“This Council wishes to place on record, our thanks to the emergency services, the Environment Agency and other front-line response and recovery services, along with volunteers, who continue to support our communities through severe storm and flood events, such as those experienced recently.

We recognise the physical and emotional stress experienced by local residents and businesses and commit to continue working in partnership, to provide support and practical help to secure timely protection for our communities.

The Council asks the Executive to:

- ~~Work with relevant agencies and seek the support of Carlisle's~~ Work with Cumbria County Council, the Environment Agency, emergency services, businesses/local people of affected areas and Flood Action Group(s) seeking the support of our local MP's urban/rural to accelerate delivery of flood protection projects across all phases of the planned work and call on the government to increase funding to the Environment Agency to enable them to meet the increasing challenges of Managing flood risk in the affected vulnerable rural and urban areas of Carlisle
- Work with our City Council officers, Environment Agency, Cumbria County Council, emergency services, Carlisle Flood Action Group, residents and M.P's to give all assistance needed for any business cases that the Environment Agency need to prepare in order to draw down funds and call on central government to look at supporting further flood management work as part of future proofing against changing climate conditions.
- Work with the above engaging with the affected urban and rural ward areas and call on Government through our MP's urban and rural to review the Flood Re scheme to include the wider aspect of homes and businesses affected ~~include homes that are part of a management company (e.g. apartments in Willowholme) and also businesses,~~ to enable them to access affordable insurance.
- Work with everyone mentioned to collate risk implications, responsibilities, costs, funding and assist in looking at organising a volunteer flood warden scheme to provide practical help to residents to protect their property at times of risk.

Amended Motion to read:

This Council wishes to place on record, our thanks to the emergency services, the Environment Agency and other front-line response and recovery services, along with volunteers, who continue to support our communities through severe storm and flood events, such as those experienced recently.

We recognise the physical and emotional stress experienced by local residents and businesses and commit to continue working in partnership, to provide support and practical help to secure timely protection for our communities.

The Council asks the Executive to:

- Work with Cumbria County Council, the Environment Agency, emergency services, businesses/local people of affected areas and Flood Action Group(s) seeking the support of our local M.P's urban/rural to accelerate delivery of flood protection projects across all phases of the planned work and call on the government to increase funding to the Environment Agency to enable them to meet the increasing challenges of Managing flood risk in the affected vulnerable rural and urban areas of Carlisle
- Work with our City Council officers, Environment Agency, Cumbria County Council, emergency services, Carlisle Flood Action Group, residents and M.P's to give all assistance needed for any business cases that the Environment Agency need to prepare in order to draw down funds and call on central government to look at supporting further flood management work as part of future proofing against changing climate conditions.
- Work with the above engaging with the affected urban and rural ward areas and call on Government through our MP's urban and rural to review the Flood Re scheme to include the wider aspect of homes and businesses affected, to enable them to access affordable insurance.
- Work with everyone mentioned to collate risk implications, responsibilities, costs, funding and assist in looking at organising a volunteer flood warden scheme to provide practical help to residents to protect their property at times of risk.

We welcome the positive and proactive way that the Environment Agency continues to engage with the Council's scrutiny process and commit to working together to do everything possible to support and protect our communities."

Councillor Betton moved the amendment, which was seconded by Councillor Tinnion.

In accordance with Procedure Rule 14.7, the Meeting consented to Councillor Atkinson altering the Motion in accordance with the proposed amendment. Accordingly, the amended Motion became the substantive Motion.

Discussion arose, with input from a number of Members of the City Council.

Councillor Robinson proposed an amendment, which was seconded by Councillor Brown, to reinstate the words 'include homes that are part of a management company (e.g. apartments in Willowholme) and also businesses'. In accordance with Procedure Rule 14.7, the Meeting consented to Councillor Atkinson altering the Motion in accordance with the proposed amendment.

The substantive Motion, as set out below was CARRIED UNANIMOUSLY:

“This Council wishes to place on record, our thanks to the emergency services, the Environment Agency and other front-line response and recovery services, along with volunteers, who continue to support our communities through severe storm and flood events, such as those experienced recently.

We recognise the physical and emotional stress experienced by local residents and businesses and commit to continue working in partnership, to provide support and practical help to secure timely protection for our communities.

The Council asks the Executive to:

- Work with Cumbria County Council, the Environment Agency, emergency services, businesses/local people of affected areas and Flood Action Group(s) seeking the support of our local M’P,s urban/rural to accelerate delivery of flood protection projects across all phases of the planned work and call on the government to increase funding to the Environment Agency to enable them to meet the increasing challenges of Managing flood risk in the affected vulnerable rural and urban areas of Carlisle
- Work with our City Council officers, Environment Agency, Cumbria County Council, emergency services, Carlisle Flood Action Group, residents and M.P’s to give all assistance needed for any business cases that the Environment Agency need to prepare in order to draw down funds and call on central government to look at supporting further flood management work as part of future proofing against changing climate conditions.
- Work with the above engaging with the affected urban and rural ward areas and call on Government through our MP’s urban and rural to review the Flood Re scheme to include homes that are part of a management company (e.g. apartments in Willowholme) and also businesses, to enable them to access affordable insurance.
- Work with everyone mentioned to collate risk implications, responsibilities, costs, funding and assist in looking at organising a volunteer flood warden scheme to provide practical help to residents to protect their property at times of risk.

We welcome the positive and proactive way that the Environment Agency continues to engage with the Council’s scrutiny process and commit to working together to do everything possible to support and protect our communities.”

Report to Executive

Agenda
Item:

A.10

Meeting Date: 22nd June 2020
Portfolio: Finance, Governance and Resources
Key Decision: No
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: END OF YEAR PERFORMANCE REPORT 2019/20
Report of: Policy and Communications Manager
Report Number: PC 14-20

Purpose / Summary:

This report contains the End of Year 2019/20 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 2019/20 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:	22/06/20
Scrutiny:	Health and Wellbeing 11/06/20 Economic Growth 04/06/20 Business and Transformation 28/05/20
Council:	N/A

1. BACKGROUND

This report contains the 2019/20 performance against the Service Standards and a summary of the Carlisle Plan 2015-18 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 – 1 'red', 1 'amber' and 8 'green'

KPIs – 9 'red', 14 'amber', 22 'green'

Summary of Exceptions (RED)

Measure	Target	Performance
SS03 Percentage of household waste sent for recycling (including bring sites)	50%	41.3% Recycling rates nationally have stagnated and even reduced in some areas. A new 'campaign' to increase participation in recycling started earlier in the year.
CSe04 Revenue gained from household waste recycling collected	£669k	£513k Shortfall due to reduced market value of recycled material.
GRS10 Proportion of food hygiene inspections completed as scheduled	90%	77.4% This is a new indicator. The indicator requires that scheduled inspections need to be completed within the FSA target of 28 days. As a new indicator there have been monitoring and administrative challenges which are being resolved. Improvements have been made in each quarter and will continue to be made. Performance in Quarter 4 before the impact of Covid-19's lockdown was felt was 92%. Please note that inspections are up to date – the target

		performance is being affected by not all inspections being within 28 days of scheduled and it should be noted that the Council's EHOs are involved in enforcing the Covid-19 regulations. In addition, many food premises are closed.
ED08 Proportion of Tree Preservation Orders (TPO) confirmed within 6 months	100%	87.5% 1 out of 8 late.
CSe14 Actual car parking revenue as a percentage of car parking expenditure (including recharges).	151%	144% Most significant contributing factor is a £82k shortfall in carpark ticket sales across City Council carparks.
FR03 Average number of working days lost due to sickness absence per FTE (full-time equivalent) employee.	10.3	12.1 Sickness Absence is a separate agenda item at the Business & Transformation Scrutiny Panel in July.
FR07a Internal Audit - Percentage of planned audit reviews (or approved amendments to the plan) completed in respect of the financial year - to DRAFT	95%	79% Below target due to vacancy (including additional recruitment, induction and training required), along with disruption caused by Covid-19 pandemic requiring some planned reviews to be delayed.
FR07b Internal Audit - Percentage of planned audit reviews (or approved amendments to the plan) completed in respect of the financial year - FINAL	80%	68% Will increase to 79% by July 2020 Audit Committee.
FR09 Internal Audit - Percentage of draft internal reports issued by the agreed deadline or formally approved revised deadline agreed by Audit Manager and client	80%	63% Disruption in year, including additional investigatory work caused some delays in finalising audit reports.
FR17 Internal Audit – Proportion of audit recommendations implemented	80%	63% These are monitored on a regular basis by both the Audit team and Audit Committee Management responses/updates are received for all outstanding recommendations.

2. PROPOSALS

None

3. RISKS

None

4. CONSULTATION

The report was reviewed by Directorate Management Teams in January, by the Senior Management Team also in January and has been considered at the three Scrutiny Panels.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

The Executive are asked to note the Quarter 3 Performance Report and agree to the Key Performance Indicator changes listed.

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

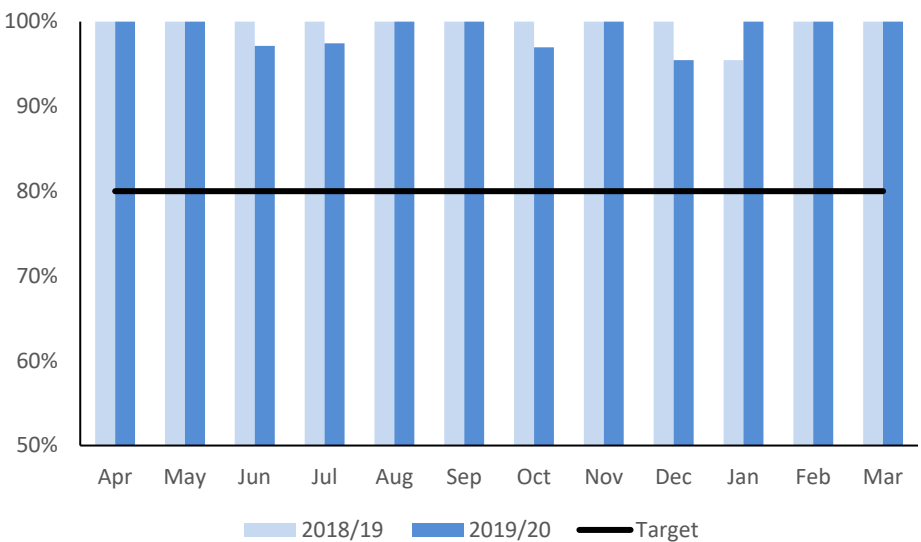
Section 1: Service Standards 2019/20

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.

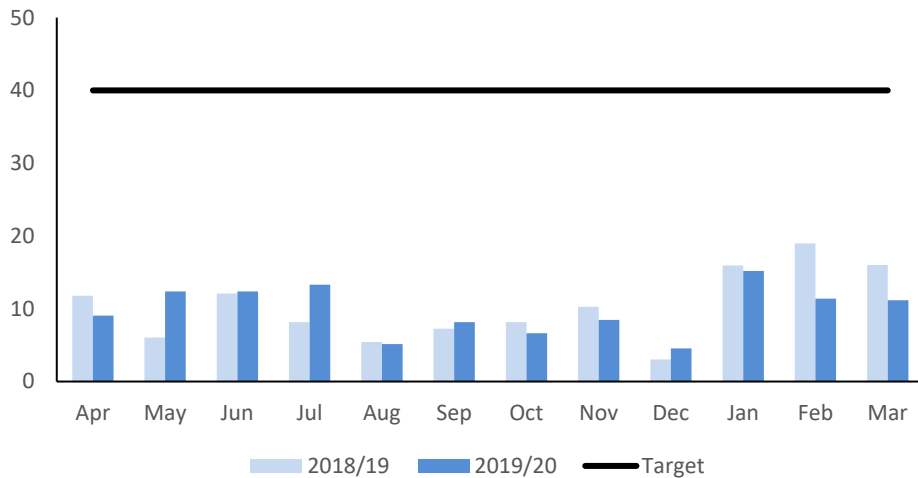
Service Standards are the measures judged to be the most important to our customers and therefore the mostly likely to influence the overall satisfaction with how the Council performs.

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

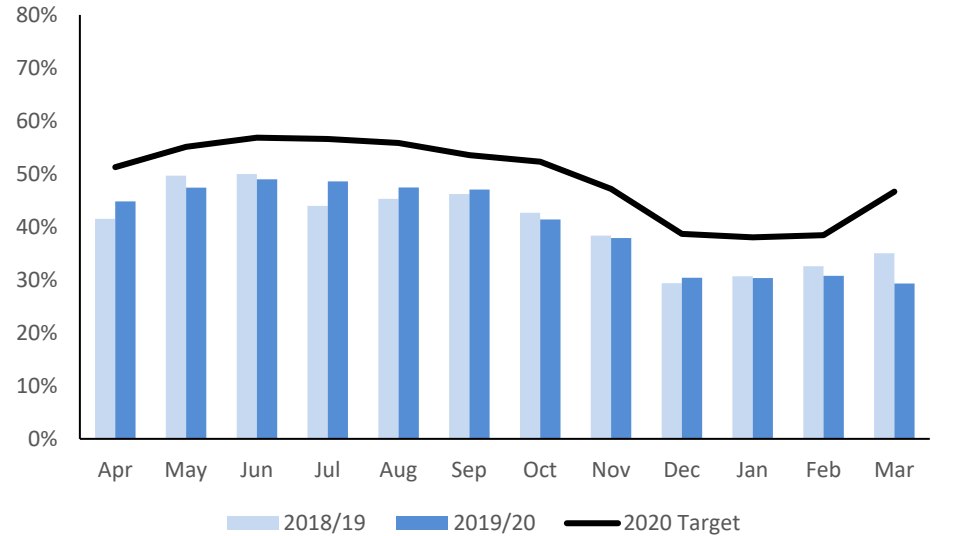
SS01: Percentage of Household Planning Applications processed within eight weeks

Service Standard	2019/20	Performance by Month	Further Information
80% (Nationally set target)	98.7%	 <p>305 household planning applications processed in 2019/20 compared with the same number last year.</p>	
	(2018/19: 99.7%)		
	On target?		
	✓		

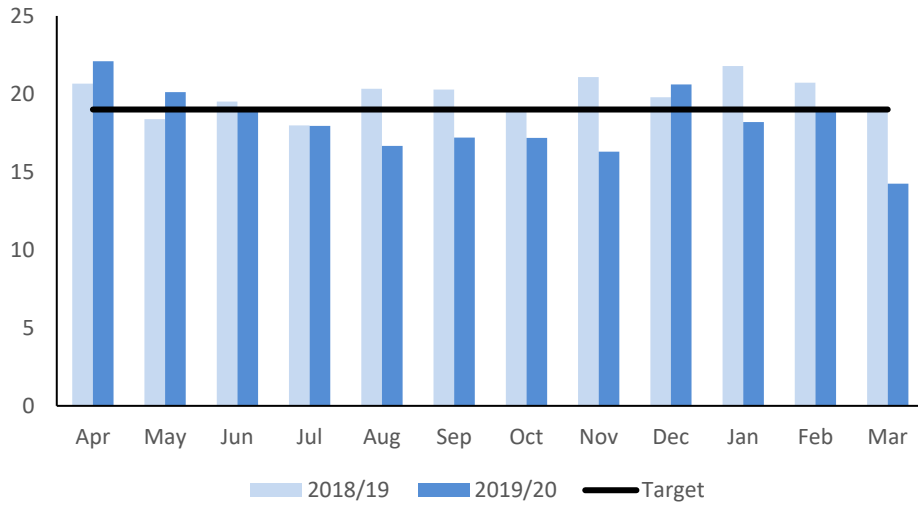
SS02: Proportion of waste or recycling collections missed (valid)

Service Standard	2019/20	Performance by Month	Further Information																																							
40 missed collections per 100,000 (Industry standard)	9.8 (2018/19: 10.1)	 <table><thead><tr><th>Month</th><th>2018/19</th><th>2019/20</th></tr></thead><tbody><tr><td>Apr</td><td>12</td><td>9</td></tr><tr><td>May</td><td>6</td><td>12</td></tr><tr><td>Jun</td><td>12</td><td>12</td></tr><tr><td>Jul</td><td>8</td><td>13</td></tr><tr><td>Aug</td><td>5</td><td>5</td></tr><tr><td>Sep</td><td>7</td><td>8</td></tr><tr><td>Oct</td><td>8</td><td>7</td></tr><tr><td>Nov</td><td>10</td><td>8</td></tr><tr><td>Dec</td><td>3</td><td>4</td></tr><tr><td>Jan</td><td>16</td><td>15</td></tr><tr><td>Feb</td><td>19</td><td>11</td></tr><tr><td>Mar</td><td>16</td><td>11</td></tr></tbody></table>	Month	2018/19	2019/20	Apr	12	9	May	6	12	Jun	12	12	Jul	8	13	Aug	5	5	Sep	7	8	Oct	8	7	Nov	10	8	Dec	3	4	Jan	16	15	Feb	19	11	Mar	16	11	Nearly four million collections were due to be made in the year. 369 collections were missed meaning the success rate was 99.99%.
	Month		2018/19	2019/20																																						
	Apr		12	9																																						
May	6	12																																								
Jun	12	12																																								
Jul	8	13																																								
Aug	5	5																																								
Sep	7	8																																								
Oct	8	7																																								
Nov	10	8																																								
Dec	3	4																																								
Jan	16	15																																								
Feb	19	11																																								
Mar	16	11																																								
On target?																																										
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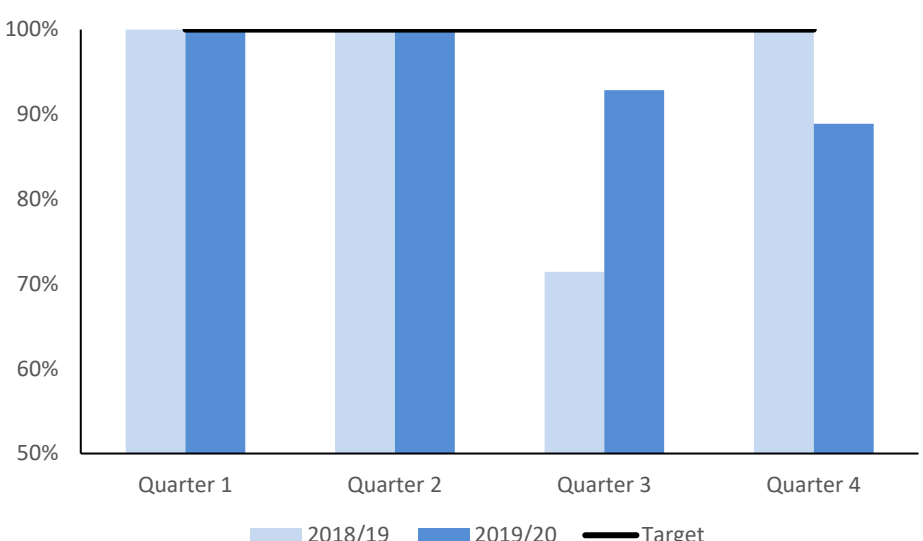
SS03: Percentage of household waste sent for recycling (including bring sites)

Service Standard	2019/20	Performance by Month	Further Information
50% by 2020 (Nationally set target)	41.3%	 <p>80% 70% 60% 50% 40% 30% 20% 10% 0%</p> <p>Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar</p> <p>2018/19 2019/20 2020 Target</p>	<p>Recycling rates nationally have stagnated and even reduced in some areas.</p> <p>A new 'campaign' to increase participation in recycling started earlier in the year.</p>
	(2018/19: 41.3%)		
	On target?		
	✗		

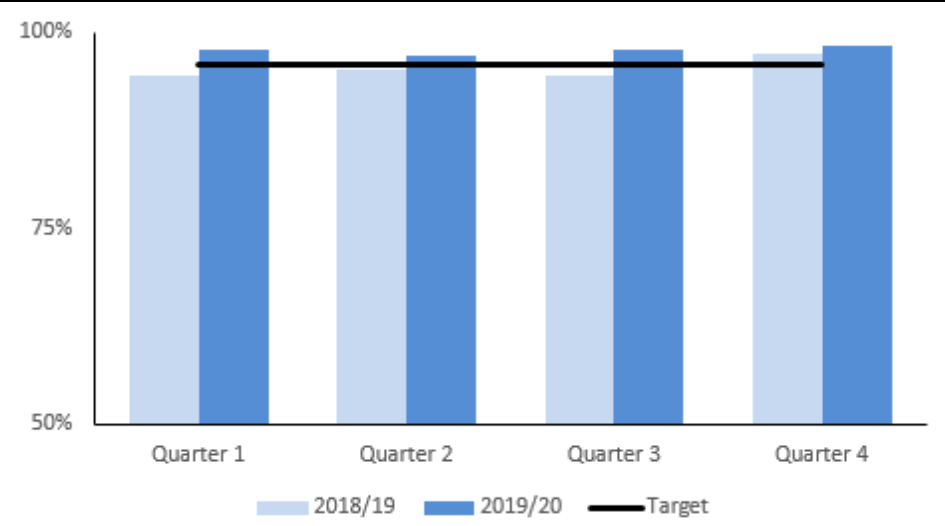
SS04: Average number of working days to process new benefits claims

Service Standard	2019/20	Performance by Month	Further Information																																																				
New claims should be processed within 19 days to achieve top two quartiles compared to other local authorities	17.8 days (2018/19: 18.9 days)	 <table><thead><tr><th>Month</th><th>2018/19 (days)</th><th>2019/20 (days)</th><th>Target (days)</th></tr></thead><tbody><tr><td>Apr</td><td>20.5</td><td>22.0</td><td>19.0</td></tr><tr><td>May</td><td>18.5</td><td>20.0</td><td>19.0</td></tr><tr><td>Jun</td><td>19.0</td><td>19.0</td><td>19.0</td></tr><tr><td>Jul</td><td>18.0</td><td>18.0</td><td>19.0</td></tr><tr><td>Aug</td><td>20.0</td><td>17.0</td><td>19.0</td></tr><tr><td>Sep</td><td>20.0</td><td>17.5</td><td>19.0</td></tr><tr><td>Oct</td><td>19.0</td><td>17.5</td><td>19.0</td></tr><tr><td>Nov</td><td>21.0</td><td>16.5</td><td>19.0</td></tr><tr><td>Dec</td><td>20.0</td><td>20.5</td><td>19.0</td></tr><tr><td>Jan</td><td>21.5</td><td>18.5</td><td>19.0</td></tr><tr><td>Feb</td><td>20.5</td><td>19.0</td><td>19.0</td></tr><tr><td>Mar</td><td>19.0</td><td>14.5</td><td>19.0</td></tr></tbody></table>	Month	2018/19 (days)	2019/20 (days)	Target (days)	Apr	20.5	22.0	19.0	May	18.5	20.0	19.0	Jun	19.0	19.0	19.0	Jul	18.0	18.0	19.0	Aug	20.0	17.0	19.0	Sep	20.0	17.5	19.0	Oct	19.0	17.5	19.0	Nov	21.0	16.5	19.0	Dec	20.0	20.5	19.0	Jan	21.5	18.5	19.0	Feb	20.5	19.0	19.0	Mar	19.0	14.5	19.0	3174 new claims were made in 2019/20.
	Month		2018/19 (days)	2019/20 (days)	Target (days)																																																		
	Apr		20.5	22.0	19.0																																																		
May	18.5	20.0	19.0																																																				
Jun	19.0	19.0	19.0																																																				
Jul	18.0	18.0	19.0																																																				
Aug	20.0	17.0	19.0																																																				
Sep	20.0	17.5	19.0																																																				
Oct	19.0	17.5	19.0																																																				
Nov	21.0	16.5	19.0																																																				
Dec	20.0	20.5	19.0																																																				
Jan	21.5	18.5	19.0																																																				
Feb	20.5	19.0	19.0																																																				
Mar	19.0	14.5	19.0																																																				
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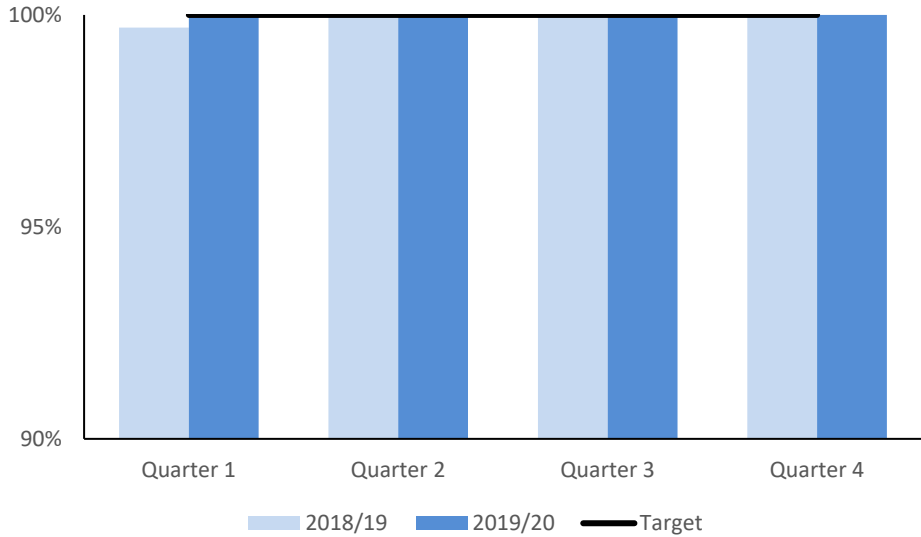
SS05: Proportion of corporate complaints dealt with on time

Service Standard	2019/20	Performance by Quarter	Further Information
Corporate complaints should be dealt with within 15 working days	95%	 <p>100% 90% 80% 70% 60% 50%</p> <p>Quarter 1 Quarter 2 Quarter 3 Quarter 4</p> <p>2018/19 2019/20 Target</p>	One late rely in Quarter 4 was due to a complicated issue that needed further investigation. The customer was kept informed throughout the process. 34 complaints in the year.
	(2018/19: 93%)		
	On target?		
	▲		

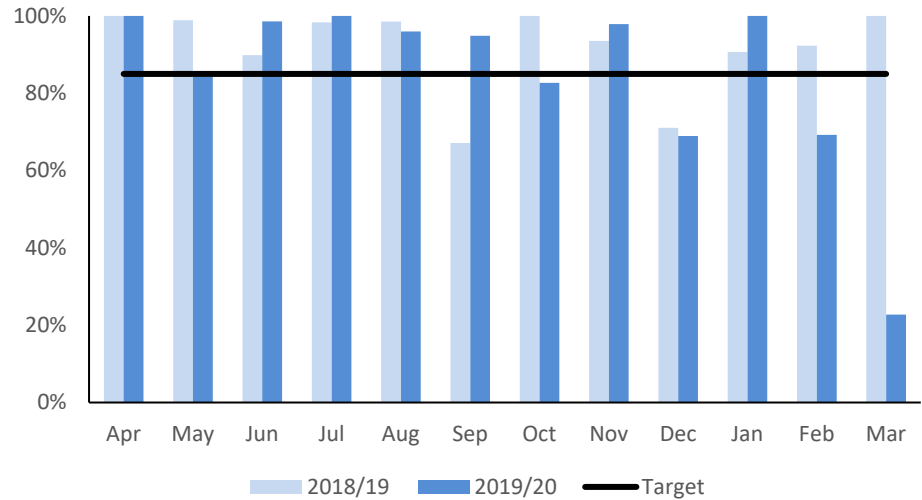

SS06: Proportion of food businesses that are broadly compliant or better with food safety legislation

Service Standard	Rolling figure to end of Quarter 4 2019/20	Performance by Quarter	Further Information																				
Our work with local food businesses should ensure that 96% are at least broadly compliant.	98.5%	 <p>The chart displays performance by quarter for two periods: 2018/19 (light blue bars) and 2019/20 (dark blue bars). A black horizontal line represents the target at 96%. The y-axis ranges from 50% to 100% in 25% increments. The x-axis lists Quarter 1, Quarter 2, Quarter 3, and Quarter 4. In 2018/19, performance was approximately 94% in Q1, 94% in Q2, 94% in Q3, and 95% in Q4. In 2019/20, performance was approximately 97% in Q1, 97% in Q2, 97% in Q3, and 98% in Q4. All 2019/20 values are above the 96% target line.</p> <table><tr><th>Quarter</th><th>2018/19 (%)</th><th>2019/20 (%)</th><th>Target (%)</th></tr><tr><td>Quarter 1</td><td>94</td><td>97</td><td>96</td></tr><tr><td>Quarter 2</td><td>94</td><td>97</td><td>96</td></tr><tr><td>Quarter 3</td><td>94</td><td>97</td><td>96</td></tr><tr><td>Quarter 4</td><td>95</td><td>98</td><td>96</td></tr></table>	Quarter	2018/19 (%)	2019/20 (%)	Target (%)	Quarter 1	94	97	96	Quarter 2	94	97	96	Quarter 3	94	97	96	Quarter 4	95	98	96	Approximately 200 premises are inspected each quarter. All premises are inspected at least once every eighteen months.
	Quarter		2018/19 (%)	2019/20 (%)	Target (%)																		
	Quarter 1		94	97	96																		
Quarter 2	94	97	96																				
Quarter 3	94	97	96																				
Quarter 4	95	98	96																				
On target?																							
✓																							

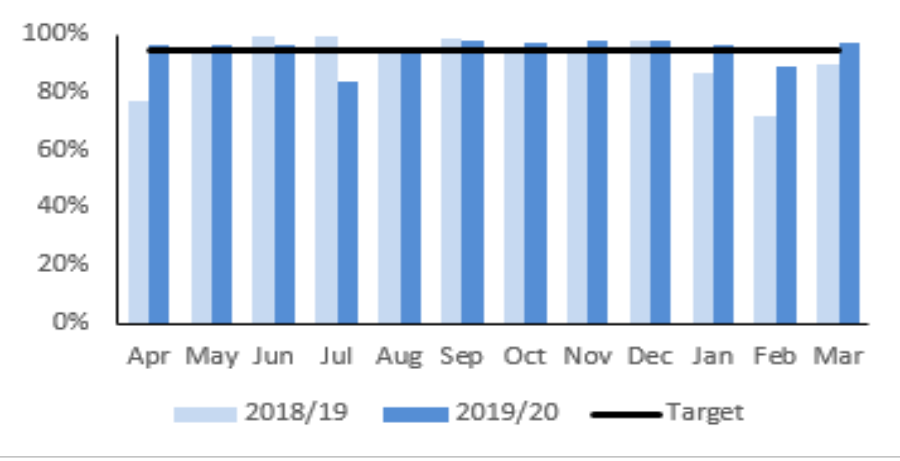
SS07: Proportion of non-contentious licence applications completed on time

Service Standard	2019/20	Performance by Quarter	Further Information
100% of non-contentious licence applications should be completed within 10 working days	100%	 <p>751 out of 751 applications completed on time in 2019/20.</p>	
	(2018/19: 99.9%)		
	On target?		
	✓		

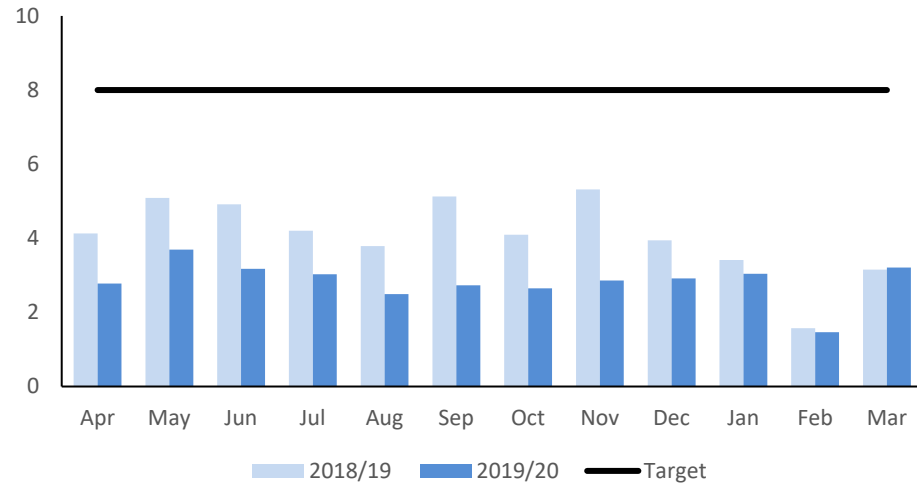
SS08: Proportion of official local authority searches completed on time

Service Standard	2019/20	Performance by Month	Further Information																																							
85% of official local authority searches should be completed within 10 working days	86%	 <table><tr><th>Month</th><th>2018/19 (%)</th><th>2019/20 (%)</th></tr><tr><td>Apr</td><td>100</td><td>100</td></tr><tr><td>May</td><td>98</td><td>85</td></tr><tr><td>Jun</td><td>90</td><td>98</td></tr><tr><td>Jul</td><td>98</td><td>100</td></tr><tr><td>Aug</td><td>98</td><td>95</td></tr><tr><td>Sep</td><td>68</td><td>95</td></tr><tr><td>Oct</td><td>100</td><td>82</td></tr><tr><td>Nov</td><td>95</td><td>98</td></tr><tr><td>Dec</td><td>72</td><td>70</td></tr><tr><td>Jan</td><td>90</td><td>100</td></tr><tr><td>Feb</td><td>92</td><td>70</td></tr><tr><td>Mar</td><td>100</td><td>22</td></tr></table>	Month	2018/19 (%)	2019/20 (%)	Apr	100	100	May	98	85	Jun	90	98	Jul	98	100	Aug	98	95	Sep	68	95	Oct	100	82	Nov	95	98	Dec	72	70	Jan	90	100	Feb	92	70	Mar	100	22	554 searches were completed in the year.
	Month		2018/19 (%)	2019/20 (%)																																						
	Apr		100	100																																						
May	98	85																																								
Jun	90	98																																								
Jul	98	100																																								
Aug	98	95																																								
Sep	68	95																																								
Oct	100	82																																								
Nov	95	98																																								
Dec	72	70																																								
Jan	90	100																																								
Feb	92	70																																								
Mar	100	22																																								
On target?																																										
																																										

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

Service Standard	2019/20	Performance by Month	Further Information
95% delivered within 10 working days	95.4%	 <p>5706 deliveries were made in 2019/20. Performance has improved since the recruitment of a new permanent driver in mid-August</p>	
	(2018/19: 99.9%)		
	On target?		
	✓		

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

Service Standard	2019/20	Performance by Month	Further Information																																							
Changes should be processed within 8 days	2.7 days	 <table><thead><tr><th>Month</th><th>2018/19</th><th>2019/20</th></tr></thead><tbody><tr><td>Apr</td><td>4.2</td><td>2.8</td></tr><tr><td>May</td><td>5.1</td><td>3.7</td></tr><tr><td>Jun</td><td>4.9</td><td>3.2</td></tr><tr><td>Jul</td><td>4.2</td><td>3.0</td></tr><tr><td>Aug</td><td>3.8</td><td>2.5</td></tr><tr><td>Sep</td><td>5.1</td><td>2.8</td></tr><tr><td>Oct</td><td>4.1</td><td>2.7</td></tr><tr><td>Nov</td><td>5.3</td><td>2.9</td></tr><tr><td>Dec</td><td>3.9</td><td>2.9</td></tr><tr><td>Jan</td><td>3.4</td><td>3.0</td></tr><tr><td>Feb</td><td>1.5</td><td>1.4</td></tr><tr><td>Mar</td><td>3.1</td><td>3.2</td></tr></tbody></table>	Month	2018/19	2019/20	Apr	4.2	2.8	May	5.1	3.7	Jun	4.9	3.2	Jul	4.2	3.0	Aug	3.8	2.5	Sep	5.1	2.8	Oct	4.1	2.7	Nov	5.3	2.9	Dec	3.9	2.9	Jan	3.4	3.0	Feb	1.5	1.4	Mar	3.1	3.2	Over twenty-eight thousand changes were processed in 2019/20.
	Month		2018/19	2019/20																																						
	Apr		4.2	2.8																																						
May	5.1	3.7																																								
Jun	4.9	3.2																																								
Jul	4.2	3.0																																								
Aug	3.8	2.5																																								
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Oct	4.1	2.7																																								
Nov	5.3	2.9																																								
Dec	3.9	2.9																																								
Jan	3.4	3.0																																								
Feb	1.5	1.4																																								
Mar	3.1	3.2																																								
On target?																																										
✓																																										

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.

Note that the KPIs relating to customer satisfaction have been deferred until later in the year due to the ongoing response to the Covid-19 pandemic.

Section 3: Carlisle Plan on a Page 2016–19 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 following the reporting of Quarter 1 performance. 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 4 2019/20 against project plan / key milestones achieved	Future High Street Fund - Draft business case shared with MHCLG on 15 March for feedback
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 4 2019/20 against project plan / key milestones achieved	Carlisle Railway Station: Ongoing development of the outline business case

	Citadels: Appointment of multidisciplinary team to begin the preparation of the outline business case Caldew Riverside: Ongoing development of the remediation strategy for the site
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 4 2019/20 against project plan / key milestones achieved	<ul style="list-style-type: none"> • Ongoing engagement with the full range of infrastructure providers in particular utilities, education and health, on a district wide basis but with the focus on St Cuthbert's Garden Village; • Continued research into funding streams for delivery of infrastructure, most recently with respect to green infrastructure; • Grant Funding Agreement drawn up with respect to funding from the Cumbria LEP for a highway improvement project at Sewell's Lonning; • Viability work continues to be an important element of work, with the viability report on the options for the Garden Village now signed off. The next stage is the approach to the viability appraisal of the preferred option.
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 4 2019/20 against project plan / key milestones achieved	Ongoing engagement with the full range of infrastructure providers in particular utilities, education and health, on a district wide basis but with the focus on St Cuthbert's Garden Village. Viability work continues to be an important element of work, with the viability report on the options for the Garden Village now signed off. The next stage is the approach to the viability appraisal of the preferred option.
Emerging issues / risks to the project	None

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.

Progress in Quarter 4 2019/20 against project plan / key milestones achieved	<p>Progress continues to be made on the Sands Centre enabling work at the former Newman School and on site. Due to the Coronavirus epidemic some challenges have been encountered with regard to supply of materials and labour. In addition, the Sands Centre events hall was requisitioned as a Covid-19 recovery centre and has been converted into a temporary hospital facility.</p> <p>Work also continues to conclude the contract arrangements for the main works contract. Key risks arising from the project and additionally further issues linked to the Coronavirus are currently being assessed. Once this exercise has been concluded a consultation process will begin in line with the Scheme of Delegation for this major project.</p>
Emerging issues / risks to the project	<p>A full project risk assessment has recently been undertaken. From this new risk assessment, the following represent the most significant risks:</p> <ul style="list-style-type: none"> - Additional time and cost delays arising from material and / or labour supply during the Covid-19 crisis. - Continued occupation of the events hall preventing progress on the main works project - Additional costs (beyond the project budget) arising from a need to replace the RAAC roof planks in the events hall roof structure.

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 4 2019/20 against project plan / key milestones achieved	The last Healthy City forum was postponed due to the Covid-19 response. However, a mapping document has been developed to capture activity and help identify need and a skeleton letter of support template has been developed.
Emerging issues / risks to the project	None

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 4 2019/20 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 2019/20

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✗	Off target
▲	Close to target (within 5%)
✓	On target

On Target?	New Code	Measure	Annual Performance 2019/20	Annual Performance 2018/19	Trend	Target	Comments
N/A	CSe02	Internal measure of street cleanliness	N/A	82%	N/A	82%	Deferred until later in the year due to C-19 response.
▲	CSe03	Average weight (Kg) of domestic non-recycled waste collected per house	475	472	↓	472	
✗	CSe04	Revenue gained from household waste recycling collected	£ 513,172	£ 493,116	↑	£ 668,500	
N/A	CSe05	Proportion of all Carlisle waste recycled (including partners)	55.1%	55.3%	↓	Info only	
✓	CSe08	Litres of fuel used by Council fleet	369,689	380,614	↑	380,614	
N/A	CSe09	Number of incidents involving Council fleet.	110	110	→	Info only	110 incidents reported to Council's insurance
N/A	CSe10a	Number of Fixed Penalty Notices issued for fly tipping	23	6	↑	Info only	
N/A	CSe10b	Number of Fixed Penalty Notices issued for littering	91	39	↑	Info only	Including 'Littering from a Vehicle'
N/A	CSe10c	Number of Fixed Penalty Notices issued for dog fouling	11	5	↑	Info only	
N/A	CSe10d	Number of Fixed Penalty Notices issued for abandoned vehicles	1	2	↓	Info only	
N/A	CSe11a	Number of counts/reports of fly tipping	468	331	↑	Info only	
N/A	CSe11b	Number of counts/reports of littering	66	63	↑	Info only	
N/A	CSe11c	Number of counts/reports of dog fouling	215	255	↓	Info only	
N/A	CSe11d	Number of counts/reports of graffiti	4	0	↑	Info only	
N/A	CSe11e	Number of counts/reports of abandoned vehicles	412	397	↑	Info only	
▲	CSe12a	Proportion of acts of fly tipping responded to in full within 5 working days	95.1%	97.9%	↓	100%	
N/A	CSe12b	Proportion of acts of offensive graffiti responded to in full within 1 working day	N/A	N/A	N/A	100%	None reported
▲	CSe12c	Proportion of abandoned vehicles initially investigated within 5 working days	99.0%	99.2%	↓	100%	
✗	CSe14	Actual car parking revenue as a percentage of car parking expenditure (including recharges).	144.2%	148%	↓	150.6%	Revenue under target
✓	CSe18	Actual Old Fire Station (OFS) revenue as a percentage of OFS expenditure (including recharges).	28.2%	26.6%	↑	25.3%	
N/A	CSe19	Old Fire Station count of event attendees (direct count of ticket sales)	12019	15790	↓	Info only	Excludes visitors to the venue (café or to buy tickets) and private hire room bookings
▲	CSe22	Actual city centre revenue as a percentage of city centre expenditure (including recharges)	39.9%	34.3%	↑	42.5%	
✓	CSe24	Actual Bereavement Services revenue as a percentage of Bereavement Services expenditure (including recharges)	185.9%	186.5%	↓	182.4%	
▲	CSe25	Actual Talkin Tarn revenue as a percentage of Talkin Tarn expenditure (including recharges)	82.9%	92.2%	↓	83.7%	
N/A	CSe26	Proportion of allotment sites that are self-managed.	16.0%	19.0%	↓	Info only	
N/A	CSe27	Proportion of allotment plots that are occupied.	86.0%	84.0%	↑	Info only	Excluding self-managed sites

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On Target?	New Code	Measure	Annual Performance 2019/20	Annual Performance 2018/19	Trend	Target	Comments
✓	CSe29	Percentage of play area safety inspection completed on time.	100%	100%	→	100%	
N/A	CSe33a	Number of applications submitted to external funders supporting the key actions in the Carlisle Plan 2015-18, priorities of the Carlisle Partnership and other Council policies and strategies	26	39	↓	Info only	
N/A	CSe33b	Number of applications submitted to external funders supporting the key actions in the Carlisle Plan 2015-18, priorities of the Carlisle Partnership and other Council policies and strategies that have been successful	14	24	↓	Info only	8 other applications either awaiting outcome or full bid in development
N/A	CSe33c	Additional income generated through applications to support the key actions in the Carlisle Plan 2015-18, priorities of the Carlisle Partnership and other Council policies and strategies	£ 1,620,505	£ 1,991,965	↓	Info only	
N/A	CSe36a	Social media reach: Facebook post reach - monthly average	364264	191385	↑	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	204700	146317	↑	Info only	
✓	CSu02	Proportion of customer "calls for service" logged in Salesforce completed on-line	16.7%	16.1%	↑	16.1%	From calls logged in Salesforce CRM (6510 out of 38997 logs).
▲	CSu04	Percentage of Council Tax collected	97.1%	97.4%	↓	97.4%	
▲	CSu05	Percentage of NNDR collected	97.4%	98.4%	↓	98.4%	
✓	CSu06	Proportion of direct social media messages on Facebook and Twitter responded to within 24 hours (work days)	100%	100%	→	100%	
✓	CSu07	Customer Services - Respond to customer emails within 48hrs	96%	N/A	N/A	90%	New measure for 2019/20
✓	ED02	Building Control to process S80 demolition notices within six weeks (statutory duty)	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)	99.1%	97.6%	↑	100%	428/432 on time in 2019/20
✓	ED04	Actual Building Control revenue as a percentage of Building Control expenditure (including recharges).	91.3%	92.1%	↓	81%	
✓	ED11	% of valid full plan applications determined or checked by Building Control within 5 working days	35.8%	N/A	N/A	25%	New measure for 2019/20
✓	ED12	% of valid full plan applications determined or checked by Building Control within 15 working days	100%	N/A	N/A	95%	New measure for 2019/20. Amendment to old ED03a
▲	ED13	% of site inspections carried out by Building Control on the date agreed	98.7%	N/A	N/A	99%	New measure for 2019/20. Amendment to old ED01. Over 6000 inspections carried out in 2019/20.

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On Target?	New Code	Measure	Annual Performance 2019/20	Annual Performance 2018/19	Trend	Target	Comments
✓	ED05	Proportion of major planning applications completed in 13 weeks or within agreed time extension	93.3%	93.3%	→	60%	28/30 completed within deadline or agreed extension
✓	ED06	Proportion of minor planning applications completed in 8 weeks or within agreed time extension	96.2%	98.4%	↓	80%	527 applications
✓	ED07	Proportion of 'other' planning applications completed in 8 weeks or within agreed time extension	97.7%	99.7%	↓	80%	257 applications
✗	ED08	Proportion of Tree Preservation Orders (TPO) confirmed within 6 months	87.5%	100.0%	↓	100%	7/8 on time
✓	ED09	Proportion of hedgerow removal notifications determined within 6 weeks	100%	N/A	N/A	100%	None in 2018/19
▲	ED10	Proportion of Tree Preservation Order applications determined within statutory period of 8 weeks	97.6%	100.0%	↓	100%	
▲	FR01	Actual net spend as a percentage of annual net budget.	99.5%	99.4%	↑	100%	
✓	FR02	Percentage of all invoices paid within 30 working days	99.5%	99%	↑	98%	10139 invoices paid
✗	FR03	Average number of working days lost due to sickness absence per FTE (full-time equivalent) employee.	12.1	10.3	↓	10.3	Sickness Absence is a separate agenda item at the Business & Transformation Scrutiny Panel later in the year
▲	FR04	Percentage of return to work interviews completed in five working days of returning to work.	75%	76.7%	↓	76.7%	
N/A	FR06	Proportion of debts recovered (sundry debtors)	92.3%	N/A	N/A	N/A	New measure for 2019/20. Rolling 12 months to end of March 2020
✗	FR07a	Internal Audit - Percentage of planned audit reviews (or approved amendments to the plan) completed in respect of the financial year - to DRAFT	79%	92%	↓	95%	Below target due to vacancy (including additional recruitment, induction and training required), along with disruption caused by Covid-19 pandemic requiring some planned reviews to be delayed.
✗	FR07b	Internal Audit - Percentage of planned audit reviews (or approved amendments to the plan) completed in respect of the financial year - FINAL	68%	N/A	N/A	80%	Will increase to 79% by July 2020 Audit Committee.
✗	FR09	Internal Audit - Percentage of draft internal reports issued by the agreed deadline or formally approved revised deadline agreed by Audit Manager and client	63%	91%	↓	80%	Disruption in year, including additional investigatory work caused some delays in finalising audit reports.
✓	FR10	Internal Audit - Percentage of final internal audit reports issued for Corporate Director comments within 8 working days of management response or closeout	93%	100%	↓	90%	
▲	FR11	Internal Audit - Percentage of recommendations accepted by management	95%	100%	↓	95%	
✓	FR12	Internal Audit - Percentage of individual reviews completed to required standard within target days	62%	69%	↓	60%	



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On Target?	New Code	Measure	Annual Performance 2019/20	Annual Performance 2018/19	Trend	Target	Comments
✓	FR14	Internal Audit - Percentage of customer satisfaction survey scoring the service as "good"	100%	100%	→	90%	
✓	FR15	Internal Audit - Percentage of chargeable time	83%	80%	↑	80%	
✗	FR17	Internal Audit – Proportion of audit recommendations implemented	63%	79%	↓	80%	These are monitored on a regular basis by both the Audit team and Audit Cttee. Management responses/updates are received for all outstanding recommendations
N/A	GRS01	Number of internal accidents/incidents per Full Time Equivalent (FTE)	0.09	0.07	↓	Info only	39 incidents reported in 2019/20
N/A	GRS02	Number of internal RIDDORS per FTE	0.005	0.01	↑	Info only	2 RIDDORS reported in 2019/20
✓	GRS03	% safety audits completed on time and sent to service manager	100%	100%	→	100%	All planned audits completed
N/A	GRS04	Proportion of contested licence applications decided on within 50 working days.	N/A	100%	N/A	95%	0 contested applications
✓	GRS05	Proportion of Temporary Event Notices licences processed within 1 working day.	100%	100%	→	100%	184 applications in 2019/20
▲	GRS06	Proportion of public health service requests (pest control, noise, smells, house conditions) responded to within the target response times.	89.7%	92.8%	↓	90%	
✗	GRS10	Proportion of food hygiene inspections completed as scheduled	77.4%	N/A	N/A	90%	This is a new indicator. The indicator requires that scheduled inspections need to be completed within the FSA target of 28 days. As a new indicator there have been monitoring and administrative challenges which are being resolved. Improvements have been made in each quarter and will continue to be made. Performance in Quarter 4 before the impact of Covid-19's lockdown was felt was 92%. Please note that inspections are up to date – the target performance is being affected by not all inspections being within 28 days of scheduled and it should be noted that the Council's EHOs are involved in enforcing the Covid-19 regulations. In addition, many food premises are closed.

Executive

Agenda
Item:

A.11

Meeting Date: 22 June 2020
Portfolio: Governance and Regulatory Services
Key Decision: No
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: New Allocations Policy & Equality Impact Assessment
Report of: Corporate Director of Governance and Regulatory Services
Report Number: GD.22/20

Purpose / Summary:

The final draft of the Cumbria Choice Based Lettings Allocations Policy review (2020) is included as *Appendix 1*, together with an updated equality impact assessment (EIA) as *Appendix 2*. The updated policy relates to homelessness as well as allocations and it is recommended that the draft is referred to Scrutiny and considered by Officers prior to approval.

Recommendations:

That the updated allocations policy and EIA should be referred to Health & Wellbeing Scrutiny Panel and considered by Officers.

Tracking

Executive:	20 July 2020 (& 14 September 2020 if changes to policy recommended)
Scrutiny:	16 July 2020
Council:	8 September 2020

1. BACKGROUND

- 1.1** *Cumbria Choice* is the adopted social housing allocation policy of all six district councils in Cumbria, as well as all of the larger housing associations operating in the county. *Cumbria Choice* has been in operation since March 2011, and the policy is periodically reviewed by the partnership to ensure it remains fit for purpose and is fully compliant with the latest legislation and good practice.

2. PROPOSALS

- 2.1** As the updated draft policy also relates to homelessness, and not solely allocations, it falls within the remit of the Council's budget and policy framework, so will need to be considered through the full Committee process. Executive on 20 July will consider the response from Health and Wellbeing Scrutiny Panel and refer any changes to South Lakes District Council (who are the lead authority on *Cumbria Choice*). If there are no proposed amendments the policy review will be recommended to Council on 8 September for adoption; however, if there are proposed changes, these will be referred to Executive on 14 September.

3. RISKS

- 3.1** The Council needs to ensure it is in approval with the wording of the updated *Cumbria Choice* policy; however, there would be risks in not adopting the policy. Local authorities are legally required to have an allocation policy, and if the *Cumbria Choice* partnership ceased, the Councils would be required to come up with a new policy.
- 3.2** The partnership approach also has benefits for local residents, as prior to the implementation of *Cumbria Choice* in 2011, applicants for social housing had to apply separately to each housing provider (all of whom operated different allocation policy) so the old system was less transparent and consistent.

4. CONSULTATION

- 4.1** The revised policy and EIA will be considered by Health and Wellbeing Scrutiny Panel and relevant Officers.

5. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 5.1** Approval of the revised Cumbria Choice allocation policy, following Scrutiny and consideration by Officers, will ensure greater clarity and consistency for households registering for social housing in Carlisle, while simultaneously complying with legislative changes (including the Homelessness Reduction Act and resultant Statutory Guidance).

6. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 6.1** “Address current and future housing needs to protect and improve residents’ quality of life.”

Contact Officer: Gareth Torrens

Ext: 7169

**Appendices
attached to report:**

Appendix 1 – Cumbria Choice Based Lettings Allocations Policy (2020 Policy Review)

Appendix 2: Cumbria Choice: Revised Housing Allocations Scheme Equality Impact Assessment (EQIA) June 2020

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

Homeless and Rough Sleeping Strategy for Carlisle 2015-20

<https://www.carlisle.gov.uk/LinkClick.aspx?fileticket=O7JyYfUVyt4%3d&tabid=1888&portalid=0&mid=8408>

Homelessness Reduction Act 2017

<http://www.legislation.gov.uk/ukpga/2017/13/contents/enacted>

CORPORATE IMPLICATIONS:

LEGAL – The Council is required to have an allocations policy by virtue of Part VI of the Housing Act 1996. Furthermore, the Council has obligations under Part VII of the same Act in relation to Homelessness. The proposed policy is drafted in partnership with the other Cumbrian Councils so as to deal with the legislative requirements and have a consistent approach across Cumbria. Homelessness is one of the reserved matters under Carlisle City’s policy

framework (Article 4, Constitution) and, therefore, is required to follow the procedure for policy development.

PROPERTY SERVICES – No property implications.

FINANCE – There are no financial implications of adopting this revised allocation policy for social housing.

EQUALITY – The policy has been prepared with due regard to the Public Sector Equality Duty. An Equality Impact Assessment is included in the Executive paper.

INFORMATION GOVERNANCE – As part of the review, the data protection sections require updating as there are some out of date and some inaccurate points of information included within the Policy as it stands. In addition, the Privacy Notice on the Cumbria Choice website should also be reviewed in accordance with the eventual Policy amendments.



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Section 1 Introduction and Background

Members of the Cumbria Choice Based Letting Partnership

This document is the revised Housing Allocation Policy for the Cumbria Choice Partnership (CCP).

The Allocation Policy is called 'Cumbria Choice' and it is a choice based letting scheme where applicants can bid for advertised vacant properties. Cumbria Choice is a sub-regional partnership between the 6 Local Council Districts and 7 Registered Provider Housing Associations that own social housing stock across Cumbria.

The following are members of the Cumbria Choice Partnership:

Allerdale Borough Council
Barrow Borough Council
Carlisle City Council
Copeland Borough Council
Eden District Council
South Lakeland District Council

Plus the following Housing Associations:

Accent Housing
Eden Housing
Home Group
Impact Housing
Riverside Housing
South Lakes Housing
Castles and Coasts Housing Association

Each of these Registered Providers (commonly known as and referred to in this policy as Housing Associations) have voluntarily signed up to the policy to ensure that all applicants applying for social housing in Cumbria are provided with a single route of access to social housing and are assessed using a single policy. Where any individual housing association in Cumbria is not a partner to the policy and continues to let vacant properties owed to the Council under a nominations arrangement, this policy will apply to the nominations owed.

The participating Housing Associations listed above (contact details are set out in appendix 5) have agreed to advertise the majority of their available vacant properties through the scheme and in accordance with this policy.

The 'Cumbria Choice Partnership' is overseen by a 'Sub Regional Project Board', which is governed by a partnership agreement. The membership consists of one senior officer representative from each organisation. Each organisation has one vote within the partnership.

The Project Board will meet at least six times a year to oversee the running of the scheme and to monitor its compliance with local and national policy and guidance. The partnership will continue to monitor, fund, develop and make policy decisions about the scheme as appropriate.

The policy covers the nomination of any applicant under the scheme to be an assured or an assured short hold tenant of housing accommodation held by any participating Housing Association across Cumbria, whether by way of a legally enforceable arrangement or not. This includes a nomination of a 'starter tenancy'. Of the 6 Cumbrian Councils only Barrow still owns Council stock and the policy applies to allocations made for that stock.

This policy sets out who is, and who isn't, eligible for social housing in Cumbria and how the CCP will make this assessment. It details how applications to join the CCP Housing Register can be made, the priority they will be given, and how offers of social housing will be made.

This is a revised 'Housing Allocation Policy' and will take effect in respect of all allocations of housing on or after [insert date here](#). The assessment of need and qualifying criteria set out in this policy will be applied to all new and existing Applicants from this date.

Legal context

This is the 6 Cumbrian Councils Housing Allocation Policy as required by Part 6 of the Housing Act 1996. Applicants are able to apply for housing and all applications will be fully assessed.

When applying an applicant will be asked to choose a local authority or housing association partner to administer their application. Where a housing association partner assesses and administers an application they will, on behalf of the 6 Cumbrian local authorities, be formally discharging the legal responsibility for a local authority to receive applications and apply their adopted allocation policy to assess that application. All applications will be assessed and administered through applying this allocation policy: this being the legally adopted allocation policy for all 6 Cumbrian local authorities.

In developing this policy the Councils have followed and fully considered the following housing legislation, regulations, statutory guidance, and strategies:

- 1) The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
- 2) The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- 3) Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code";
- 4) Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) "Supplementary Code".

5) Plus the following statutory regulations:

- a. Allocation of Housing (Procedure) Regulations 1997, SI 1997/483;
- b. Allocation of Housing (England) Regulations 2002, SI 2002/3264;
- c. Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
- d. Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869;
- e. Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989.
- f. The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- g. 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)'

In framing our allocations scheme this policy has had regard to the District Council's Homelessness and Rough Sleeping Strategy, Housing Strategy, and Tenancy Strategy as well as the Equality Act 2010.

In relation to f) above in accordance with the Right to Move statutory guidance on housing allocations for local housing authorities in England (Department for Communities and Local Government, March 2015) the Policy sets a limit of no more than 2% of lettings will be allocated to social housing tenants from outside of Cumbria who need to move for employment purposes.

All references to statutory materials are by way of summary and for convenience only, and are not to be used as substitutes for the details within the original.

Where the Policy refers to the Cumbrian Choice Partnership, or CCP, this is to be taken to mean each of the 6 Cumbrian Councils. Each Council has adopted this Policy as its legal Allocation Policy to meet the statutory duty under Part 6 of the Housing Act 1996.

This Allocation Policy applies when a Cumbrian Council:

- a) Selects a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation owned by Barrow Borough Council as the other 5 Council Partners no longer retain social housing stock).
- b) Nominates a person to be a secure or introductory tenant of housing accommodation (i.e. in practice accommodation held by another housing authority).
- c) Nominates a person to be an assured tenant or assured shorthold tenant of

housing accommodation held by a Registered Provider (commonly referred to in the Policy as Housing Associations).

The above includes Affordable Rent properties and Flexible (i.e. fixed term) tenancies.

For details of lettings not covered by the policy see appendix 1.1

The key aims and objectives set for the Policy

The key aims and objectives adopted for the Policy are:

1. A Policy that meets the legal requirements placed on each Cumbrian Council, namely to give appropriate priority to applicants who fall within the Housing Act “reasonable preference” categories
2. To ensure there is a social housing lettings service that embraces equality and diversity by being open and fully accessible to all individuals.
3. To improve the means by which local people in Cumbria gain access to social rented housing by providing a modern and easy to understand allocation system which offers realistic choices.
4. A Policy that is simple to understand and use, is transparent and is seen as fair by the general public and applicants
5. To support the objective of making the best use of the social housing stock in Cumbria, and to support mobility across Cumbria especially where residents need to access to employment.
6. A Policy that contributes to creating balanced and sustainable communities, and helps attract new customers to areas of low demand thereby reducing void times on any ‘harder to let’ properties.

Making changes to the Policy

Any major change to the Policy can only be made after a copy of the proposed amendments have been consulted on by sending to every Registered Provider Housing Association in Cumbria, regardless of whether an association is a participating member of the CCP. (Section s166A (13) Housing Act 1996).

All major changes must first, be agreed by the CCP Partnership Board who will make recommendations that will then be considered:

- a) By each of the 6 Cumbrian Councils, and
- b) By each participating Partner Housing Association.

Details of how major changes will be considered by each of the 6 Cumbrian Councils are set out in appendix 9.

For minor changes to the policy or the operational procedures, decisions will be delegated to the CCP Board who will consult with the lead officer responsible for housing in each Council, (or their delegated officer), and with the Chief Executive for each CCP Partner Housing Association (or their delegated officer).

All major changes to the policy will be notified to those it may affect within a reasonable period of time.

General Data Protection Regulations 2018

We will ensure for any person on the housing register their information is stored lawfully and we act in a fair and transparent way in processing their data. We will only collect data that is specific, explicit and legitimate for the purpose of the application and lettings processes set out in this policy. The data will be kept up to date and not held unnecessarily or without appropriate security measures in place. Information will only be shared with other organisations or individuals in order to legitimately assess and progress a person's housing, for the prevention of fraud or with the person's explicit consent.

An applicant's permission to share their personal information is a qualification condition of being accepted onto the CCP housing register.

Appendix 1.2 sets out the details for how the scheme will apply:

- 1) The General Data Protection Regulations 2018
- 2) The 'Privacy Notice' for the policy, and
- 3) An applicant's right to information

Equality, accessibility and monitoring

The CCP is committed to ensuring that the Policy and the implementation of all associated guidance and procedures are non-discriminatory and that all applicants are able to access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010; the Human Rights Act 1998; and for Children, Section 11 of the Children Act.

To identify the needs of our applicants the application contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability and other relevant criteria. The information obtained will be used to monitor the impact of the policy on minority and specific needs groups and to evidence the need for amendments, as may be required.

Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, Councils are required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as their legal Housing Allocation Policy.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The CCP will ensure that the policy complies with the current equality legislation and with all relevant statutory codes and guidance. The new policy has been subject to a full, detailed 'Equality Impact Audit' before it has been adopted (see

appendix 10). This EIA will be regularly reviewed as more monitoring information regarding the impact of the policy is obtained.

The outcomes for applicants identified as having specific needs or who meet the definition of a protected characteristic under the Equality Act will be monitored regarding the outcomes for applications to join the register and offers of social housing.

The CCP will monitor the policy and outcomes to ensure that it is meeting all legal requirements and that the aims and objectives set for the policy are being met. Monitoring will be used to ensure that:

- Those in the 'reasonable preference' categories are given priority for housing
- The Policy is complying with its Equality Act duties
- There is overall customer satisfaction with the scheme

Complaints

Complaints are separate to the circumstances where an applicant wishes to seek a review of a decision made on their application. Such a request should be made under the review procedure set out in section 4 and not through the complaints procedure.

Where an applicant wishes to make a complaint about poor service, or the way they have been treated, this should be made using the complaints procedure for the Cumbrian District Council where they currently live. A copy of the current complaints procedure for each of the 6 Councils is available on their websites.

Complaints regarding the handling of an application by a partner Housing Association should be made through that Association's complaints procedure which will be detailed on the Association's website.

Where a complaint relates to how an applicant has been dealt with under this policy an applicant has the right to continue with their complaint to the Local Government Ombudsman Service if they are unhappy with the response to their complaint.

The Local Government Ombudsman is an independent service run by Central Government to make sure that Councils provide the required standard of service to their customers.

The Ombudsman can investigate complaints about how the Council has done something, but they cannot question what has been done simply because someone did not agree with it.

The Ombudsman will normally deal with a complaint if a customer feels they have been treated unfairly as a result of maladministration.

For example, if a Council has:

- Delayed taking action without good reason

- Taken into account facts which are not relevant or ignored facts which are relevant
- Not followed their own rules or complied with the law
- Not taken action that they had promised to
- Given a customer the wrong information
- Not reached a decision in the correct way

The Ombudsman will not normally investigate a complaint:

- ✓ Until a Council has had the opportunity to review its decision (normally by accessing the complaints process), or
- ✓ If it is a matter which has been, are, or could be dealt with by the courts or an internal review procedure
- ✓ If it was a matter which the applicant was aware of more than twelve months before making the complaint

All complaints to the Ombudsman must be in writing. Applicants can request assistance from their local Councilor or ask an advocate to write on their behalf. The contact details for the Local Government Ombudsman are:

Local Government Ombudsman

PO Box 4771

Coventry CV4 0EH

Tel: 0300 061 0614.

You can also text 'call back' to 0762 480 3014.

Fax: 024 7682 0001

Website: www.lgo.org.uk

Statement on Choice

One of the key objectives of the Policy is to, as far as possible, give choice to applicants who wish to obtain social housing. This is why the CCP has taken the decision to operate the Policy through a 'choice based lettings' system (CBL). The aim being to give applicants the best possible choice over where they wish to live.

For all applicants who are eligible to be registered, they should be able to express a preference over any area that they would like to live in and the type of property they would prefer. However, the ability to satisfy that preference might be limited.

The housing pressures faced limit the degree of choice that can be offered, along with the responsibility the 6 Cumbria District Councils have to offer housing to applicants in urgent housing need, including the need to reduce the financial impact of temporary accommodation on a Council. As a result of housing pressures there is a limit on the degree of choice that can be offered. The district councils have to offer housing to applicants in urgent housing need, this reduces the financial impact of providing temporary accommodation on that Council.

Expressing a preference over where an applicant would prefer to live does not mean that preference can be met, nor prevent an applicant being offered suitable accommodation outside of their preferred area.

Any applicant will be asked to state any area where they believe they cannot live due to fear of violence, harassment or domestic abuse. The assessment will then consider the facts and decide whether the applicant can be allowed to restrict those areas.

The key policies on choice explained

A) When the CCP may make a direct offer outside of the choice based letting (CBL) system and, in exceptional circumstances, outside of the CBL band and date order system

Not all properties that become available will be advertised and offered through the Choice Based Lettings (CBL) system. There may be circumstances where for urgent operational or financial reasons there is a need to make a direct offer of housing outside the CBL and, in exceptional circumstances, outside of the band and date order criteria set out in this policy.

Specifically, this would be where there are urgent operational or financial reasons. Examples include but are not limited to:

- 1) Situations where urgent re-housing is required due to an applicants existing property being uninhabitable, or where there are serious health and safety or personal protection issues that need to be addressed or in discharge of a statutory homelessness duty.
- 2) Urgent housing need situations where it would not be reasonable in the circumstances to wait for the Choice Based Lettings process to produce an offer.
- 3) Where there is an evidenced threat to life in the area in which an applicant currently lives.
- 4) Tenants of a CCP Partner in emergency cases whose homes are damaged by fire, flood or other disaster
- 5) To facilitate a three way (or greater) mutual exchange. Mutual exchanges are not an allocation, but when it would make best use of its housing stock and support the needs of the tenants involved, the CCP may make available a property for a three-way exchange
- 6) Direct offers to persons who the council has a duty to rehouse under section 39 of the Land Compensation Act 1973.
- 7) Direct offers in order to meet an annual lettings plan in the circumstances where a decision has been taken to adopt an annual lettings plan.
- 8) Where an applicant is homeless and in temporary accommodation and owed a section 189B(2) Relief duty or 193(2) main duty a Partner Council may wish to implement a short term scheme to make direct lettings for a period of time to move applicants out of temporary accommodation, in order to manage any budgetary or legal impact. The CCP Board should be informed so that they can monitor to ensure that any scheme does not

undermine the key objective, which is to ensure that direct lets do not form more than 15% of all lettings.

- 9) If an applicant is not being realistic in the areas they are bidding for accommodation, and as a result they may be occupying a temporary accommodation unit that may be needed for another newly presenting homeless applicant.
- 10) Where a vacant adapted property or a property designed to disability standards becomes available and there may be a need to offer that property to an applicant whose disability need best matches that property, regardless of the date they were registered.
- 11) Where the assessment is that it is inappropriate for the applicant to participate in Choice Based Lettings. For example, vulnerable applicants nominated by Adult Social Care where work is on-going with social workers and care managers to decide on the best letting solution for that applicant.
- 12) Other examples include cases where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA), or presents a risk to themselves or others

Furthermore, we may decide to restrict the time an applicant is able to bid for accommodation in an area where they would prefer to live. An offer of accommodation may be made in any area that has been assessed as being suitable and safe for the applicant to live in.

We will provide information about the number and types of homes, and current vacancy rates, to help applicants to make informed choices. The more flexible applicants are in their choice of areas and property types, the sooner they are likely to be successful in being offered a property that meets their need.

The number of direct offers will be monitored and should add up to no more than 15% of all lettings annually made under the scheme. This is to preserve Choice Based Lettings as the primary method of letting social housing properties in Cumbria.

B) Penalty for refusing a set number of offers

Any applicant in Bands A or B who refuses 3 reasonable offers within a 12-month period will have their application placed into Band C for up to 12 months. This is to tackle the problem of applicants making unlimited bids that may result in higher refusal rates with resulting extended re-letting periods.

Criteria setting out what will be considered to be, and not be, a reasonable offer is set out in Appendix 4. A refusal of an offer of the correct size and type will normally be considered unreasonable.

C) Offers of accommodation made to any applicant owed any statutory homelessness duty under Part 7 of the Housing Act 1996

Specifically, for applicants owed the section 189B(2) 'relief of homelessness' duty, or the 'main homelessness duty' under section 193(2) of the Housing Act 1996 Part 7, the need to offer suitable housing may be considered more important than the need for the applicant to wait for an offer of accommodation in a location where they would prefer to live in.

If an applicant owed any of the statutory homelessness duties set out below refuses a written offer of suitable social housing accommodation made through this policy, then the duty owed to them will be discharged and they will lose any priority status afforded to them because of that homeless duty owed.

Applicants owed a statutory homeless duty will be identified through the IT system at the shortlisting stage. On identification of a suitable property the RP and LA partners will agree the a process for ensuring the a 'final offer warning letter' will be sent to the homeless applicant owed a statutory homelessness duty set out below. This will normally be to inform the relevant local authority Housing options Team that an offer is to made so they can send out a 'final offer warning letter'

In these circumstances unless they have another reason to be awarded a statutory housing need Band A or B under this policy, they will be placed into Band C. The offer they have refused will count as the first offer out of the 3 offers allowed within the 12 months period. They will no longer be owed any banding award for being owed a statutory homelessness duty, as that duty would have been brought to an end when they refused a suitable offer of social housing.

A statutory homeless duty is defined as:

- a) The prevention of homelessness duty under Section 195(2)
- b) The 'relief of homelessness duty under Section 189B(2)
- c) Where the relief duty has come to an end and an applicant is then owed a section 190 Intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty),
- d) The section 193(2) Main Homelessness duty or the section 193C(4) 'reduced' section 193 duty

For operational guidance notes:

Note 1: Where it has been decided to refer the case to another authority at either the 'Relief Stage' or at the 'Main Duty stage' of their homeless application, an applicant will not receive any banding for being owed any homelessness duty as the Council will owe no duty (other than, depending on the circumstances) an interim accommodation duty. Being owed an interim accommodation duty pending the outcome of a local connection referral does not qualify an applicant to be owed a banding A or B

Note 2: Where a Cumbria District Council has ended any statutory homeless duty and is exercising its power to provide accommodation pending a review decision (section 188(3) power) no statutory duty will be owed by the Council unless the outcome of any review is favourable for the applicant. Therefore where a review has been requested any banding priority for being owed any of the homelessness duties will be removed.

D) Where applicants in Band A have not bid within 3 months of being awarded Band A

Band A is an award of additional preference based on an applicant's very urgent need to be housed. The need to house someone urgently will be undermined if an applicant fails to bid because they may, for example, be waiting for the 'perfect property' to become available.

Therefore an award of Band A will be reviewed after 3 months for any applicant who has not bid, or where the view is that bids have been made but are not realistic.

The review after 3 months could result in a decision that:

- a) The Band A award should continue with further reviews scheduled for every 3 months, or
- b) The Band A award should be removed with the applicant losing additional preference and being placed into Band B, or
- c) That a direct offer should be made as soon as possible due to the urgent need for the applicant to move.

Note: There may be circumstances where no suitable properties have become available for an applicant to bid on within the 3-month period. In these circumstances an applicant will not have Band A removed and will continue to be able to bid. However, in recognition of their urgent need to move it may be agreed with the relevant local authority to make a direct offer for any property that is assessed as suitable to meet their urgent housing need.



Section 2: Who can apply to the Housing Register and the criteria for assessing who is eligible to be included

The CCP Housing Register is a single list of applicants across Cumbria who qualifies to be included on the scheme. It includes new applicants and existing social housing tenants living in Cumbria who are seeking a transfer.

Anyone over the age of 16 is eligible to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.

If an applicant is under 18 years of age they will not normally be offered a tenancy. This does not apply to young people living in a foster home or in residential care provided by Social Services for whom re-housing under the Children Act has been agreed and who are within 6 months of their 18th birthday. There is an agreed protocol between the Housing and Social Services departments covering housing for applicants who are looked after, or were formerly looked after.

Any offer to an applicant who is under the age of 18 will only be made after their ability to manage a tenancy has been fully assessed. This assessment is to make sure that they can cope with being a tenant at a young age and that they do not risk losing that tenancy offered through a lack of support.

If a person who is 16 or 17 is granted a tenancy, this will be held in trust until they reach 18. This means that another suitable person (such as a parent, legal guardian, social worker or relative) will be responsible for the tenancy.

The eligibility persons from abroad qualification rules

Everyone can apply to join the register but there are some groups of people who by law cannot join the register, regardless of their housing need or circumstances. These are people who:

- Come under the Government's 'persons from abroad' eligibility rules and cannot lawfully be given housing help;
- Do not live habitually in the Common Travel Area (UK, Channel Islands, the Isle of Man or the Republic of Ireland);
- Do not have the right to live in the UK;
- Plus other categories of people who the Government may in the future, decide are not eligible for housing assistance.

Under sections 160ZA (1), (2) and (4) of the Housing Act 1996 the CCP cannot allocate a tenancy, or nominate a person for housing, if they are a person who is ineligible for an allocation of housing accommodation by virtue of being a person subject to immigration control or a person from abroad who is prescribed as ineligible.

The relevant regulations that apply to eligibility are:

- Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)

The rules are complicated and anyone who is impacted or believe they may be impacted can approach any CCP Partner for advice, or seek independent legal advice.

The rules will change from 2021 due to the UK's exit from the EU and new regulations regarding eligibility for housing based on the EU settlement scheme. This policy will be amended to take into account any new rules.

The qualification rules adopted under the Policy

In addition to the Government's 'persons from abroad' rules setting out when a person is ineligible for an allocation of housing accommodation the housing laws allow for the CCP to define in the Policy who will be regarded as 'qualifying persons' (section 160ZA).

What this means is that under section 160ZA(7) is that the Policy can set out classes of people who are, or are not, qualifying persons. A number of qualification rules have been adopted by the CCP. There are also a number of defined exceptions to all, or an individual qualification rule. The qualification rules and exceptions are set out below.

Qualification Rule 1: Local Connection

Only those applicants with a local connection to Cumbria and who also have an assessed statutory housing need, as defined by this policy, are eligible to be included for the statutory reasonable preference housing needs Bands A and B. The local connection rules do not prevent an applicant from being awarded Band C as long as they meet the other qualification rules set, for example – as long as they are not disqualified through the unacceptable behavior rule.

There will be some properties advertised that may be subject to additional local connection requirements however, these will be clearly stated in the advert where this is the case. A local connection is defined as:

- a) Have lived within any area of Cumbria for the past year, or for 3 years in the last 5 and that residence was of their choice.
- b) Have immediate family (mother, father, brother, sister, son, daughter) who are currently living in Cumbria and have done so for at least the last 3 years
- c) Are employed in permanent employment in Cumbria. Employment is defined as paid employment for 16 hours or more per week for a period of one year, or self-employment where an applicant can demonstrate that the self-employed work they perform is in the Cumbria area and is on average 16 hours a week or more. The employment must be based on their actual place of work in the area and not based on a head office or regional office situated in the area but from which the applicant does not work. Where working hours

fluctuate i.e. casual or zero hours contract, an average will be taken over the last three months, or

- d) Have close family (normally mother, father, brother, sister, son or daughter) that have lived in Cumbria for a minimum of the past 3 years. We will consider whether there are exceptional circumstances where other family members may be considered as close. For example, the circumstances where an extended family member brought up a person in the absence of their own parents.
- e) Where there is an exceptional need to move to the area as determined for very special circumstances.

For the purposes of determining local connection for residence in Cumbria, this will include:

- 1) Residency in a non-traditional dwelling, such as a mobile home that is placed on a residential site, or an official pitch where it is demonstrated that this their permanent place of residence and can be evidenced through paying council tax.
- 2) People who are forced to sleep rough in Cumbria if they meet the qualification period for residency.

The exemptions to the residency qualification rule are:

- 1) An applicant is homeless and a Cumbrian Council has accepted the section 189B 'relief of homelessness duty or the main section 193(2) housing duty under the Housing Act 1996, and they are not intending to refer the applicant to another Council under the homelessness local connection rules.
- 2) A Cumbria District Council has placed an applicant into temporary accommodation outside of Cumbria.
- 3) Where there are significant and special circumstances requiring a move into Cumbria. This will be decided on a case-by-case basis following a request from the applicant or from the information submitted on their housing register application. Examples include:
 - a) Reasons of safety; i.e. when an applicant is fleeing domestic abuse or hate crime from another area, or
 - b) Is on a witness protection programme and the CCP have agreed that there is an essential reason why they need to move to Cumbria
- 4) Applicants who are leaving an institution such as a prison or secure unit or a hospital, rehabilitation centre, refuge, hostel or supported accommodation scheme that is not in Cumbria and the applicant was resident in Cumbria for one year one year immediately preceding residency in an institution, or 3 out of the last 5 years immediately before they were accommodated in that institution.
- 5) The CCP will consider any application from a gypsy or traveller household where the applicant may not meet the continuous period of residence rule, as the period may have been broken by travelling. The CCP will consider the facts of each case when deciding whether the rule should be waived.

- 6) Care Leavers below the age of 25 years who are, or were, owed a duty under section 23C of the Children Act 1989 by Cumbria County Council and have been looked after in accommodation outside of Cumbria. This will include care leavers who are still receiving after care support from Children's Service until they are 25, and some care leavers who are in full-time education who wish to move back to Cumbria on completion of their education.
- 7) Applicants that satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012. These are:
 - a) Applicants who are serving members of the regular armed forces
 - b) Applicants who served in the regular armed forces within the 5 years immediately prior to the date of their application
 - c) Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service
 - d) Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the death of their spouse/civil partner.
- 8) Applicants who satisfy the right to move criteria. The Right to Move qualification regulations 2015 states that Local Connection criteria must not be applied to existing social tenants who seek to move from another Council district in England and who have a need to move for work related reasons to avoid hardship.

To qualify the applicant must:

- Be social housing tenant living in England
- Wish to join the Housing Register in Cumbria due to work related reasons to avoid hardship are able to do so provided that they can provide evidence to that effect that is accepted.
- Satisfy the criteria that the tenant needs, rather than wishes to move for work related reasons and if they were unable to do so would result in hardship.

Qualification rule 2: The requirement to give permission to obtain and share an applicant's personal information

This is a condition of being accepted onto the housing register and applies to the applicant, or any member of the applicant's household.

Qualification rule 3: Homeownership, or legal interest in homeownership

An applicant cannot qualify for Bands A or B of the housing register (see section on exemptions) if they own a residential property in the UK or elsewhere, including freehold, leasehold, joint ownership or shared ownership (applicants who have been the owner of a residential property within the last 5 years will be required to provide proof of the proceeds from the sale and of the disposal of the proceeds). This includes properties owned and rented out to other persons and or properties in other countries. However, applicants will be able to qualify for Band C.

Applicants who own or part own accommodation, or who have a legal interest in home ownership (for example through marriage or civil partnership in accommodation owned by their spouse or civil partner) also do not qualify.

However, if as a result of a divorce settlement a Court has ordered that an applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years, then the Applicant will be treated as if they do not own, or part own accommodation.

Qualification rule 4: Financial resources

Applicants who are considered to have sufficient financial resources to buy suitable accommodation in Cumbria will not qualify for Bands A or B but can qualify for Band C. 'Sufficient financial resources' are defined as sufficient capital to buy or rent privately; or sufficient income to raise a mortgage to buy or rent privately; or a combination of both. The income and savings limits are:

- 1) Applicants (both single persons and couples) who have total savings, investments and/or assets of £25,000 or more.
- 2) Applicants whose total gross household income from all sources exceeds an annual income of £45,000 or more (for single persons) or joint income of £60,000 or more (for couples).

'Sufficient financial resources' includes any assets or investments even if they are not immediately available to the applicant, such as any residential or non-residential property that they own or part own anywhere in the UK or abroad.

Any lump sum received by a member of the armed forces as compensation for an injury or disability on active service will be disregarded.

Although this qualification rule will mean an applicant cannot be granted the statutory housing needs bands A or B, it does not prevent them being considered for any low cost home ownership schemes, such as rent to buy, shared ownership/equity, discounted market sale and starter homes or lower demand properties. Information can be given on request regarding which Housing Associations or developers are currently operating any of the above schemes and how applications can be made.

Applicants who do not qualify for Bands A or B under the homeownership, legal interest or financial resources rules may be considered as an exception if:

- a) They own or part own accommodation or have a legal interest in accommodation or have financial resources above the thresholds and
- b) They have a substantial disability; and their current home is not suitable for their specific needs.

This exemption is intended to cover situations where a person owns their own home but where it is agreed that they are no longer able to manage in it due to their advancing years, or due to developing a substantial disability that makes living in their home impracticable. This would be the circumstances where selling

up is unlikely to provide sufficient funds for the applicant to purchase alternative accommodation that would be suitable for their disability needs.

Qualification rule 5: Failure to Bid

This is a disqualification rule that will be applied to applicants who are included on the Housing Register.

The CCP will monitor the bidding patterns to identify applicants who fail to bid and identify any applicants where their failure to bid could be the result of a vulnerability and not being able to understand the bidding system. In these circumstances the rule will not be applied.

Any applicant who has failed to bid for more than twelve months will be removed from the Housing Register to reduce the administrative burden of maintaining the register. This is based on the assumption that an applicant who has not bid for accommodation in 12 months is unlikely to continue to be in housing need. Any applicant removed from the register can reapply if they have a housing need.

If an applicant has only registered because they are interested in bidding for accommodation for a new section 106 rural developments that may be being built, this will be considered as an exception to the 'no bid in 12 months' rule.

Qualification rule 6: Fraud or giving False Information

Applicants who are found to have withheld or given false information may be removed from the register and will not be able to reapply for a period of 12 months. Decisions to remove the person from the register will be made based on the seriousness of the false information given, or an assessment of why important information was withheld.

For details on how we will assess the question of alleged fraud or false information see appendix 1.3

Qualification rule 7: Circumstances where an applicant has current or former social housing rent arrears or another relevant recoverable housing related debt.

This section sets out the rules for when an applicant

- a) Will not be allowed to qualify for the Housing Register because of rent arrears or a housing related debt, or
- b) Will be allowed to qualify but will not be allowed to bid for properties advertised until the rent arrears or housing related debt have been resolved to the satisfaction of the CCP using the criteria set out below.

When carrying out an assessment, we will take into consideration all housing related debts, associated with either a current or former tenancy where this relates to any social housing provider in the UK. Note the rules in this section apply only to social housing former or current rent arrears, occupation of

temporary accommodation debts, and some other forms of housing related debt. This section does not cover any rent arrears for a private sector tenancy or licence. This is covered under the unacceptable behaviour rules set out in Qualification rule 8 below.

Note: the definition of a housing debt will not include debts that are statute barred. The debt will be considered statute barred where an applicant, or their representative or someone else they held the account with hasn't:

- Made a payment in the last 6 years
- Written to the creditor acknowledging the debt in the last 6 years
- Had a county court judgement (CCJ) relating to the debt in the last 6 years

For the purposes of this qualification rule housing related debts include:

- a) Current or former tenancy rent arrears of a social housing tenancy;
- b) Outstanding re-chargeable repairs;
- c) Current and former housing related service charge arrears;
- d) Bed and breakfast or other temporary accommodation charge arrears for a licence or a tenancy
- e) Housing benefit overpayments for a social housing tenancy;
- f) Failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt for a social housing tenancy or temporary accommodation
- g) Any court costs associated with any of the above debts

Housing related debts apply to both the applicant and to any members of their household that are included in the application.

The purpose of this qualification rule is two fold.

- 1) To ensure any debt to a former landlord is recovered and
- 2) To focus on whether an applicant's history creates a risk of future non-payment, rather than simply on the existence of a current outstanding debt.

The following framework will be used to guide officers to apply this qualification rule. We will consider:

- Whether the applicant still owes that debt, and if they do, the extent of the arrears/debt and whether it is a recoverable debt or a statute barred debt.
- Whether there possible exceptional circumstances that need to be considered.
- Whether the claimant has taken debt advice acted on it, and entered into and begun to implement any arrangement to clear the arrears/debt.
- If an arrangement has been made, the amount of arrears/debt paid off, any amount outstanding, and the regularity of any payments made.

After applying the above procedure it may be decided that the applicant does not qualify for the housing register or that they will be allowed to qualify, but not allowed to bid for advertised properties until the matter has been resolved to the satisfaction of the CCP.

There is no time limit regarding when a person can make a new application following disqualification. Where a new application is made we will assess whether the applicant has taken appropriate action to address the debt. When disqualified the applicant will have been informed of the steps they need to take to resolve the debt in order to qualify.

How decisions for applicants with a social housing debt will be made

a) Applicants with debts of £1,000 or more who have not made any arrangement to address the debt

Applicants with debts of £1000 or more who have not made any arrangement to address the debt should be ineligible to join the register unless the circumstances surrounding the debt are exceptional and the assessment concludes that there is no real risk of future non-payment.

b) Applicants with debts of £1,000 or more who have made any arrangement to address the debt

Applicants will be permitted to join the register and be able to bid for accommodation if they have maintained a payment arrangement for at least 13 weeks and have either:

- Repaid at least £750; or
- Repaid at least 25% of their original debt

Applicants who satisfy the above will be permitted to bid for properties. All partner landlords are encouraged to abide by these guidelines and to accept bids on this basis. It is however, accepted that the housing association to whom the debt is owed may wish to see that a longer period of repayment should be kept to. Where this is the case the period should not be more than a further 13-39 weeks in addition to the 13-week period that the applicant has already paid. Any requirement by the partner to whom the debt is owed for payments to be maintained for more than 13 weeks should not prevent an applicant from bidding for properties advertised by another housing association partner.

All partner landlords are discouraged from requiring a debt of £1000 plus to be paid in full. This disincentives applicants from making any attempt at payment and may result in an applicant having to demonstrate an extended repayment period of several years before they can be considered for accommodation. This would be unfair on applicant's who have demonstrated a commitment to pay off the debt and that the risk of any further debt for a new tenancy is low. It also makes it more likely that the housing association is unable to recover the debt.

c) Applicants with debts of £1-£499

Applicants with debts of £1-£499 should be eligible to join the register and eligible to bid, unless there is clear evidence of a future risk of non-payment. Clear evidence of a future risk could include factors such as:

- a) A long history of housing debt;
- b) A long history of poor rent payments; and
- c) A long history of breached payment arrangements.

Where such evidence exists the applicant should be unable to bid until there is evidence of rehabilitation. Evidence of rehabilitation could include factors such as:

- a) Maintaining a payment arrangement for 1-8 weeks;
- b) Demonstrating that the causes of the previous problems have been addressed.

d) Applicants with debts of £500-£999

Applicants with debts of £500-£999 should be eligible to join the register but ineligible to bid, unless the applicant can demonstrate there is no real risk of future non-payment.

Evidence there is a no real risk of future non-payment could include factors such as:

- a) A history of not having housing debts;
- b) A history of regular rent payments; and
- c) A history of maintained payment arrangements.

Where no such evidence exists the applicant should be unable to bid until there is evidence of rehabilitation. Evidence of rehabilitation could include factors such as:

- a) Maintaining a payment arrangement for 8-26 weeks;
- b) Reducing the debt to below £500 (in which case the above rules at c would apply)
- c) Demonstrating that the causes of the previous problems have been addressed.

Applicants who are disqualified for a housing related debt of £1,000+ should notify the CCP immediately when they have either repaid at least £750 or repaid at least 25% of their original debt so they can qualify for the register. If it is agreed that the matter has been resolved and they can register, their effective date will be the date they have been assessed as qualifying for the register and will not be the date of their first application which resulted in the decision that they do not qualify.

The only exceptions to this qualification rule are applicants who can demonstrate that their circumstances are exceptional and that they would face serious hardship or risk through not being allowed to qualify. An exception may be considered where for example an applicant has a good payment history with a debt resulting from a one off incident or problem such as relating to Universal Credit, or benefits reforms, or where a tenant had to flee domestic abuse and a subsequent debt built up for their tenancy.

Additional procedural information on the consideration of exceptional circumstances and how applications where there is a 'Debt Relief Order', 'Bankruptcy Declaration' or 'Individual Voluntary Agreement (IVA)' are set out in appendix 1.4

Qualification rule 8: Serious unacceptable behaviour

This will apply where an applicant, or any member of their current or prospective household, has a history of serious unacceptable behaviour that, in the view of the CCP, makes them unsuitable to be a tenant. It is important to note that whether an applicant's behavior means that they are not allowed to register is entirely a matter for the CCP and that the qualification rule is not restricted to whether the unacceptable behavior would entitle the Council to an outright Possession Order if the applicant were to be a tenant. This was the 'threshold test' set by the legislation for Housing Allocation Policies until the Localism Act was implemented in 2012. Since 2012 the legislation allows qualification for unacceptable behavior to be defined through the rules adopted in any new Housing Allocation Policy.

In applying this qualification rule the CCP will decide on the facts of the case whether:

- a) The applicant should not qualify to be included on the Housing Register due to their (or household member's) serious unacceptable behaviour, or
- b) Will be allowed to qualify but will not be allowed to bid until the applicant (or household member) has demonstrated to the satisfaction of the assessing officer that their behavior has changed.

In the circumstances described by b) the applicant will be placed in the band that reflects their housing need and will continue to accrue 'time' on the register for the band awarded, despite not being able to bid. Once they have resolved their unacceptable behavior their date within the Band will remain the date they were awarded that band for their housing need and will not be the date they resolved the unacceptable behavior to the satisfaction of the CCP.

The rule of non-qualification, or qualification but being unable to bid, will apply where the CCP is satisfied that an applicant (or a member of their current or prospective household) has:

- 1) Demonstrated a serious failure to adhere to the terms of any current or previous social housing or private rented sector tenancy agreement. This includes failing to maintain any previous social rented or private sector rented property within the terms of their tenancy agreement, or committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the locality of where they live or where they previously have lived. Non-qualification will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the CCP, that circumstances have changed such that the previous conduct is unlikely to reoccur. In many cases this could include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour.
- 2) Conduct likely to cause nuisance or annoyance if they were to be offered a tenancy. This is conduct or behavior that does not only relate to a previous social housing or private rented sector tenancy agreement but conduct or behaviour that the CCP has assessed is still current. This includes where an applicant or a member of their current or prospective household is the subject of actions being taken by a Council (or some other recognised body) on grounds of alleged Anti Social Behaviour (ASB).
- 3) Rent arrears for their last private rented tenancy where the CCP has been able to obtain information that confirms on the balance of probabilities a debt

is owed. If there is a debt owed it will be for the assessing officer to decide on the level and debt and any facts gathered regarding the level of debt and the reasons for it whether the applicant should be classified as a non qualifying case or, should be allowed to qualify but prevented from bidding until the debt is resolved, or should be allowed to qualify with no penalty applied.

- 4) Circumstances where the applicant, or any member of their household, has assaulted a member of staff, whether or not an injunction is being sought or has already been obtained

Additional guidance for assessing officers and the framework to be used to apply the test of unacceptable behaviour are set out in appendix 1.5

Qualification rule 9 – Existing CCP Tenants who are not assessed as Band A or B for having a statutory housing need.

Existing tenants of any Council or Housing Association located in Cumbria or outside of Cumbria will only be allowed to qualify for the Housing Register if they have an assessed housing need that would qualify them for Bands A or B.

This does not prevent a tenant who is not in housing need from seeking a transfer through the 'Mutual Exchange Scheme'.

How exceptional circumstances will be considered for any of the qualification rules

The CCP retains the ability, in exceptional circumstances, to exercise its discretion when applying any of the qualification rules. Note, it is for the applicant to request that discretion should be applied for exceptional circumstances and once requested this will be considered by a senior housing operational manager from the Council normally for the Council area where the applicant has applied from. A request for a review of a decision that an applicant does not meet the qualification rule will be taken as a request for any exceptional circumstances to be considered. The delegated responsible manager for each assessing organisation will consider:

- 1) Whether the application would result in the applicant being awarded a statutory housing need reasonable preference Band A or B under the Policy, and if so
- 2) Whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that the qualification rule should be waived.

They will assess the case for exceptional circumstances and will record all decisions reached along with full reasons for that decision. The applicant will receive a written decision with the reasons set out.

Please note 1: that the CCP cannot waive the eligibility rules for any applicant who is not allowed to access social housing under the 'person from abroad' legal eligibility rules set by Central Government.

Please note 2: In deciding whether an applicant's circumstances are exceptional we will fully consider the Equality Act 2010 and Children Act 2004. For the Equality Act we will specifically consider:

- a) Whether the person, or a member of their household that they wish to be housed with them, meets the definition for one or more of the 9 protected characteristics in listed in the Equality Act 2010
- b) If we agree that the applicant or a member of their household comes under the definition for a protected characteristic the CCP will fully comply with section 149 of 2010 Equality Act and ensure that it has obtained all relevant information relating to the applicant's protected characteristic and will consider that if they were not able to qualify for the scheme, whether this would have an exceptionally detrimental impact on the person with the protected characteristic, and
- c) Ensure that any decision that the applicant's circumstances are not exceptional will be a decision that is a proportionate means of achieving the legitimate aims set out in this policy in section 1.

Section 3: Applying to join the Housing Register

How to apply

Applications should be made online by accessing the housing allocations section of the Cumbria Choice website and completing the on-line application form - <https://www.cumbriachoice.org.uk/Data/ASPPages/1/38.aspx>

An applicant will be asked to choose one housing organisation to administer their application. This can be the local authority for where they are resident or a housing association partner. If the applicant is a tenant of a 'Cumbria Choice' partner their application must be administered by that housing association. If they are a former tenant of a 'Cumbria Choice' partner, that partner must administer their application.

Applicants can call any of the CCP Council or Housing Association Partners if they need help to make their application on-line. There is also free access to the Internet at libraries, Council offices, Housing Association Offices and at some community facilities. A telephone or office appointment can be offered when an applicant has no access to the Internet or is unable to use the Internet. To mitigate any impact it is agreed that paper forms will still be available in exceptional circumstances where it is agreed an applicant is unable to complete an on-line form.

The Cumbria Choice website contains a list of all of the supporting documents that an applicant must provide in order to progress their application. In most circumstances an applicant will be able to upload their documents.

Where the applicant indicates that they have medical problems they will also be requested to complete an additional medical assessment form on-line.

Once the on-line application has been received there may be a need for additional information. If so applicants will receive a phone call, email or letter setting out the details for any additional information needed.

Prisoners can register in the 6-month period prior to their date of release. They are able to express an interest in a property in the 2-week period prior to release but must be able to accept the tenancy on the date required by the housing provider.

If accepted onto the register, applicants will be informed of:

- 1) The band they have been placed in (this determines priority)
- 2) The date of application (may be used to determine priority within the band allocated)
- 3) The size and type of properties for which they can bid
- 4) Their application reference number (applicants will need this to bid)
- 5) How to appeal against their banding if they think it is wrong.

They will also receive a user guide. This will inform them about how the scheme works and will include such information as:

- Where to look for advertised properties;
- How to bid for a property
- What checks are made before any offer is confirmed?
- Feedback on their bid

Where a band is allocated what date will this be from?

The band start date is the date that the housing register application was received for assessment, unless an applicant's housing need and/or circumstances changes and they are as a result placed in a higher band. In these circumstances they will have their band start date reset as the higher band reflects how long they have had the higher level of housing need.

Note for eligible homeless applicants who meet the qualification rules to join the Housing Register the following will apply with regard to their Band start date:

- a) Owed a section 195(2) Prevention of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application
- b) Owed a section 189B (2) Relief of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application
- c) Owed the Main section 193(2) duty – Band date is the date the Relief of homelessness duty was owed and not the date the Main duty was owed. To start the date at the date the Main duty was owed would disadvantage an applicant by 56 days who has been found to be in priority need and unintentionally homeless
- d) Circumstances where the relief duty has ended and the applicant is assessed at this point as not being in priority need - Band date is the date the Relief of homelessness duty was owed and not the date the Relief duty is ended and the non-priority decision confirmed. To start the date at the date the Relief duty was brought to an end would disadvantage an applicant by 56 days who has been found to be homeless but not in priority need

Assessing Applications

In order to assess an applicant's housing need and therefore their place on the Housing Register the scheme uses a needs based banding system detailed in section 4 below.

The Bands are awarded to reflect housing need, whereby the need reflected by the highest Band indicates the greater need for housing.

Applicants will be required to sign a declaration, or to give informed consent, to:

- a) Confirm that the information given is correct and that they will notify the CCP of any change in their circumstances.
- b) Give consent to allow enquiries to be made concerning their eligibility for housing and level of priority.
- c) Give consent to allow information to be provided to other partner organisations that are part of the scheme.

It is the responsibility of the applicant to provide all the information requested to assess their circumstances, and to provide any supporting information or documents that are requested. Incomplete applications will not be made active until such time as the CCP is satisfied that it has in its possession all of the information it requires to complete its assessment.

All incomplete applications will be cancelled after a period of 28 days measured from the date information has been requested and not provided. If canceled this does not prevent the applicant making a subsequent application at a later date, although in such cases the effective date of registration would not be backdated to the earlier application date.

The CCP may request information or a reference from an applicant's current or previous social landlord and may, depending on whether the application gives rise to any concern, request a reference from the most recent private sector landlord if the applicant is or has been a private sector tenancy.

Where a landlord does not reply a reminder will be sent, and if still not forthcoming any other information or records available will be checked to try to determine whether there have been any concerns over the way an applicant may have conducted their private rented tenancy. An applicant should not be disadvantaged if, despite every effort, it is not possible to obtain a reference from their current or previous landlord.

All applications are subject to certain verification checks and may be reassessed:

- At the point of initial application
- Following any change of circumstance notified to the CCP by the applicant
- Following any routine validation audits
- Following an annual review of the application
- At the point of an offer of accommodation
- At the point of letting

Checks into any court cases or unspent criminal convictions

In the interests of community all applicants and members of their prospective household will be requested to disclose any pending court cases or unspent criminal convictions.

The CCP may use any information disclosed (or any other information obtained during the assessment or following registration) to ascertain whether the applicant should be disqualified from joining, or remaining on the register, due to applying the serious unacceptable behaviour rule including whether they may pose a serious risk to a community if they were to be housed.

Spent convictions are not required to be disclosed and will not be taken into account in assessing that person's eligibility to join the register. The assessment will instead reflect whether there is evidence of any current serious unacceptable behavior regardless of whether a person has been convicted in the past for that behavior.

If the CCP decide that, on the information obtained during the assessment process, there is a real pressing need for a 'Disclosure and Barring Service (DBS)' check, or a police check, a supplementary request for information and declaration will be sent to the applicant asking for more details and for permission from the applicant for the CCP to make the relevant check. Failure to give permission may result in the application not being made live whilst the CCP consider the information available to it or may result in the application being closed through the applicant failing qualification rule 2 which is to give permission for the CCP to undertake all reasonable enquiries.

Information gained will not automatically exclude an applicant from the register. Information received may also be used to make informed decisions about the suitability of any property that may be offered.

All assessments will be carried out in accordance with the data protection and information sharing policies and legal requirements.

Who can be included in the Application?

The Application can include the following household members:

- a) Spouses or Civil Partners where the applicant lives with and/or intends to live with their Spouse or Civil Partner.
- b) Partners where the applicant is currently cohabiting with a member of the same or opposite sex.
- c) Children who reside with and are dependent upon the applicant. Children are defined as under 18 for these purposes. Where there is any dispute as to whether children reside with and are dependent upon the applicant, the CCP will apply the test in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide (see below).
- d) A Carer where the assessing officer has agreed that on the evidence there is a need for a live in Carer. The Carer is a person who provides or intends to provide care for another adult. It is either a relative or friend who assists another person in their day-to-day life. This is different from someone who offers care professionally or through a voluntary organisation. Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered by the assessing officer's Manager to determine if the carer has been assessed by Social Care and Health as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Social Care or a Health professional.
- e) Any other household member at the discretion of a manager delegated by the assessing body to make such decisions.
- f) Note: Individuals can only be on 1 application. Where someone has an application in their own name (or with a partner) they cannot also be included as a household member on another application unless they are a victim of

domestic abuse. If this is the case they should remove themselves from their previous application.

How joint applications will be considered and when will a joint tenancy normally be granted?

Joint applications will be accepted and will be treated as one application. The housing need of the full household will be considered in assessing housing need.

Joint tenancies are normally granted where applicants have a long-term commitment e.g. married and unmarried couples, civil partners but this decision is down to the individual housing association who will decide whether to allow a joint tenancy depending on the rules adopted by that association.

Households with access to children/shared residency order or Child Arrangement Orders

As part of the assessment process the CCP will record whether the applicant claims to have children that live with them part of the week whether or not this arrangement is set by the court or not. The CCP will apply the test in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide whether any child both lives with and is dependent on the applicant. Unless this test is passed an applicant will only be able to be considered for the size of accommodation relevant to their circumstances.

There will be cases where after the section 189(1)(b) assessment it is agreed that children live with the applicant on a 'shared arrangement' even though they do not exclusively live with the applicant.

In these cases, and in cases where an applicant has contact with children who stay over but do not live with the applicant, the applicant will be advised as to what size of property the applicant they are likely to be able to access and the rules applied by each partner housing association for allocating accommodation to households where children do not exclusively live with an applicant. The decision in this respect of each partner Housing Association is likely to vary and will depend on a number of factors including:

- a) The ability of the applicant to afford the rent with or without help from benefits
- b) The availability and popularity of family housing in any area that an applicant expresses a preference to live in. For example a Housing Association may be willing to be more flexible where a vacancy relates to a flat than a house as long as the rent is assessed as being affordable.

The requirement to inform the CCP of any change of circumstances

Applicants are required to inform the CCP of any changes in their circumstances, which affect their housing application.

Examples of a change in circumstances include but are not limited to:

- a. A change of address or contact details, for either themselves or members of their prospective household;
- b. A change in their medical condition or disability (either existing or newly acquired);
- c. Additional family members or other people they wish to add to their application (It will be for the CCP to decide whether they will allow additional people to join the application);
- d. Any family member or any other person on the application who has left the accommodation; and
- e. Any significant changes in income, savings or assets, which may require a reassessment under the income and savings qualification rule.

Where there is any change in an applicant's circumstances, an on-line change of circumstances form must be completed, and supporting documents must be provided. If there is any change to the banding, applicants will be informed in writing. The onus is on applicants to inform the CCP when there is a relevant change in their circumstances.

If the change in circumstances results in a higher banding award the effective date will be the date they moved into the higher band. If the applicant moves to a lower band there will be no change to their effective date.

Note, a failure to notify the CCP of changes in circumstances may lead to the offer of any housing being withdrawn and the application suspended whilst the changes are verified.

Applications from members of the Council, Board Members, and staff

Elected Councillors, or Housing Association Board Members, cannot be involved in assessing housing applications or the allocation of housing. However, this does not prevent Councillors seeking or providing information on behalf of applicants.

In order to ensure that the Council is treating all applicants fairly, any application for housing from a Councillor, Board Member, or employee of any Cumbrian Council's Housing Department or Partner Housing Association will be assessed in the normal way, but an offer of housing must be approved by the Lead Officer for the social housing partner advertising the vacant home. Canvassing is not allowed in any circumstances by or on behalf of members of staff.

Reviewing the Register

Every applicant on the Register will have their application reviewed annually, or more frequently as decided by the CCP in order to manage the administration of the register. A letter will be sent to all applicants requesting confirmation of their current circumstances, and asking if they wish to remain on the register. If a

reply is not received within 28 days of the date the letter is sent the application will be cancelled.

Cancelling Applications

An application will be cancelled in the following circumstances:

- At the request of an applicant
- Where an applicant does not respond to an application review, within the specified time limit set out in any correspondence sent to them
- Where a CCP Partner, or any other Council, or Housing Association has housed the applicant (unless it is assessed that the applicants' housing circumstances still qualify for an award of Band A or B based on their housing need, but this is unlikely to be the case). An applicant that has been rehoused and does not have an assessed housing need could of course apply again and would be included in Band C with a new Band date, which would be the date of their application.
- When a tenant on the housing register completes a mutual exchange
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where the applicant has not supplied information requested within 28 days at the application stage or the annual review stage.

Where the information known is that an applicant is vulnerable, the assessing officer may contact the applicant, or any agency supporting them, to check their current circumstances before cancelling the application.

If an applicant has moved into private rented accommodation rather than social housing the application will not be cancelled but if the result of a reassessment at this stage is that as a result of their changed housing circumstances they no longer qualify for an award of Band A or B, then they will be allocated Band C.

Any applicant whose application has been cancelled has the right to ask for a review of that decision.

Deliberate worsening of circumstances

Where there is evidence that an applicant has knowingly and deliberately made their housing situation worse in order to gain a higher priority on the register, the assessment of their needs will be based on the circumstances before their situation changed through their actions to deliberately worsen their circumstances.

Examples are:

- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Applicants who have moved from previously suitable or more suitable accommodation which it were reasonable for them to continue to occupy, into a less suitable property.

- Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the Register.
- Applicants who have given up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household;
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit

These are examples only. There may be other circumstances where the CCP decide that an applicant has deliberately worsened their circumstances

The Review Procedure

The CCP is committed to making the correct decisions on all applications. Notification letters by post or email notifying an applicant of ineligibility or non-qualification for joining the Housing Register, or about the band that they have been awarded, or about any other decision concerning the facts of an applicant's case, will state that the applicant has a legal right to request a review of the decision made.

Under the housing legislation that applies to Allocation Policies there is a legal right to request a review of a decision in the following circumstances:

- a) A decision that an applicant is ineligible, or not a qualifying person to join the Housing Register.
- b) A decision regarding which band an applicant has been awarded.
- c) The priority date granted for the band awarded.
- d) To remove an applicant from the Housing Register.
- e) Any decision about the facts of the case that has been used to assess their application.
- f) Where an applicant considers that a decision has been reached based on incorrect information.

The procedure for how a request for a review will be administered is set out in appendix 1.6

Section 4: How an applicant's housing needs and circumstances are assessed

The Banding system

The demand for social housing exceeds supply in many areas of Cumbria and therefore this Allocation Policy intends to prioritise the housing of those applicants who are assessed as being in the greatest need. Once registered this does not mean that an applicant has a right to be offered social housing. They can be considered for housing based on their housing need but many applicants will unfortunately not have sufficient housing need to be offered a property.

A Banding system will normally be used to decide when to make an offer of accommodation and to whom, unless the Council or Housing Association apply the 'direct lets' procedure as set out in section 1 of this policy.

There are two statutory housing need bands (A and B) and one non-statutory housing need band (Band C). The purpose of reducing the number of bands from 5 under the old policy to 3 is to ensure that the policy is more transparent and simple to use. Once a band has been allocated based on the applicant's housing need, that band would (with the exception of where a direct offer is made under the policy) operate as a 'waiting list' so that applicants can see progression and be given more accurate information on how long they are likely to wait for an offer of accommodation depending on the area and type of property they wish to consider. This system is fairer and aims to build confidence in applicants regarding the allocations process.

The following section provides details of the 3 bands an applicant may be awarded. The band in which an application is placed, will be determined by their housing need. How the policy defines and assesses housing need is described in the table below. Where there are further details (beyond that contained in the table) of how the housing need criteria will be assessed, these are set out in appendix 1, for example, how officers will assess medical housing need claims (appendix 1.8).

It is important to note that applicants will be placed in the appropriate band when it is assessed their housing need meets the set threshold. An applicant who qualifies under more than one housing need criteria will be awarded the highest priority that any one of their assessed needs is entitled to. For example, an applicant with a need that is awarded band A and another need that would be awarded band B will be awarded band A. An applicant with 2 Housing Need criteria for Band B will still only be awarded band B. This new housing allocation policy no longer reflects cumulative housing need to ensure that the policy is seen as being fair and less complicated to understand and administer. This will also ensure decisions reached are consistent.

The Bands are:

Band A - Urgent housing need to move: These are applicants that are owed a statutory award of what the 'Housing Allocation Legislation' calls '*reasonable*

preference’ but whom the CCP believes should also be awarded *‘additional priority preference’* based on their urgent and exceptional housing need.

Band B – Statutory housing need to move: These are applicants that are owed a statutory award of *reasonable preference* under the policy and have been awarded Band B priority based on their statutory housing need. It also includes certain key workers granted B priority.

Band C – All other applicants in housing need: This is the housing need band awarded where an applicant is not assessed as coming under the criteria adopted by the policy for being in a statutory housing need. Applicants placed in band C can still bid for properties but will not be considered above applicants from Bands A or B who have bid for the same property.

The CCP wish, over time, to increase the Options available to applicants in all 3 Bands including Band C. We aim to use technology to send direct texts and emails to inform applicants of available housing options and this may include information on:

- 1) Social rented low demand properties available now in any area of Cumbria
- 2) Older person housing opportunities
- 3) Affordable homes with specific rural local connection criteria or section 106 agreement
- 4) Affordable rent
- 5) Rent to buy
- 6) Shared ownership/equity
- 7) Discounted market sale / starter homes
- 8) Market rented
- 9) Help to buy opportunities.

The reasonable preference criteria and the Band allocated for that housing need criteria

Band A: Additional preference for certain homelessness duties (This is assessed and verified by the Partner Council’s Housing Options Team)
This banding applies where a Cumbrian Council have accepted:
1) The Section 193(2) main homelessness duty or the Section 193C(4) ‘reduced’ Section 193 duty, or
2) A section 189B (2) Relief duty and the applicant is, at the point of that 189B duty being accepted, considered likely to be in priority need and unintentionally homeless, whether a decision to that effect has been made or not, and the applicant is in temporary accommodation provided by the Council to meet a section 188 interim accommodation duty.
In these circumstances where an applicant is homeless and in temporary accommodation and owed a Section 189B(2) relief duty, or 193(2) main duty or a section 193C(4) reduced main duty the Council will need to move applicants out of temporary accommodation to manage the budgetary or legal

impact on the Council. The applicant may still bid for properties advertised but due to the budgetary pressures faced by the Council and the need to maintain a supply of available temporary accommodation for new cases presenting as homeless, the Council is likely to make a direct offer of suitable accommodation into the private rented sector or social housing regardless of the preferences expressed by the applicant.
Band A: Additional preference for medical or disability (See appendix 1.8 for full details of the medical need assessment process)
Where an applicant (or a member of their household) is unable to continue to occupy their current accommodation due to high medical need or disability. Examples of when Band A may be awarded include:
Applicants ready to be discharged from hospital who: have somewhere to live but their accommodation is unsuitable due to their medical needs and cannot be made suitable through adaptations because of cost effectiveness or structural difficulties or the property cannot be adapted within a reasonable amount of time.
Applicants who have urgent need to move due to them having medical problems or disabilities that are being exacerbated by their current housing situation. This includes applicants:
a) Whose life is at risk due to their current housing conditions or who are housebound, effectively housebound or cannot access the essential facilities in their home and there are critical concerns about their safety, for example through falls due to difficulties with access.
b) Whose condition is terminal and rehousing is required to provide a basis for the provision of suitable care
c) Whose condition is life threatening and their existing accommodation is a major contributory factor
d) Whose health is so severely affected by the accommodation that it is likely to become life threatening for example, where an applicant has significant mental health problems which are exacerbated by their accommodation
e) With disabilities, who have restricted mobility and are limited by their accommodation such that they are unable to carry out day-to-day activities or have difficulties accessing facilities inside and outside of their accommodation and require rehousing into accommodation suitable for their use.
f) In overcrowded accommodation which puts the applicant at risk of infection, for example, where an applicant is suffering from late-stage or advanced HIV infection
Band A: Additional preference where there is a need to move on welfare grounds due to exceptional impact on the applicant or a member of their households well being
Not every circumstance that may present can be captured by the policy so below are examples of welfare ground cases that will be considered. The list is not exhaustive:

a) Suffering extreme violence, harassment or discrimination, whether a hate crime or otherwise, and that it is not safe for them to remain in their present home/locality.
b) Applicants who need to move due to domestic abuse threats from an ex partner or family member they do not live with, extreme threats of violence, extreme harassment, or other extreme circumstances deemed to significantly affect a household's welfare and wellbeing.
c) Exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is high risk to the tenant or their family's safety if they remain in the dwelling/area.
d) For applications in circumstances where there is a serious threat to the well being of a child and their accommodation is a major contributory factor to that risk. This will be in circumstances where the relevant manager in Children's Services or equivalent assesses the level of risk exposure in relation to the child or children remaining in the current property as being so critical that no other reasonable options in relation to accommodation are available to protect the child.
Band A: Additional preference Armed Forces
Applicants with urgent housing who:
a) Is serving (and will soon leave) the regular forces and is suffering from serious injury, illness, mental ill health, or disability which is attributable to the person's service
b) Has recently ceased, or will ceased to be entitled, to reside in accommodation provided by the MOD following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service or
c) Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the persons service
Band A: Additional preference for unfit or unsatisfactory housing
There are 3 circumstances where Band A may be awarded:
1: Applicants without access at all to any of the following facilities:
No access to:
a) A bath or shower
b) A toilet
c) Cooking facilities
d) Running hot water supplies
e) Electric/gas needed for essential activities
Applicants who have access to shared facilities re cooking; bathroom and toilet will not qualify under these criteria.
2: Exceptional impact cases.

Applicants who currently occupy a private sector property which has at least one Category 1 Hazard (excluding overcrowding) under the Housing Health and Safety Rating System (HHSRS) and where a Prohibition Order has been served or is intended to be served under the Housing Act 2004 and the effect of the Prohibition Order is likely to mean that the applicant(s) will lose the use of their home on a permanent basis. The relevant conditions at the property must be life-threatening or present an immediate threat of serious injury to the occupant(s)
This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, <u>and</u> there is no prospect of the problems being remedied within a period considered to be reasonable by the Council and the household are not able to afford to resolve their own housing problem by moving to alternative private sector accommodation.
Note - this does not include Council or Housing Association homes as there is a legal requirement on social landlords to urgently remedy defects that pose a risk to their tenants
3: Demolition or Compulsory Purchase Order (CPO) cases.
Where the applicant's property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment
Band A: Additional preference for severe overcrowding as defined as 2 bedrooms or more overcrowded <i>Note: the measurement of overcrowding is based on the "bedroom standard" (with some exceptions adopted see below). This is the non-statutory standard set out in the government's allocation of accommodation guidance.</i>
Where an applicant household is severely overcrowded defined as requiring 2 or more additional bedrooms to reach the bedroom standard. In calculating the overcrowding the following circumstances will be disregarded unless there are exceptional circumstances:
➤ Children over the age of 16 will be excluded from the calculation
➤ Cases where extended family had moved into accommodation causing the 2 bedroom plus level of overcrowding
➤ Where the household contains non-dependent adults as there is more chance of non dependents being able to resolve their housing
➤ The CCP will take account of the space and layout of rooms and bedrooms in deciding whether the 2 bedroom plus priority will be awarded
Band A: Additional preference for applicants nominated by Cumbria Adult Social Services/Children's Services in the following circumstances:
<ul style="list-style-type: none"> • Where there is an essential need to move due to child protection issues • Fostering carers for Cumbria County Council where there is a need to move to a larger home in order to accommodate a looked after child (this would not apply where the home required would be 4 bedrooms or more)

<ul style="list-style-type: none"> • Adoption arrangements where there is a need to move to a larger home in order to accommodate a looked after child (this would not apply where the home required would be 4 bedrooms or more) • Applicants owed a duty by Adult Social Services under the Care Act 2014 / Mental Health Act 1983/2007 who have been assessed by the housing team as being ready to move onto independent living and have an appropriate support package in place
<p>Band A: Additional preference for Cumbria County Council Care Leavers (Former Relevant children) as defined by the Children (Leaving Care) Act 2000 and need to move on</p>
<p>Applicants must be a former “Relevant Child” as defined by the Children Leaving Care Act 2002 and be a young person at risk of homelessness. The evidence to support this award will be provided by the council’s leaving care service and will consist of confirmation that:</p>
<p>a) All referrals by Children’s Services will be made following the provision of Cumbria’s Joint Protocol for young people</p>
<p>b) The care leaver is ready to move to independent settled housing and is genuinely prepared for a move to independent living</p>
<p>c) The care leaver possesses the life skills to manage a tenancy including managing a rent account.</p>
<p>d) The care leaver has either long term or medium term tenancy support arranged, as required.</p>
<p>e) Ongoing support needs have been assessed and, where appropriate, a support plan is in place and</p>
<p>f) The CCP’s assessing officer agrees that due to the nature and extent of their vulnerability, accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on their well-being</p>
<p><i>Note: Care leavers will be awarded Band A on proof of their status. If an application for housing is made before it has been determined by the CCP assessing officer that the individual is ready for independent living, taking into account information from the applicant’s support worker and other agencies, the application will not have any bid considered until the support worker presents the evidence to the CCP that the individual is ready to move on and the CCP agree with that evidence.</i></p>
<p>Band A: Additional preference for applicants who are part of a multi-agency public protection agreement (MAPPA).</p>
<p>Band A would apply only where:</p>
<p>a) On the recommendation of the MAPPA partnership the applicant requires and is suitable for independent housing and qualify for the Housing Register, and</p>
<p>b) The CCP assessing officer agrees that due to the nature and extent of the circumstances of the MAPPA case accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on the multi agency planning for that individual</p>
<p>Band A: Additional preference for certain MARAC assessed cases</p>

Applicants fleeing domestic violence and abuse that have been assessed by MARAC (or any subsequent multi agency arrangement) as needing to move urgently for the safety and security of themselves and or any dependent children and are assessed as being in immediate danger, and
a) The MARAC partnership has referred the case and provided evidence as to why the applicant requires social housing, and
b) The CCP assessing officer agrees that due to the nature and extent of the circumstances of the MARAC case accommodation in the private rented sector would, through its short-term nature, have a substantial detrimental effect on individual or household
Band B – Reasonable preference for certain homelessness duties owed (This is assessed and verified by the Partner Council's Housing Options Team)
Any of the following statutory homeless duties owed by a Cumbrian Council:
a) People where it has been verified that they are rough sleeping in a Cumbrian Council area regardless of whether they have made a homeless application
b) Applicants owed the prevention of homelessness duty under Section 195(2) by any Cumbria local authority
c) Applicants owed the 'relief of homelessness duty under Section 189B(2) (Note: applicants owed a relief duty and are likely to be in priority need, unintentionally homeless and are in temporary accommodation will be placed in Band A)
d) Where the relief duty has been brought to an end and an applicant has been assessed at that point as not being in priority need
Band B: Reasonable preference for insecure accommodation arrangements
"A pregnant woman or applicant with a child or children who are sharing a home with family who are not part of their household and where:
a) They have no ownership or tenancy rights and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and
b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band B priority and it is likely that they can remain for at least 6 months to a year.
c) The family member with the interest in the home has agreed to allow the applicant to remain for at least 6 months to a year.
Band B: Reasonable preference for medical or disability housing need (See appendix 1.8 for full details of the medical need assessment process)

Applicants who have need to move due to them having medical problems or disabilities where their housing conditions exacerbates a serious medical condition or disability but do not qualify for an award of Band A. This includes (the examples are to illustrate the level of housing need to be awarded Band B and is not an exhaustive list).
a) The applicant's current accommodation to a significant extent directly exacerbates an existing medical condition, is the direct cause of a medical condition or impacts on the ease of use of the facilities within their home for a disabled person.
b) Applicants who have mobility issues and it has been assessed need to move to ground floor or level access accommodation
c) Applicants who have mobility issues and need to move to accommodation that has level access showering facilities
d) Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition
e) Applicants who have a medical need for an additional bedroom (e.g. because they need an overnight carer or need to accommodate a substantial amount of medical equipment)
Band B: Reasonable preference under the Government's 'Right to move' regulations
Existing social tenants of accommodation in England who the CCP have assessed as qualifying under the Government's Right to Move regulations will be placed into Band B
Allocation to those Applicants who qualify is limited to a maximum of 2% of all lettings.
Band B: Reasonable preference for 'move on' from supported housing
Where the CCP assessing officer after considering evidence from the applicant's support officer agrees that due to the nature and extent of their vulnerability, accommodation in the private rented sector would, through its short-term nature, have a detrimental effect on their well being.
Before the award is made, ongoing support needs will need to have been assessed and, where appropriate, a support plan put in place to increase the chances of the tenancy succeeding and the person must have been assessed as ready to move on from supported to independent housing.
Band B: Reasonable preference where it is agreed there is a need to move on welfare or hardship ground:
1) Applicants who need to move closer to a specialist organisation, agency or institution located in a specific area of Cumbria, where moving would prevent significant physical, psychological or financial hardship. (The assessment will include the availability and ability to use public transport)

<p>2) Hardship on support grounds: Applicants that have demonstrable evidence that they provide or receive substantial and on-going support to or from relatives or friends and where moving would prevent significant physical, psychological or financial hardship. This award will only be considered where there are significant medical or welfare issues including grounds relating to disability. This award for applicants who give or require support from relatives or friends will only be considered where there is a severe disability or mental ill health, medical or welfare issue (relating to the applicant or their household or the relatives or friends) and there are reasons why this support cannot be made available through reliance on public transport or the persons own transport. (The assessment will include the availability and ability to use public transport).</p>
<p>3) Employment Hardship - Priority will only be given in exceptional circumstances and applicants will need to show that they need to move to take up or continue an employment opportunity not available elsewhere. They will only be considered where they do not live within a reasonable commuting distance and will be required to provide confirmation of employment details from the employer. Employment purposes are defined as: applicants including people needing to move from outside Cumbria and between Cumbrian Districts, taking up or continuing permanent employment for a minimum of 16 hours per week. Under this clause applicants will only be considered where they do not live within a reasonable commuting distance and will be required to provide confirmation of employment details from the employer. (The assessment will include the availability and ability to use public transport)</p>
<p>Band B: Reasonable preference for being overcrowded by 1 bedroom <i>Note: the measurement of overcrowding is based on the "bedroom standard" (with some exceptions adopted see below). This is the non-statutory standard set out in the government's allocation of accommodation guidance.</i></p>
<p>Applicant's living in overcrowded conditions and whose housing circumstances have been assessed as being 1 bedroom short of what they need as measured by the bedroom standard.</p>
<p>Or alternative wording</p>
<p>Where an applicant household is overcrowded by one bedroom as measured by the bedroom standard. In calculating the overcrowding the following circumstances will be disregarded unless there are exceptional circumstances:</p>
<p>➤ Children over the age of 16 will be excluded from the calculation</p>
<p>➤ Cases where extended family had moved into accommodation causing the 1 bedroom level of overcrowding</p>
<p>➤ Where the household contain non-dependent adults as there is more chance of non dependents being able to resolve their housing</p>
<p>The CCP will take account of the space and layout of rooms and bedrooms in deciding whether the 1 bedroom priority will be awarded</p>

Band B: Reasonable preference for unsatisfactory housing conditions or issues of property fitness
Private sector tenants that the relevant Council has determined that the property poses a category 1 hazard under the Health and Safety fitness rating and the CCP assessing officer is satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, <u>and</u> there is no prospect of the problems being remedied within a 6 month time period, and the household are not able to resolve their own housing problem by moving to alternative private sector accommodation
Band B: Reasonable preference for under-occupation
Applicants who have a social housing tenancy with a Cumbrian CCP Partner and are under-occupying social rented accommodation by two or more bedrooms. The exception to the 2 or more bedroom under occupation rule will be: <ul style="list-style-type: none"> a) Where a tenant occupies a house that they are under occupying by 1 bedroom and a move to a flat would free up that house b) Where it is agreed that under-occupancy by 1 bedroom will cause significant financial hardship for tenants. This is where there is clear evidence that tenants on lower incomes are forced to spend significant percentages of their incomes on servicing 1 bedroom under-occupancy deductions
Band B: Local preference for recent ex armed forces applicants
Members of the Armed Forces persons who are serving in the regular forces who will be discharged within three months and have served for five years preceding their application for an allocation of housing accommodation as long as this has not been a dishonorable discharge.
Band B: Local preference for identified 'Key Workers'
The following key workers whose total gross household income from all sources does not exceed an annual income of £45,000 or more (for single persons) or joint income of £60,000 or more (for couples).
1) National Health Service Staff and Social Care staff
2) Community Support Officers
3) Members of the Territorial Army
4) Volunteer Fire Officers
Band C – All other applicants in housing need: This is the housing need band awarded where an applicant is not assessed as coming under the criteria adopted by the policy for being in a statutory housing need. Applicants placed in band C can still bid for properties but will not be considered above applicants from Bands A or B who have bid for the same property.

Band C will include applicants who have been assessed as being intentionally homeless by any Council and since that award has not had settled accommodation (defined by the CCP assessing officer)

Note applicants who only want to register for a section 106 village or rural development and have no other statutory housing need will be allocated Band C.

Advertising Properties

All CCP Partners with social housing stock have agreed to advertise the majority of their properties through Cumbria Choice. Properties will be advertised on a weekly basis on the website.

Choice based lettings are about the applicants being given choice about where they want to live. Properties will be advertised and applicants will be able to indicate the properties for which they want to be considered by 'bidding'. Once the bidding process closes a shortlist will be compiled and the property allocated will be based on the banding priority of the applications and the time they have waited as long as they meet the criteria set out in the advertisement.

If a bid is received from an applicant on Cumbria Choice who does not have a local connection with the Council area where the advertised property is located then the local connection criteria set out in 'Section 2 Qualification rule 1' will be used to produce the shortlist, unless the property is advertised with no preference for applicants with a local connection to the area where the property is located. For properties advertised under a local letting policy the criteria for that LLP will be used to produce a shortlist.

So far as is possible the CCP will use the CBL letting process, banding priority system, and waiting time within the band to allocate accommodation. However, there may be times when a direct letting will need to be made to a property using the criteria set out in 'Policy on Choice' detailed in Section 1. In these circumstances a property will not be advertised. The aim is that no more than 15% of properties available to let should be allocated through a direct letting in order to preserve the integrity of the choice based letting process. However, in the circumstances of a national emergency such as the Covid-19 pandemic choice based lettings may be suspended, or a much higher percentage of lettings may be made directly.

Further operational and procedural details are set out in appendix 1.7 covering:

- a) Advertising properties
- b) The bidding and selection process
- c) Offers of accommodation
- d) Feedback on lettings

Sheltered Housing

Sheltered accommodation is included within the scheme. It is generally for people of 60 years and older and offers independent living with the added

security and support of a warden service. In certain circumstances it may be advertised for people aged below 60 years. Property advertisements will clearly state the age requirements of applicants able to 'bid' for a property.

Section 106 developments

Under the Town & Country Planning Act 1990 some developments are subject to Section 106 planning obligations which usually requires properties to be let to applicants with a local connection to stated Parishes. Where this applies only those applicants meeting the requirements of the Section 106 agreement will be eligible for an offer of a property.

Advert details will state when the letting of a property is governed by a Section 106 agreement.

Local Lettings Policies

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities. Appendix 3 gives full details for how local lettings policies will be assessed and applied.

The following are examples of local lettings policies that may be deployed under this policy. The list is for illustrative purposes and is not exhaustive.

- 1) Age restrictions.
- 2) Specific local lettings policies for a village or rural parish (see below)
- 3) Prioritising applicants who are key workers, as defined by the CCP.
- 4) Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block.
- 5) Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block.
- 6) Disregarding household type or property matching rules to allow, for example, under-occupation to reduce child density or to account for future family growth.
- 7) Ensuring that there is a balance of working and non-working households allocated to a scheme.
- 8) Enhanced local connection restrictions relating to a specific parish.

New developments will normally have local lettings policies (usually only applies to first lettings) regardless of whether the new development is subject to a Section 106 agreement or affordable housing statement. Where a new development is subject to a Section 106 planning agreement the criteria set will be followed.

Specific Local Lettings Policies for Rural Villages and Parishes

For some villages and rural parishes where there is a high demand for housing additional priority may be given to applicants who have a local connection to the particular village or rural parish. Advert details will state where an applicant having a local connection to the specific village or rural parish may be given

priority. Those villages and rural parishes subject to a local lettings policy will be identified for each Cumbria Council. For some villages or rural parishes the definition of local connection may be based on locally agreed criteria through the Parish Council and will not necessarily be the definition set out below. In these circumstances the property advert will fully set out the local connection criteria.

Section 5 Appendices

Appendix 1 – Operational and Procedural Instructions, Guidance and detail for how the Policy will be applied.

Appendix 1.1: Lettings not covered by the Policy

- a) Introductory or probationary tenancies – Where an introductory/probationary tenancy becomes a secure or assured tenancy
- b) Family Intervention Tenancies – Introduced by the Housing and Regeneration Act 2008, Family Intervention Tenancies are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a housing association to anyone who is a tenant of a secure (or assured) tenancy subject to a possession order on the grounds of anti-social behaviour or domestic abuse or anyone who (if they had a secure or assured tenancy) could have had such a possession order made against them.
- c) Succession under S89 of the Housing Act 1985 (secure tenancies), under S133 (2) of the Housing Act 1996 (introductory tenancies) or under S90 of the Housing Act 1985 (fixed term tenancies).
- d) Non-Secure tenancies or 'temporary accommodation' – Any accommodation that is provided to meet an interim duty under Part VII of the Housing Act 1996.
- e) Temporary decants – Secure or introductory tenants of a local authority or assured or assured shorthold tenants of Registered Providers who need to be moved temporarily whilst major work is carried out on their home.
- f) Demoted tenancies - Following a successful application for a demotion order under sections 14 and 15 of the Anti Social Behaviour Act 2003.
- g) Mutual exchanges between existing tenants under S92 of the Housing Act 1985 or under S158 of the Localism Act 2011.
- h) Assignment to a person who would be qualified to succeed the tenant under S92 of the Housing Act 1985 (secure tenancies) or S134 Housing Act 1996 (introductory tenancies).
- i) Conversion of an introductory tenancy to a secure tenancy under S125 Housing Act 1996).
- j) Transfers of secure or introductory tenancies by a court order made under certain provisions contained within matrimonial, family, children and partnership legislation.
- k) Allocation to a person entitled to rehousing under section 39 of the Land Compensation Act 1973.

- l) Allocation to a person whose home is repurchased under sections 554 or 555 of the Housing Act 1985 (defective dwellings).
- m) The Allocation Scheme does not apply to an allocation to anyone who is already a secure or introductory tenant or an assured tenant of a private registered provider of social housing or registered social landlord unless the person has applied to the CCP for a transfer and the CCP is satisfied that the person is to be granted reasonable preference under one of the reasonable preference categories in S166A (3) of the Housing Act 1996

Appendix 1.2: The details for how the scheme will apply:

- 4) The General Data Protection Regulations 2018
- 5) The 'Privacy Notice' for the policy, and
- 6) An applicant's right to information

General Data Protection Regulations 2018

A Data Protection Impact Assessment (DPIA) will be undertaken for any proposed changes to the policy or procedures where those changes are likely to result in a high risk to individuals' interests in order to comply with the requirements of General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.

Personal information will only be used in ways that the applicant reasonably expects in order to process their application. This will include the sharing of information with the Housing Association Partners to this scheme or any other Housing Association that is not a member of the scheme.

Where it is necessary for personal information to be shared with third parties, it will be transferred in a secure way to ensure it is not compromised or accessed by anyone who is not entitled to it.

On a case by case basis, where the law requires or permits, and the disclosure is necessary and proportionate, information about an applicant may be shared in the absence of consent without breaching data protection, human rights or the common law obligation of confidence.

Usually this will involve striking a balance between the rights of the applicant and other legitimate interests, which may justify the information sharing. An obligation of confidentiality/privacy may be set aside where the interference is in accordance with the law, necessary and proportionate to the legitimate aim being pursued to meet one or more of the following interests:

- a) National security
- b) Public safety
- c) The detection or prevention of disorder or crime
- d) Protection of health or morals
- e) The protection of the rights or freedoms of others (e.g. safeguarding public funds, protecting those at work)

Privacy Notice

All CCP Partners have a responsibility to protect public funds. For Local authorities this is a legal duty. The CCP partnership may obtain and share information about the applicant to:

- Prevent or detect crime or fraud
- Protect public funds
- To make sure information is correct

Third parties include government departments, other Councils, private sector companies, including companies that assist us in fraud detection and prevention, such as '*Credit Reference Agencies*'. Information may also be obtained from social media.

Any use of personal data will be in full accordance with 'The Data Protection Act 2018', which incorporates the implementation of the General Data Protection Regulation (GDPR). A full copy of each CCP Privacy Notice is available on request via emailing Cumbria Choice [@add cumbria choice general query email address](#)

Right to information

The Freedom of Information Act 2000 makes it a requirement for every public authority to produce a 'Publication Scheme' which sets out all the information it makes available to the public, and whether copies of that information are available free of charge. The 'Publication Scheme' includes information that a Council is legally obliged to publish. The Scheme is also intended to assist in developing a culture in which openness and transparency is encouraged as per the requirements of the Local Government Act 2000.

Appendix 1.3 Details of how alleged fraud or providing false information will be assessed

Section 171(1) of the Housing Act 1996 makes it an offence for anyone, in connection with the exercise by a local housing authority of their functions under Part VI of the Housing Act 1996 (and therefore in seeking an allocation of accommodation) to:

- a) Knowingly or recklessly make a materially false statement or
- b) Knowingly withhold information that the CCP has reasonably required him/her to give in connection with the exercise of those functions.
- c) A person guilty of this offence is liable on summary conviction to a fine at the date of this scheme document of up to £5,000.

The circumstances in which an offence is committed could include:

- d) Any false information given on an application form for housing/accommodation (including transfer applications);
- e) Any false information given in response to subsequent correspondence;

In addition making a fraudulent application for housing may constitute an offence under the Theft Act 1968 and/or the Fraud Act 2006.

Determination of deliberate intent

In many cases, applicants will have provided incorrect or inadequate information on their application form, but the assessment concludes that there was no deliberate intention.

It will be for the assessing officer in the first instance to decide if any errors contained in an application were deliberately made or not. If the officer is satisfied that the errors were not deliberate, or that it had no impact on the application, then no action will be taken though the applicant may be warned about the need to provide accurate information and the consequences for not doing so.

However, if the assessing officer has concerns, these will be discussed with their Manager who will decide if they:

- 1) Are satisfied that there is insufficient evidence to disqualify the application on these grounds;
- 2) Requires more information to be gathered before a decision can be made;
- 3) Are satisfied that the applicant has provided fraudulent information, or withheld important information.

The Manager will notify the CCP Board and, in serious cases the Police, in all cases where serious or systematic fraud is suspected.

If the decision is that applicant has given false information or withheld information they will not qualify for the register, or where information emerges after they have been placed on the register, they will be disqualified. In these circumstances a letter will be sent to the applicant to notify them of the decision and they will have a right to seek a review of that decision.

Appendix 1.4: Additional procedural information on the consideration of exceptional circumstances and how applications where there is a 'Debt Relief Order', 'Bankruptcy Declaration' or 'Individual Voluntary Agreement (IVA)'

Note: it is the responsibility of the applicant to make the case as to why their circumstances are exceptional. Once a request has been made for exceptional circumstances to be applied the assessing officer will consider that request under the statutory review procedure. Each request to be considered an exemption will be assessed on the facts presented. The CCP will also consider cases where it has assessed that a tenant accrued rent arrears due to the bedroom tax resulting in the tenant being unable to pay the full rent, or through having a reduced income as a result of a National Emergency for example the Covid19 emergency.

Note 1: This qualification rule also applies to applicants currently on the register. An applicant's eligibility to remain on the register will be kept under review. An applicant may be rendered ineligible (or allowed to remain on the register but not be allowed to bid) at anytime should the CCP become satisfied that there is new evidence, or a change of circumstances, that mean the rule relating to former rent arrears or a housing related debt should be applied to their case.

Note 2: For applicants who have had their rent arrears included in a 'Debt Relief Order', bankruptcy declaration or individual voluntary agreement (IVA) a period of at least 12 months has to pass from the declaration of insolvency to the point a debt is cleared. Should an applicant maintain their finances for this period, this will be considered as strong evidence that their previous problem has been resolved. Should an applicant fail to maintain their finances during this period, any new social housing debt can be taken into account as normal. Therefore, we see no benefit of taking into account such debts at a later point.

Appendix 1.5: Additional guidance for assessing officers and the framework to be used to apply the test of unacceptable behaviour

Specific examples of serious unacceptable behavior are:

- a) Being subject to a court order (including an interim order) for breach of tenancy conditions
- b) Conviction for illegal or immoral use of their current or former home
- c) Causing nuisance and annoyance to neighbours or visitors
- d) Committing criminal offences in or near the home and still posing a threat to neighbours or the community
- e) Being violent towards a partner or members of the family
- f) Allowing the condition of the property to deteriorate
- g) Paying money illegally to obtain a tenancy for example a corrupt payment
- h) Unlawfully subletting their tenancy
- i) Applicants that have been convicted of housing or welfare benefit related fraud, where that conviction is unspent under the Rehabilitation Offenders Act 1974.
- j) Having unspent convictions where the assessment concludes that the applicant is unsuitable to be a tenant due to a significant risk to potential neighbours and/or communities.
- k) An applicant or any member of their household has been responsible for any racial harassment or other hate crime. Racial harassment and Hate Crimes is defined as racist, religiously aggravated, faith, gender, age, disability, and trans phobic or homophobic or gender re-assignment harassment or hate crime. A hate crime or racist incident is defined as any incident which is perceived to be racist or hate crime related by the complainant or any other person.

Note: This rule also applies to applicants currently on the register. An applicant's eligibility to remain on the Housing Register will be kept under review during their time on the register. An applicant may be rendered ineligible (or allowed to remain on the register but not be allowed to bid until the behaviour is resolved) at anytime during the process should the CCP become satisfied that the rule relating to unacceptable behaviour should be applied to their case.

Any new application will normally only be reconsidered at the request of the applicant, and as a guideline the CCP will consider whether there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a period of 12 months.

Note: Where an applicant has resolved their behaviour to the satisfaction of the CCP it may still be the case that a CCP Housing Association Partner where the behaviour occurred might decide they do not want to consider rehousing their former tenant. However, this will not prevent an applicant from being considered for housing by another Housing Association.

The assessing officer will be guided by the following considerations:

- 1) The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible
- 2) In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example, those involving criminal prosecution, a longer time-scale may be appropriate.
- 3) There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats, or there might be a history of repeat offending.

The assessing officer will specifically consider:

- a) The seriousness of the applicant's behaviour
- b) The duration of the behaviour and/or the number and frequency of incidents
- c) The length of time that has elapsed since the behaviour took place
- d) Any facts that indicate that there has been no further cause for concern in the last 6 to 12 months
- e) Any relevant vulnerability or support needs that may explain the behaviour
- f) Whether there is meaningful engagement with support agencies
- g) Critically, whether there has been a significant and sustained change in the applicant's behavior, and
- h) Whether they believe on the evidence that the behavior is likely to still reoccur now or at the point a tenancy was offered or commenced

Applicants to whom the rule is applied will be written to and informed that:

- a) That the unacceptable behavior rule has been applied to their case and either they do not qualify, or that they qualify but cannot bid until the behavior has been resolved
- b) What they must do to resolve the problem
- c) That for either decision i.e. disqualification or qualification but not allowed to bid, it is the applicant's responsibility to notify the CCP when they have, in their view, resolved the issue and that they will need to present evidence to back up their view.
- d) Where an applicant is disqualified for unacceptable behaviour they will have a right to ask for a review of the decision made to disqualify them.

Note where an applicant is disqualified, any new application will normally only be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of 12 months.

Appendix 1.6: How a request for a review will be administered

1. How a request for a review will be dealt with

2. A review must be requested within twenty-eight days of the date of the letter advising the applicant of the decision on their application. The CCP has discretion to extend this time limit, or consider a request made out of time, if it considers this would be reasonable. Any request for a review out of time should therefore state why the applicant considers that the 28-day time limit should be extended.
3. The request for review should be made by email or letter to a Cumbria Choice Review Requests email account or PO Box address.
4. As a first stage the Housing Association or Partner who has assessed the applicants case will consider the applicants concerns and provide a response to the applicant. If the applicant is still unhappy their concerns will then be treated under the formal review procedure set out below.
5. Once the informal consideration process has been completed and after receiving a response the applicant has indicated in writing or verbally that they wish the review to proceed the relevant Cumbrian Council's Housing Options Service covering the area where the applicant has applied will conduct the review or may delegate this task to the CCP Partnership Manager to undertake the review on behalf of the relevant Council. Please note these reviews do not form part of the separate homelessness review process contained within section 202 of the 1996 Housing Act and they will not be subject to an appeal process pursuant to section 204 of the Housing Act 1996.
6. The applicant, or their representative, must give reasons why they wish to have the decision reviewed so that the CCP can ensure that the request falls under the statutory review request criteria.
7. Upon receipt of a request for a review the CCP will send an acknowledgement letter explaining the review process and procedure to be followed.
8. The officer undertaking the review will not normally have been involved in an original decision.
9. An applicant may be asked to attend an interview and, if so, can be accompanied by an advisor or friend.
10. Where it appears that the applicant needs an interpreter this can be arranged.
11. The review will be carried out and the decision and the reasons for it will be given to the applicant in writing within 56 days of the request being received. There is no right to request a review of this review decision.

Appendix 1.7: Further operational and procedural details covering:

- a) Advertising properties
- b) The bidding and selection process
- c) Offers of accommodation
- d) Feedback on lettings

Advertising properties

It should be noted that in certain circumstances a participating Housing Association might apply their own rules regarding the allocation of accommodation, for example an association may wish to apply its own test of affordability. The aim of all CCP partners is to keep these individual association rules to a minimum. Where there are rules set by an individual Housing Association that differ from the common policy, the intention is to set these out in a link to the on-line policy.

Properties will be advertised in an easy to read format. They will usually include a picture of the property or scheme in which it is located. Property adverts will include details of the property and will indicate suitable household size as well as giving information about the local area. The properties will clearly indicate which housing organisation is the Landlord.

Properties may be advertised during the 4-week notice period given by an outgoing tenant. If the notice is subsequently withdrawn by the tenant, the property will unfortunately be unavailable to let.

Direct offers will be made in accordance with the criteria set out in section 1 plus lettings to extra care housing and some sheltered schemes. Otherwise all categories of properties will be advertised. General needs properties; properties that have been adapted for those with disabilities; properties that are specifically for the elderly and which may have a warden and/or an emergency call system. Adverts will clearly indicate any restrictions on bidding (e.g. where properties have been adapted and/or are specifically for people with disabilities) and will detail any particular criteria that apply (e.g. where full occupancy is required, affordability criteria etc.)

Bids from applicants will only be accepted if they meet all of the eligibility criteria for the property. However if their situation is changing imminently, once evidence has been provided, they will also be accepted.

The bidding and selection process

Properties are advertised on a weekly cycle. Applicants may express an interest through bidding on any advertised property that meets their needs. For applicants in bands A or B they are able to place up to 3 bids each week. For applicants in band C they are able to place unlimited bids in order to improve their prospects of obtaining an offer of a lower demand property in the circumstances where there may be several lower demand properties advertised in that cycle.

Bids can be made in a number of ways: on the website using the username and password; by telephoning or visiting the office of a partner organisation; by mail; by proxy bidding.

Applicants are able to check their position on the list at the time of the bid, together with the total number of bids already placed. This allows applicants to make decisions about their choice of property and the likelihood of being successful. Within the bidding period, applicants may withdraw bids and make further bids.

Only the applicant whose bid is successful will be contacted unless they refuse the offer made or are ineligible to be offered the property.

So far as is possible the CCP will use the banding system, and waiting time within the band to allocate accommodation. However, there may be times when a direct letting will need to be made to a property using the criteria set out in 'Policy on Choice' detailed in Section 1. In these circumstances a property will not be advertised. The aim is that no more than 15% of properties available to let should be allocated through a direct letting in order to preserve the integrity of the choice based letting process. However, in the circumstances of a national emergency such as the Covid-19 pandemic choice based lettings may be suspended, or a much higher percentage of lettings may be made directly.

The highest bidder is awarded priority in descending order between Band A, Band B, and Band C.

Within bands, priority is awarded according to the registration date. However, there may be other reasons why it would be necessary or advisable to reject a bid that would otherwise have been successful: for example where there was restrictive labelling for the property advertised or where the property would not be suitable for that particular applicant. In the circumstances where the landlord who has advertised the property has decided that it would not be suitable, despite the applicant meeting the bidding criteria, there should be a discussion with the local authority's Housing Options Team before the bid is rejected.

Unless a property is advertised with restrictions, applicants who are members of the scheme can bid for any property in Cumbria regardless of where they live in Cumbria. However, when drawing up the shortlist applicants will be ranked first by local connection to the Council area where the property is advertised (using the local connection criteria set out in Qualification rule 1 Section 2 of the Policy) then by band and date order. There are 3 examples set out below. The exception to this rule will be where a bid is made by a victim of domestic abuse where it has been assessed and agreed that they cannot remain in the local authority area where they are at risk.

Example 1 - Applicant X has a local connection to Eden and this is the area where the advertised vacant property is located. Applicant X is in Band B. An applicant living in Allerdale (applicant Y) bids for the property and is in Band A but has no local connection to Eden. Applicant X will be shortlisted above applicant Y as they have a local connection with the area where the property is located.

Example 2 - Applicant T has a local connection to Eden and this is the area where the advertised vacant property is located. Applicant T is in Band C. An applicant living in Allerdale (applicant U) bids for the property and is in Band B but has no local connection to Eden. Applicant T will be shortlisted above applicant U as they have a local connection with the area where the property is located.

Example 3 – Applicant C is from Carlisle and has been assessed as being at risk in Carlisle due to fleeing domestic abuse. She is staying temporarily with friends outside of Carlisle. Applicant C has no local connection to Eden and this is the area where the advertised vacant property is located. Applicant C is in Band B with an effective date of 1/3/20. She bids for an advertised property in Eden. Applicant D is from Eden and is also in Band B with an effective date of the 1/4/20 and bids for the same property. This case would be the exception to the rule that priority would always be given to the applicant with a local connection to the local authority where the property is located. Applicant C would be the successful bidder based on her band and effective date.

In the circumstances where there are two households with the same Band and registration date that bid for a property a decision to offer the property will be based on the household who is assessed as being most suitable for that property.

Where the property advert has indicated specific requirements such as age or accessibility, only those applicants meeting those requirements will be eligible for an offer.

Offers of accommodation

This section sets out the procedure that will apply to making an offer of accommodation once an applicant has been selected from a shortlist of successful applicants bidding for that property.

Once selected and, prior to an offer being made, the Council or Housing Association landlord for that property will carry out a further verification of their eligibility and priority. In certain situations the offer will not be made, or if made may be withdrawn if:

- Since joining the scheme an applicant has become ineligible.
- On verification of the applicants' details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself.
- The applicants' circumstances have changed since the priority band was awarded and the applicant is no longer entitled to the same level of priority.
- The landlord has evidenced housing management reason not to offer the property.

If an applicant does not reply to an invitation in writing, by letter or email or text, to view a property within 2 working days of receiving an offer then the offer will

be deemed to have been refused and the property will be offered to the next applicant on the shortlist who qualifies for that offer.

A suitable and reasonable offer of accommodation is defined in appendix 4 of the policy.

There may, unfortunately, be exceptional circumstances where following a viewing or notification of offer an offer may still be withdrawn. This can be done up to the point when a tenancy agreement is signed. Examples of reasons when a property offer may be withdrawn are:

- The property is not suitable for the households needs
- The property fails to become available
- There is an issue and concern for community safety
- It comes to light that information has been withheld
- It comes to light that the household or member of the household has a property related debt
- The offer has been made in error
- The households circumstances changed
- The property is required for an emergency
- It transpires that the rent would not be affordable

There must be clear grounds recorded by the Council or a Partner Housing Association on the IT operating system if a decision is taken to refuse or bypass an applicant who is top of any shortlist. Where an applicant has been refused or bypassed because they have failed a verification check or that their circumstances have changed they should be informed of the reason and how it now affects their application.

For all other reasons for example, issues of public safety, risk, or sustainability of the tenancy, an applicant, upon request, will be informed of the reason behind the decision to refuse or bypass them.

Feedback on Lettings

A main aim of the Cumbria Choice scheme is to operate an open and transparent lettings system.

The result of lettings made through the scheme will be published on the Cumbria Choice web site and at the end of the property advert newssheet.

Appendix 1.8: Assessing whether an applicant qualifies for a priority band A or B on the basis of medical priority

The assessment: Awarding Medical Priority for significant Medical Conditions that are being made worse by an applicant's housing circumstances

The framework that will be applied to assess medical impact cases

This appendix provides detailed operational guidance to help officers to make their decisions on whether medical or welfare impact priority should be awarded.

Applicants will be asked for information and any supporting documentary evidence, regarding how their health or welfare are affected by their current home, or why the applicant's health cannot be managed in their current accommodation. They will be asked to complete medical information questions set out in the on-line application form and may, depending on their answers, be asked to complete a follow up form to allow the assessing officer to obtain more information.

On receipt, the assessing officer will consider whether any supplementary information is needed from any other relevant professional, who may be able to explain the impact the applicant's current accommodation is having on their medical condition or disability.

While this information is being provided, and pending the assessment of medical priority, applicants who qualify for the register and have another statutory housing need will be registered and placed in a band according to that need. Where no other housing need exists, the application will remain as pending until any medical priority is determined

The assessing officer supported, where necessary, by a senior officer, will normally make a decision whether or not to award a priority based upon the information provided. They will use the guidance notes and assessment framework in this appendix to help them make a decision.

If the assessing officer is of the view that it would be beneficial to obtain an opinion from an independent Medical Advisor, or Occupational Therapist they will make a referral. A Medical Advisor will not normally be asked to carry out a medical examination and their opinion will be based on the information provided by the applicant and any supporting information from a medical professional and any information submitted by any organization supporting the applicant.

Applicants are not required to provide any supporting medical evidence in support of their application before an assessment is made although where this is available they should provide it in support of their case.

Where the assessing officer believes that further medical information is required before they can make an assessment they may request it from a relevant medical professional dealing with the applicant.

It is important to note that the assessing officer is not making a medical opinion. The role of the officer is to consider evidence re the impact of an applicant's current housing circumstances on any medical condition or disability.

Medical priority will not normally be awarded in the following circumstances:

- a) Where the applicant has a health issue, however severe, that is not impacted by the accommodation occupied
- b) Health problems that are not affected by housing or cannot be improved by moving
- c) Where a move would only make a marginal improvement to the applicant's condition
- d) Medical impacts caused by housing defects that are likely to be rectified in a reasonable time frame.
- e) Where another reasonable course of action is available to the applicant to resolve their difficulties.
- f) Time-related medical problems (e.g. pregnancy-related problems or a broken leg)
- g) Disrepair problems not impacting significantly on the applicant's medical condition. (Note under the policy an applicant may receive priority separately for living in unfit or unsatisfactory housing depending on the assessment made of their circumstances and impact).
- h) Overcrowding not impacting significantly on the applicant's medical condition. (Note under the policy an applicant may receive priority separately for being overcrowded).
- i) If the situation can be resolved by equipment or minor adaptations which can be implemented in a reasonable period of time.

Applicants who require support to live independently with their medical condition will be placed in a priority band for their medical need but will be suspended from bidding until an appropriate package of support has been agreed. If no appropriate support package has been agreed the applicant will not be offered accommodation whilst a support plan/package is pursued.

Each individual on the application with a health or welfare problem will be assessed. If there is more than 1 member of the household whose health and/or welfare is being affected by their housing, their application will be awarded the need relating to the severest problem.

Where an applicant has been placed in bands A or B as a result of a medical need this may be reviewed on a regular basis to ensure the award is still relevant.

The review will determine whether the level of priority is still appropriate. The review may involve a phone-call to the applicant and/ or support agency, an email, or a home visit.

Once the assessment has been completed the applicant will receive a letter or email advising them of the outcome, and if a priority band is awarded what that band is.

Where an applicant already registered notifies a change of medical circumstances that are impacted by their current housing the applicant's priority will be re-assessed using the same process.

This section below quotes examples of when Bands A or B could be awarded. These are just examples and an assessment will be made on the facts of the case.

Band A: Covers urgent and immediate medical impact problem

This top category band A will be reserved for exceptional cases where an applicant's health is seriously at risk (including a risk to life) due to the associated medical and housing difficulties that are inherent in their existing accommodation.

Band B: Covers serious medical impact problem

A band B award also reflects urgent medical impact cases that have a clear relationship with the applicant's existing housing circumstances.

The detail for the operational guidance that used to assess medical cases

1. The applicant will be asked to indicate on their on-line application form whether they or anyone in their household has an illness or disability that is affected by their current accommodation.
2. If the information returned on the on-line form does not clearly address the impact of the applicant's current housing on their condition, the assessing officer will contact the applicant to ask them specifically to describe how the current housing is impacting on the condition described (a standard letter/form will be used).
3. The email/letter will explain that where supporting information from a health professional is available, the applicant should provide this information to support their application, but that we do not, as a matter of course, require an applicant to submit a medical report, or obtain letters from their GP before an assessment will be progressed. We do not wish to create further work or costs for doctors or applicants by insisting that medical reports are produced before an application can be considered.
4. It is expected that the majority of cases can be assessed by the assessing officer by using this guidance and where necessary taking advice from a senior officer. Only where relevant and appropriate will advice from an independent medical advisor or OTT be sought.
5. Depending on the seriousness of the circumstances claimed the case might be referred to an independent medical advisor or OTT to provide advice on the possible impact of any medical or disability condition to help address the impact of the applicant's current accommodation on that condition.
6. In the circumstances where the assessing officer believes there may be an urgent and immediate need, due to the severity of the impact of their current housing on an applicant's disability, the case can (with a senior officer's approval) be submitted to Cumbria County Council's Occupational Therapy Team (OTT) for a more detailed assessment. In order to do this the OTT may visit the home of the applicant and consider any supporting information and may recommend whether Band A or B priority should be awarded, based upon the severity of the case and the urgency of the need for re-housing.
7. The OT may also make recommendations re the type of housing that the applicant may need.

8. Where priority is awarded applicants will only be considered for the type of accommodation assessed as being required. For example, if it is assessed that an applicant needs to move to a bungalow because due to their condition they need to use a wheelchair, they will only be considered for suitable properties that meet this need.
9. There will be occasions when advice, or clarification, from a GP or hospital consultant may need to be sought. For example, where it is claimed that an applicant's housing circumstances is severely affecting their mental health.
10. Where the information indicates that the applicants condition is not so urgent and immediate that they are unable to live in their current home, or that there is insufficient evidence that the medical condition would be significantly improved by alternative housing no award of priority band A or B will be made.
11. The following list sets out some of the circumstances that may qualify for an award of priority banding:
 - a) An applicant's inability to manage stairs, control temperature, etc.
 - b) Where an applicant is confined to their existing accommodation due to the physical nature of that accommodation
 - c) Where an applicant's accommodation is having a significant or exceptional impact or is causing an applicant's mental or physical health.
 - d) An applicant's restricted ability to fend for him/herself in the accommodation which may put them at significant risk due to the physical nature of the accommodation
 - e) The need for adapted housing and/or extra facilities
 - f) The need for sheltered or supported housing due to the impact of their current housing on a medical condition.
 - g) The need for alternative housing as part of a care plan

When assessing whether to award band A or B or no band, the assessing officer will follow the 5-stage process set out below:

1. Is the medical/disability issue serious enough for a priority banding to be considered?
2. If the medical condition is serious enough for a priority banding to be considered the assessing officer should then decide if there is a direct link between the identified medical problem and the applicant's current housing accommodation/situation, i.e. on the facts obtained (from the applicant and any medical information or reports submitted including any advice from an independent medical advisor or OTT) is the officer accept that the applicant's current housing accommodation/circumstances is making their medical condition substantially worse, or will make it worse.
3. In practical terms the officer should consider the adverse effect this has on the applicant's ability to manage day-to-day tasks in their current home. The applicant's current housing accommodation/circumstances may be impacting on their medical condition or disability but not to the extent that an award of band A or band B priority should be granted under the criteria adopted for the policy. The examples listed for an award of band A or band B should be used to guide the officer when making their decision.
4. Before making an award the assessing officer needs to be satisfied that there is a realistic expectation that the impact on the identified medical condition/disability would be removed or significantly improved through the provision of alternative accommodation.

5. If the officer is satisfied that the impact on the identified medical condition/disability would be removed or significantly improved they would then decide whether to award Band A or B depending on the severity of the impact and using the examples below to guide them.

More extensive examples to help the assessing officer to decide if band A should be awarded on medical or disability grounds

These examples are intended to guide the assessing officer on the threshold set for a band A or band B priority award, or whether no award should be made. They will also serve to help an applicant understand the threshold for a priority award to be given.

The following are examples of cases that may qualify for Band A award. It may apply to the applicant or a member of their household:

1. Applicants who have a progressive, chronic or life-threatening medical condition and cannot be discharged from hospital because they do not have any accommodation, or their accommodation is unsuitable for example, because they cannot access toilet and/or bathing facilities in the property. This will include cases that cannot be discharged from hospital due to their accommodation being unsuitable.
2. Applicants who have a progressive, chronic or life threatening medical condition and urgently need to move to accommodation with significant disabled adaptations, such as accommodation suitable for a wheelchair user.
3. An immediate life threatening condition which is seriously affected by the current housing and where re-housing would make that condition significantly easier to manage
4. A serious illness, where an applicant is receiving palliative care and urgently requires rehousing to facilitate the on-going provision of that care
5. A life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care
6. The applicant's health is so severely affected by the accommodation that it is likely to become life threatening, e.g. applicant has severe mental health problems that are significantly exacerbated by their accommodation;
7. A new and life-changing condition that severely impairs their mobility, meaning they are unable to carry out day-to-day activities, or have difficulty accessing facilities inside and outside of their accommodation and require housing into suitable accommodation
8. Where their current property leaves a person at risk of infection, e.g. where an applicant is suffering from late-stage or advanced AIDs
9. Due to limited mobility a person is unable to access essential parts of the property e.g. bathroom/toilet.
10. A member of the household is elderly or disabled or has a progressive illness and is likely to require admission to hospital or residential/nursing care in the immediate future and re-housing would enable the person to remain at home.
11. Armed forces personnel who need to move to suitable adapted accommodation because of a serious injury, medical condition or disability that he or she has sustained as a result of service.
12. Veterans who have actively served in the armed forces and are suffering from severe post traumatic stress disorder or serious illness directly related to service in the forces

13. People who have a severe mental health or learning disability which significantly affects their ability to lead a normal life and which puts them at risk of admission to hospital or residential care.
14. People living in a mobile home, caravan or converted vehicle which, due to medical conditions, the vehicle cannot meet their essential needs
15. Where remaining in the current accommodation poses a significant risk of serious and permanent injury and/or permanent severe disability
16. Where the applicant is prevented from having access to kidney dialysis, respiratory, or other similar essential equipment. This will normally apply where these circumstances are likely to prevent someone from remaining in their home for all or most of the time. Such a condition would be likely to be ongoing, rather than a temporary condition
17. Someone with a medical or disability who's housing has rendered them housebound
18. Where a move would avoid the need for another service (e.g. Social Services) from having to provide a significant level of support. This might include for example residential care; overnight care provision, or other support with similar resource implications
19. Where someone suffers with epilepsy or other conditions that cause frequent and unpredictable falls and all medical interventions to prevent them have been investigated. This will involve an assessment of the layout of their current accommodation, for example the number and nature of steps, stairs or other hazards that may increase the risk of serious injury
20. Where it is impossible for the person to use essential facilities within the home and no adaptation is possible
21. The applicant or household member requires significant disabled adaptations to meet their needs and this is not possible in their current accommodation or would not be cost effective.

More extensive examples to help the assessing officer to decide if band B should be awarded on medical or disability grounds

1. Applicants who have significant mobility issues and would benefit from a move to ground floor or level access accommodation
2. Applicants who have significant mobility issues and would benefit from a move to accommodation that has level access showering facilities
3. Applicants who have a significant physical or mental health condition that is directly affected by their accommodation and where a move to alternative accommodation would help to ease or resolve their condition
4. Applicants who have a medical need for an additional bedroom for example, because they have been assessed as requiring an 'overnight carer', or they need more space to accommodate a substantial amount of medical equipment.
5. Applicants whose housing is unsuitable for severe medical reasons, or due to a disability, but who are not housebound, or whose health, or safety is not at such a risk level to require immediate urgent housing may be awarded band B
6. Children with severe conditions such as autism, or cerebral palsy where their long term needs cannot be met without long term settled accommodation.
7. A person whose disability means that re-housing would help them to overcome physical barriers created by their current accommodation that they struggle with e.g. stairs and steps.

8. A person with a severe disability requiring some adaptations to their property that cannot be provided for in their current accommodation.
9. Where an applicant can access their home, but struggles to access normal day-to-day facilities within it (e.g. bath/shower/toilet) without experiencing significant difficulty, pain or other discomfort. This would include cases where an adaptation is possible but cannot be undertaken in a reasonable period of time. (Note: any priority would be removed if an adaptation is completed, or work started)
10. An applicant is suffering from a long-term mental illness that is being exacerbated by their accommodation. There will normally not only be GP involvement, but other specific mental health support already provided.
11. Where an applicant is only not housebound due to significant support that is available to enable them to get out of their accommodation
12. An applicant or member of their household with a terminal illness, or long term medical debilitating condition, whose current accommodation is not necessarily having a significant impact on their condition but where it is agreed by the council that their quality of life would be significantly improved by moving to alternative more suitable accommodation, or accommodation that is nearer to support that is essential for their well being.

Appendix 2 – Definition of Terms

Accessibility – Used here the term refers to how ‘user friendly’ the service is to all people who may want to use it.

Adapted Property – Property that is suitable for those with a physical disability i.e. where a stair lift has been fitted.

Automatic Bidding – Within the ICT system a means of expressing an interest in a property for someone, without making the bid themselves.

Banding Scheme – The method by which customers are prioritised for social housing (previously ‘points schemes’).

Bidding – The term used to describe people who register an interest in a property (no money is involved in making the bid).

Choice Based Lettings (CBL) – The system of letting property that gives customers choice in where they live through advertising property.

Housing Register – One list for all of Cumbria of people applying for social housing (previously ‘housing waiting lists’).

Applicants – Those people applying to the scheme for housing.

Effective Date – The date used to decide between customers in the same Band to establish who has waited longest.

Fully Occupied – Bedrooms in the property that are being fully used in terms of the household occupying the property in accordance with the table in Appendix 6. When they are not fully used the property could be considered under occupied.

Hard to Let – Low demand property where it takes longer to find a tenant.

Housing Options – A term used to describe a service that advises customers of all their choices and includes mutual exchanges, low cost home ownership and renting in the private sector.

Letting Policy – The means by which it is decided how property will be offered to customers.

Local Lettings – Policy made in local areas (to tackle specific, identified housing management issues) on how property will be offered that differs in some part from the overall scheme policy.

Management Discretion – Property that is offered directly to an identified person without being advertised.

Partnership – The name for the District Councils and housing associations that have funded, developed and continues to operate the scheme.

Proxy Bidding – a Local Authority or Registered Provider places bids on the customer's behalf.

Social Housing Providers – The term for a variety of housing organisations that provides not for profit housing and included local authorities, housing associations.

Appendix 3: How any local lettings policy will be applied and reviewed

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities.

They will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development, or may be applied to a parish or a village in a rural area). Each local lettings policy will be based on a detailed analysis of relevant information gathered from a variety of sources and may include, for example, evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, a neighbourhood plan or the need to provide housing for local people in rural villages and parishes, or evidence from the Local Housing Authority internal departments i.e. environmental health).

The following are examples of local lettings policies that may be deployed under this policy. The list is for illustrative purposes and is not exhaustive.

- 1) Age restrictions.
- 2) Prioritising applicants who are key workers, as defined by the CCP.
- 3) Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block.
- 4) Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block.
- 5) Disregarding household type or property matching rules to allow, for example, under-occupation to reduce child density or to account for future family growth.
- 6) Ensuring that there is a balance of working and non-working households allocated to a scheme.
- 7) Enhanced local connection restrictions relating to a specific parish.

New developments will normally have local lettings policies (depending on the planning permission or agreement reached these may apply to first lettings only or be ongoing) regardless of whether the new development is subject to a Section 106 agreement or affordable housing statement. Where a new development is subject to a Section 106 planning agreement the criteria set will be followed.

In order to ensure a reasonable mix of household sizes and types, and families with children of different ages, a local lettings policy will normally be used for new developments larger than four properties. The local authority may set restrictions on the number of lettings, which can be made to families with young children, for example, or the number of families who are not working.

How will a local lettings policy be assessed and agreed?

The process for agreeing local letting policies may differ across the Cumbrian region. In some districts the decision is made by the Council and in other districts the decision is for the stock holding CCP partner in consultation with the Council.

There must be a clear evidence base for adopting a local lettings policy. The following framework will be used to decide whether a local lettings policy is appropriate:

- 1) That there is a clear definition of the objective to be achieved by that particular local lettings policy.
- 2) That there is a clear evidence base to back up the need for a local lettings policy.
- 3) That any potential equality impact has been considered.
- 4) How long the local lettings policy is intended to operate.
- 5) When the local lettings policy should be reviewed.

A written record of each policy adopted or rejected should be kept.

It is the intention that local lettings policies will be fluid with new policies being added as are required and existing policies being deleted once the objective for that policy has been met. Local lettings policies must be approved by the exceptions panel before they are applied.

All local letting policies will be reported to the CCP Board who will discuss any policies where there is any dispute over the wish to apply a local letting policy.

The intention is for all current local lettings policies to be listed as a link to the on-line version of this policy so the public can see which policies are in operation at any point in time. In addition any property advert will state whether there are any local lettings restrictions or criteria.

Appendix 4: Definition of a reasonable offer

A refusal of an offer of the correct size and type will normally be considered unreasonable.

Guidance on reasonable and unreasonable refusals:

1) Property size

The property must be the appropriate size for the household's needs at the time of making the offer. Where the family composition has changed, so that the property offered is too small or large for the applicant's needs, the refusal will be recorded as reasonable.

It is the applicant's responsibility to ensure that they register any change in their circumstances that will affect the number of bedrooms to which they are entitled.

Where the applicant refuses a property because it is too small on grounds of the need for an additional or larger bedroom(s) due to medical/mobility factors, but it meets the lettings standard, this will normally be considered to be an unreasonable refusal unless the applicant provides new medical information at the offer stage that is accepted by the CCP.

2) Property type

It will not be considered to be a reasonable refusal due to a dislike of the property type. Therefore an applicant cannot reasonably refuse an offer because for example, it is in a tower block, it does not have a garden or a particular heating system, it is on a wrong floor, or does not have a lift. If the applicant states medical grounds for refusing the property, these should already have been disclosed and considered as part of the assessment of their application, unless new information is submitted that is accepted by the CCP.

Where specialist accommodation is offered to a household inappropriately, this is considered to be a reasonable refusal. This may be for example:

- a) Offers of wheelchair standard housing to households which do not have wheelchair users
- b) Offers made to disabled applicants which are unsuitable for their needs, for example where they are unable to open a door entry system because the doors are too heavy
- c) Offers of sheltered housing where the applicant is not of the appropriate age.

3) Property condition

Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal unless the voids team decides to withdraw the property from letting for further works to be carried out.

4) Area of choice

Where the offer is not within one of the applicant's specified areas, the refusal will not be considered to be reasonable. It should also be noted that where an applicant is made a direct offer such as: where the applicant has been assessed as being statutory homeless and are owed a statutory homeless duty, area of choice will not apply.

5) Racial harassment

Where an applicant from a black or ethnic minority household refuses the property prior to viewing because the previous tenant was rehoused as a result of racial harassment, or there is a known problem of racial harassment in the vicinity of the property, the refusal is considered reasonable.

6) Choice of landlord

An applicant receiving a direct offer cannot choose whether they are rehoused by the Council or by a Housing Association or a specific Housing Association. Therefore, any refusal of Housing Association property because, for example, there is no Right to Buy, or Right to Acquire, or the rent is higher than another social landlord will not be considered to be reasonable (unless in the example of the rent level the assessment is that the offer is unaffordable for the applicant in question).

7) Pets

One of the conditions of the tenancy agreement is that a tenant must obtain the written consent of the landlord before keeping domestic pets.

Any intention to keep a pet must comply with the Council's or partner Housing Association's tenancy terms and conditions, which means that permission must be sought and agreed prior to signing the tenancy agreement for the property. Therefore any refusal on the basis that permission has not been granted to keep a pet is not reasonable.

Appendix 5: Contact Details for all Partner Organisations

Accent Housing Association
Ambassador House
Dalton Road
Barrow-in-Furness
LA14 1HZ
Tel: 0345 6780555

Allerdale Borough Council
Allerdale House
New Bridge Road
Workington
CA14 3YJ
Tel: 03031 231702

Barrow Housing Department
Town Hall
Duke Street
Barrow-in-Furness
LA14 2LD
Tel: 01229 876550

Carlisle City Council
Civic Centre
Rickergate
Carlisle
CA3 8QG
Tel: 01228 817200

Copeland Borough Council
The Market Hall
Market Place
Whitehaven
CA28 7JG
Tel: 01946 598300

Eden District Council
Mansion House
Friar Gate
Penrith
CA11 7YG
Tel: 01768 817817

Eden Housing Association
Blain House
Bridge Lane
Penrith
CA11 8QU
Tel: 01768 861400

Home Group
PO Box 115
Duke Street
Whitehaven
CA28 0BT
Tel: 0345 1414663

Impact Housing Association
Nook Street
Workington
CA14 4EH
Tel: 0344 8736290

Riverside Housing Association
English Gate Plaza
Botchergate
Carlisle
CA1 1RP
Tel: 0345 111 0000

















South Lakeland District Council
South Lakeland House
Lowther Street
Kendal
LA9 4DQ
Tel: 01539 733333

South Lakes Housing
Bridge Mills Business Centre
Stramongate
Kendal
LA9 4BD
Tel: 0300 303 8540

Castles and Coasts Housing Association
3 Castle Street
Carlisle
CA3 8SY
Tel: 0800 0851171

Appendix 6 - Household Type and Property Size – *This will need to be amended according to the overcrowding rules that the CCP want to adopt as discussed in overcrowding section of the section 4 banding table*

This table provides guidance on the size of home that different types of household can bid for on Cumbria Choice. This is supplemented by the more detailed information which each housing provider places in individual advertisements and in guidance published on the Cumbria Choice website.

Household	Bedsit	1 bed	2 bed	3 bed	4 bed	5+bed
Single person			D	D		
2 Adults (couple including same sex couples)			D	D		
2 Adults (non couple)			 *	D		
Single 1 child				D		
Single 2 child						
Single 3 Child						
Single 4 or more children						
Couple 1 child				D		
Couple 2 child						
Couple 3 child						
Couple 4 or more children						

NB *Households with access to children will not be able to include them as part of the household when looking at eligibility for property size. See section 2.1 Households with access to children/joint custody.*

Key



Number of bedrooms allowed for this household type



Number of bedrooms allowed for this household type, subject to the ages of the children.

Two children under the age of 10 are usually expected to share a bedroom.

Two children of the same sex are usually expected to share a bedroom until they are 16.

Once a child is 16 a separate bedroom is allowed.

D

Allowed by discretion only when stated in the advertisement.

This is most likely to apply in one of the following circumstances:

- There is low demand for the type of property in the location
- There is lack of supply of smaller homes in the location
- A local lettings or s106 policy applies

*

Some providers may only allow households with children to bid on houses

Appendix 7 - Right to Move Qualifying Criteria

To meet the Allocation of Housing (qualification criteria for the Right to Move - England) Regulations 2015, a local connection may not be applied to existing social tenants seeking to transfer from another local authority district in England who: -

- Have reasonable preference under Section 166(3)(e) because of a need to move to the Local Authority's district to avoid hardship, and
- Need to move because the tenant works in the district, or
- Need to move to take up an offer of work

QUALIFYING CRITERIA

This applies to existing social housing tenants: -

- Who need to move within a Local Authority area or to another local authority area to avoid hardship, and
- Who need to move because the tenant works in the district, or
- Who need to move to take up an offer of work?

What the Local Authority should take into account: -

Need to Move:

Tenants must need to move, not simply want to move. Factors to consider in determining `need` are: -

- The distance and/or time taken to travel between home and work.
- Availability and affordability of transport as against earnings.
- Nature of the work and whether similar opportunities are available nearer home.
- Other personal factors, for instance medical conditions, child care
- Length of work contract.
- Would failure to move mean a lost opportunity to improve employment circumstances or prospects?

Work:

`Work` only qualifies as `work` if it is not: -

Short term:

- Consider whether the work is regular or intermittent (particularly relevant for the self-employed).
- Consider the period of employment – a contract of less than 12 months could be considered short-term.

Marginal:

- Less than 16 hours per week could be considered marginal
- Consider the level of earnings.

Voluntary:

- Unpaid, or expenses only.

Ancillary:

- That is, if the person works occasionally in another local authority area, but main place of work is a different area, the work is excluded.

Verification and Evidence

The tenant must be able demonstrate that he/she has a genuine job offer and that he/she has a genuine intention to take it up.

Appropriate evidence could include: -

- A formal offer letter.
- A contract of employment.
- Wage/salary slips covering a certain period, or bank statements (zero hour contracts).
- Tax and benefits information, for example proof of receipt of working tax credit.

Appendix 8: Person(s) Who Will Take Specific Decisions *this will be added to the final policy*

Appendix 9: How major changes will be considered by each of the 6 Cumbrian Councils *Will be added to the final policy*

Appendix 10: The revised Equality Impact Assessment June 2020

his is attached to the policy as a separate document given its length. A copy can be emailed on request.

Appendix 2: CUMBRIA CHOICE: REVISED HOUSING ALLOCATIONS SCHEME EQUALITY IMPACT ASSESSMENT (EQIA) JUNE 2020

Date approved	June 2020
Approved by:	
Next Review Date:	

Background

Under Part VI of the Housing Act 1996, every local authority is required to adopt a 'Social Housing Allocation Policy', the purpose of which is to determine priorities in allocating housing and to set out the procedures to be followed. The Allocation Scheme determines individual priority for housing. In June 2020 the 'Cumbria Choice' Allocation Policy was reviewed and a number of changes made. Cumbrian Choice is the adopted social housing allocation policy for all 6 Cumbrian local authorities.

Cumbria Choice is a sub regional partnership between the 6 local authority districts and 8 'Registered Provider' housing associations that own social housing stock across Cumbria.

The revised policy was subject to a public consultation from 23rd April 2020 ending on 21st May. The consultation involved:

- Sending out a detailed consultation survey (attached at appendix 1 with a summary of the consultation responses). This was sent out with a copy of the draft policy.
- The survey and draft policy was sent to all relevant stakeholders including specialist organisations working with groups and individuals owed a protected characteristic including organisations working with disability, mental health, domestic abuse, older persons and race. In total over 350 stakeholders and individuals were sent the survey
- The survey was also sent to a group of service users who had previously indicated that they would like to be involved in the consultation exercise.
- The survey was also posted on the Cumbria Choice Website so that anyone registered could make comments.

This Equality Impact Assessment (EQIA) and has been finalised in the light of the consultation responses.

Comments received were logged and considered against the policy proposals. Some minor changes have been made as a result of the consultation. The changes were strongly supported by stakeholders who responded to the survey.

Under the Equality Act 2010, when adopting a new Allocation Policy a local authority is required to have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by, or under the Act
- b) Advance equality of opportunity between those with a protected characteristic and those without
- c) Promote good relations between those with a protected characteristic and those without

The 'protected characteristics' in law are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination. The equalities impact assessment set out below, has considered the impact of the changes to the Allocation Policy on the protected groups and, where there is an impact, set out the justification for continuing with the policy change along with the actions that will be taken to reduce any impact that has been identified.

The key objectives for reviewing the social housing allocation policy are:

- a) To continue to support local people most in need of housing in Cumbria
- b) To simplify the policy so that it is easier for customers to use, is transparent, and is accepted by customers as a fair way to allocate social housing when it is often in short supply.
- c) To ensure the policy contributes towards creating mixed and sustainable communities where people of different backgrounds and socio economic groups live side by side including the need to the problem in some areas where there is not as high a demand for social housing as there is in other parts of Cumbria.

Details of the changes to the 'Cumbria Choice' policy

There were a number of important changes proposed and these are explained below using the explanation set out in the consultation survey.

1) We want to reduce the number of Bands from 5 to 3

The Cumbria Choice Partnership has received regular feedback from users and stakeholders that the allocation policy is too complicated and confusing. One of the main concerns expressed is that customers do not understand why there needs to be 5 Bands and inevitably this encourages 'higher band chasing' which, in turn, increases the officer time needed to administer the scheme.

The proposed solution is to move to a simple 3-band system with the time a person joined the register determining their place in the queue for the band they have been allocated.

Band A will be for the most urgent housing need cases that need to move quickly.

Band B will be everyone else that the legislation states has a statutory housing need.

Band C will be everyone else.

This aim of this simple change is to build trust in the system as it will become more of a 'waiting list' queuing system recognised by everyone using it as a fair way to allocate a limited resource where there is often over demand for certain property types or areas.

2) We intend to keep an 'Open Register'

Many local authorities restrict their Housing Registers so that only customers who are assessed as having what is called by the allocations legislation 'a statutory housing need' can join the register

We intend to continue to operate an open register in Cumbria. Everyone will still be able to register regardless of whether they meet the definition for a statutory housing need (unless there is evidence of serious unacceptable behaviour or significant former rent arrears). Those customers who are not assessed as having a statutory housing need will be placed in the Band C. This still means they have a chance of being housed but when they bid for accommodation they will be 'shortlisted' below customers from the higher statutory housing need bands A and B. We think this is a fair system that gives everyone some chance of being considered for social housing.

3) We are adding to, and amending the qualification rules for when a customer is able to join the Housing Register

The current policy has a number of qualification rules that decide whether an applicant will be allowed to join the Housing Register in Cumbria. We are amending some of the rules regarding when a customer can qualify to be included on the Housing Register, and in addition creating a rules for when a customer can qualify for Band C but not for the higher needs Bands A and B. We want to know what you think of each of these qualification rules. They are set out in the table below with an explanation for what we are trying to achieve.

Two of the key rule changes relate to customers where there is evidence of former social housing rent arrears or unacceptable behaviour. The objective is to be much clearer with customers what they have to do to resolve the issue in question but to discourage some previous practices whereby they may be 'arbitrary blocked' from being considered for social housing. The new rules mean fewer will be disqualified but they will not be offered social housing until they have demonstrated the changed behaviour required to be considered to be a good tenant.

<p>Qualification rule 1 – Local Connection</p>	<p>It is proposed that the Policy will restrict access to the high housing need Bands A and B to customers who can evidence a local connection with Cumbria. This would prioritise Cumbrian households for the higher 2 bands but there would be exceptions for people without a local connection if they were homeless or victims of domestic violence.</p> <p>Therefore to qualify for Bands A or B the customer must have a local connection with Cumbria. This could be set as:</p> <p>Option A:</p> <ul style="list-style-type: none"> a) Living in Cumbria for the last year, or 3 years in the last 5 b) Having close family living in Cumbria c) Working in Cumbria as long as this isn't casual work. <p>Option B</p> <ul style="list-style-type: none"> a) Living in Cumbria for the last year, or 3 years in the last 5 b) Having close family living in Cumbria that provide essential support c) Working in Cumbria - defined as Employment is defined as paid employment for 16 hours or more per week for a period of one year, or self-employment where an applicant can demonstrate that the self-employed work they perform is in the Cumbria area and is on average 16 hours a week or more. <p>If the customer doesn't meet one of the above they can still register but will be placed in band C</p>
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Qualification rule 2: The requirement to give permission to obtain and share an applicant's personal information	Unless the customer gives permission to enable enquires to be made to assess their application and circumstances, they will not be able to qualify for the housing register. This is to combat possible fraudulent applications.
Qualification rule 3: Homeownership or legal interest in home ownership	If the customer owns their home they will either a) not be able to qualify to be included on the register, or b) will not be able to qualify for Bands A or B but would still be allowed to be placed into Band C. We would like your views on this rule and if you support it which should it be a) or b)?
Qualification rule 4: Financial resources	<p>If the customer earns above a set net income or has savings above a set threshold they will either not be able to qualify for the register or will not be able to qualify for Bands A or B but would still be allowed to be placed in Band C despite their income or savings.</p> <p>We would like your views on which option should be included and if you support income or savings thresholds what these should be?</p>
Qualification rule 5: Failure to Bid	Many customers once they register don't bid for the properties advertised. We think that if someone hasn't made one bid in 12 months that they should be removed from the register. This will cut down on the time and costs in administering the housing register. This rule would not stop a customer from reapplying at a later date.
Qualification rule 6: Fraud or giving False Information	If someone has lied or withheld information in an attempt to get social housing we think they should not be able to register, or if they are already registered and we discover they have led or withheld information they will be removed from the register. This would be serious cases of lies or withholding information that were intended to obtain social housing by deceit.
Qualification rule 7: Circumstances where an applicant has current or former social housing rent arrears or another relevant recoverable housing related debt	This rule in the current policy is being amended to help customers who have former social housing rent arrears or housing related debt to be able to obtain social housing.

	<p>For customers with serious rent arrears it will continue to be the case that they cannot qualify for the housing register until they have reduced the debt to a level we agree is reasonable.</p> <p>However, for customers who owe less than £1000 they will be able to qualify and be banded for their assessed housing need but they will not be offered a property until they have resolved the debt to a level we think is reasonable in the circumstances. There will be clear criteria for what they have to do to resolve the issue and they will continue to 'move up the queue for their band' so they have not 'lost out' whilst resolving the debt.</p>
Qualification rule 8: Serious unacceptable behaviour	<p>This rule in the current policy is being amended to encourage customers to tackle any unacceptable behavior issues, or ASB issues before they will be able to be considered for an offer of social housing.</p> <p>For customers with a history of serious unacceptable behavior that has not been resolved when they apply to join the housing register it will continue to be the case that they cannot qualify for the register until they have resolved the problem to the satisfaction of Cumbria Choice. That is not a change from the current policy.</p> <p>However, it is proposed that customers presenting with more minor issues that are assessed as needing to be resolved will be allowed to qualify and will be banded for their assessed housing need. However, they will not be offered a property until they have resolved their behavior to a level that will give us confidence that they will be good tenants in the future.</p> <p>There will be clear criteria for what they have to do to resolve their behavior and they will continue to 'move up the queue for their band' so they have not 'lost out' whilst they resolve the problem.</p>
Qualification rule 9: CCP Tenants not assessed as Band A or Band B Housing Need	<p>Existing Housing Association and Barrow Council tenants who have a housing need will be able to join the Housing Register.</p> <p>However, there is a problem in existing tenants who do not have a housing need wishing to transfer to another social housing</p>

	<p>property. Each transfer costs the social housing landlord thousands of pounds in costs to re-let the property.</p> <p>We think that tenants who do not have a housing need should still be able to seek a transfer through the Mutual Exchange Scheme but not through the housing register.</p>
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4) We are making the rules clearer regarding when a direct letting outside of the choice based letting system will be allowed.

The current policy on making a 'direct letting' will be made clearer regarding when a direct let will be allowed. The Policy intention is that direct lets should account for no more than 10%-15% of all lettings to preserve the integrity of the choice based letting system.

The main examples of when a direct offer will be considered due to exceptional reasons are:

- a) Urgent housing need situations where it would not be reasonable in the circumstances to wait for the Choice Based Lettings process to produce an offer such as a threat to life in the area in which an applicant currently lives.
- b) Tenants of a Cumbria Choice Partner in emergency cases whose homes are damaged by fire, flood or other disaster
- c) Where an applicant is homeless and in temporary accommodation and owed a section 189B(2) Relief duty or 193(2) main duty and the Cumbria Choice Board agree with a request from a Partner Council to allow direct lettings to move applicants out of temporary accommodation in order to manage any budgetary or legal impact.
- d) Where a vacant adapted property or a property designed to disability standards becomes available and there may be a need to offer that property to an applicant whose disability need best matches that property, regardless of the date they were registered.
- e) Other examples include cases where an applicant is subject to 'Multi Agency Public Protection Arrangements' (MAPPA), or may present a risk to themselves or others

5) We are proposing a penalty for applicants who refuse 3 reasonable offers in a 12-month period.

All applicants will continue to qualify for 3 reasonable offers in a 12-month period. If an applicant in the high need Bands A or B refuses 3 reasonable offers in that 12 months they will be 'downgraded' to Band C for 12 months. This is to stop applicants bidding for properties they are not committed to taking which has the consequence that properties take longer to let and cost the social housing landlord money in lost rent. The definition of a reasonable offer is clearly set out in the new policy.

6) We are proposing to remove the 'Cumulative Need' rule from the Policy

We propose to remove the 'cumulative housing need' rule from the scheme to make the scheme more transparent for customers and easier to understand and to administer. Under the current policy customers who have two or more of the housing needs as listed in Band C are 'promoted' into Band B. This is called the cumulative need rule.

Under the new policy we propose that an applicant who meets 2 of the housing need criteria for band B will still only be awarded band B and not promoted to Band A. The old policy of cumulative need has been extremely hard for officers to assess and results in people constantly requesting that their circumstances reassessed in the hope of qualifying for the higher band.

7) We are setting out how we propose to give choice to registered customers who have a local connection with the local authority area where a vacant property is advertised whilst at the same time encouraging mobility across Cumbria

We want to encourage mobility by allowing everyone registered to be able to bid for most of the properties advertised regardless of whether they have a local connection with the local authority area where the property is vacant. There will be exceptions, for example where there is a new development under a section 106 Planning Agreement that requires tenants to have a close local connection.

However, to ensure that properties are prioritised for customers who have a local connection to the area where the property is advertised we intend in the first instance to shortlist customers who have bid and have a local connection to the Council area where the property is advertised. We think this is a fair process and protects areas of higher demand for residents who have a connection to an area, but at the same time encourages customers to be more mobile in contemplating moving across Cumbria as if no one with a local connection bids then the customer who has a connection to Cumbria but not to the particular Council area will then be considered for that property based on their band and date in band.

8) We intend to expanded criteria for when a customer will qualify for the statutory housing need bands A and B and have set out clearer criteria for when a band will be awarded to ensure assessments are always consistently applied.

The criteria for when a customer will qualify for the Housing Need Bands A and B will be expanded and made far clearer. This will make it easier for applicants and their representatives to understand if they qualify, and far easier for officers assessing their case to make consistent and timely decisions regarding whether a customer qualifies for a high needs the Band A or B.

The Equality Impact Assessment (EQIA)

This EQIA considers the changes to the Allocations Policy and assesses their impact on those applicants/households within the protected characteristic groups. The assessment considers whether an impact that is identified is considered to be a positive, negative or neutral impact. Where negative the EQIA sets out what steps have or will be taken to reduce that impact.

Data, guidance and evidence used to assess the EQIA

This assessment has been drawn up using a broad range of data available to officers about applicants on the Housing Register. In addition to the legislation and case law governing allocations, regard has been had to the government guidance on the allocation of housing, the Equality Act 2010 and recent case law on the operation of Section 149 of that act.

It is recognised that the current 'Cumbria Choice' scheme does not have a comprehensive set of data for the households on the housing register and for those rehoused. This is, in part, due to the limitations of the current operating system to develop comprehensive monitoring and performance reports. Raw data can be captured but has not been configured into reports based on the protected groups. This is a critical task for the project plan implementing a new IT operating system. A further problem with the data is that a large number of applicants fail to complete the personal data section of the application form.

Moving forward Cumbria Choice needs to be able to monitor those on the register who are bidding for properties as well as those applicants who are housed under the policy. This will allow the local authorities and partners to analyse if those housed by each protected group is proportional to the proportion from each group registered.

A new IT operating system is being purchased. To ensure that Cumbria Choice has better information to review the EQIA in the future the following actions will be taken:

- 1) The on-line applicant form will be amended to encourage more applicants to fully complete the relevant sections,
- 2) Officers will, on contact with an applicant, request any applicant who has not completed the personal information section to do so.

- 3) Changes will be made to the home page for the applicant's on-line account to show a message explaining the importance of providing the information.
- 4) At the point all applicants are written to asking them if they wish to remain on the Housing Register they will be prompted to complete the personal data section

The data that does exist indicate that the following groups are over-represented in the high priority groups on the Housing Register:

- Families with children
- BME households
- Households with disabled or long-term health problems.
- Female headed households

Research shows that this is common for all local authority allocation schemes and is explained by socio economic factors and poverty.

The new EQIA assessment is set out in the table below and has been structured to consider:

- a) Part A - Firstly, each Individual protected group in the context of the changes, and then
- b) Part B - The changes in the context of their impact on all of the protected groups

The consultation responses summarised

All 8 changes proposed were strongly supported including each of the 9 qualification rules set out in change 3. A number of changes have been made as a result of the consultation feedback. These amendments include:

- a) Allowing applicants where it is agreed need to move from one Cumbrian Council district to another due to domestic abuse, the same priority in any shortlist as an applicant who has an established local connection to the area where a property is advertised.
- b) Making the criteria clearer for an applicant with housing debt as to when they may qualify for the housing register with no penalty, and where a penalty is applied more clarity on the criteria to be applied for the actions needed to resolve the debt so that they may be considered for an offer of social housing
- c) Helping to define which keyworkers should be given band B priority under the scheme.

Part A – Consideration of each Individual protected group in the context of the changes

Protected characteristic	Potential issue where there may be a positive or negative impact	Impact Judgement + / -	Observations and Recommendations	Relevant comments or Action/s to reduce any impact
Age				
	<p>The scheme will require applications to be made on-line as opposed to submitting a paper form.</p> <p>The impact could be that older people are less able to use an on-line application form and the system of bidding for properties through choice based lettings</p>	Negative	<p>On-line applications have been the preferred method for the vast majority of residents in Cumbria to make their applications, but in some areas applications are still made by way of a paper form.</p> <p>To mitigate any impact it is agreed that each partner will assist older and vulnerable people to:</p> <ul style="list-style-type: none"> ➤ Fill out their on-line application and ➤ To make bids under CBL ➤ Plus paper forms will still be available in exceptional circumstances where it is agreed an applicant is unable to complete an on-line form <p>On-line applications and CBL bidding on-line has been operating for several years. There is no evidence reported from applicants or stakeholders that customers are experiencing difficulty in applying for accommodation, or using the CBL system</p>	<p>The new website FAQs section will be amended to inform applicants that help is available if they are having difficulty in using any of the online application and bidding processes.</p> <p>The intention is to add a web chat option on the website to further help applicants</p>

	<p>There is evidence nationally that younger people find it easier to access services online rather by filling out forms. Young people may be disadvantaged by a system where access is by paper form</p>	Positive	<p>It is reported by partners re the age profile of the Housing Register, that the majority of applicants are under 40. Delivering the application and bidding system on line is an advantage to younger people</p>	No additional comments
	<p>Seeking to deliver more of the application process on-line could disadvantage those applicants without internet access and these tend to be older applicants, or applicants most impacted by poverty</p>	Negative	<p>Libraries have free public PC's. There are also free computer training sessions available across Cumbria.</p> <p>Information is available from any CCP partner on the availability of free local public internet access.</p> <p>There are numerous PCs in Council and Housing Association partner offices and the offices of other public authorities.</p> <p>Currently CCP partners report that the vast majority of bids are placed electronically. There are however alternative ways to bid.</p> <p>The office of National Statistics reported that In 2018, 90% of adults in the UK were recent internet users, up from 89% in 2017. 8.4% of adults had never used the internet in 2018, down from 9.2% in 2017. Virtually all adults aged 16 to 34 years were recent internet users (99%) in 2018, compared with 44% of adults aged 75 years and over. The majority of the users of the CBL scheme are likely therefore to be confident in using on-line facilities and the scheme</p>	<p>There is sufficient internet access points and support available in Cumbria to help people without access to the internet.</p>

			has ensured that there are sufficient protections in place for those applicants who are not confident of accessing the service online.	
	Young People - Care Leavers	Positive	<p>Care leavers and young people ready to move on from supported accommodation benefit from the proposals as they are placed in Band A the highest priority Band. This should mean that they are provided with an offer of social housing in a relatively short time period</p> <p>Band A priority is also granted for children assessed as needing an urgent move for child protection concerns, and for residents who need larger accommodation to foster or adopt.</p>	No additional comments
Disability				
	What is the impact of the changes on the housing prospects of applicants with a disability	Positive	<p>The revised policy actively promotes the needs of disabled groups by ensuring that applicants with mobility problems are prioritised for accommodation that is suitable for them.</p> <p>On the limited statistical information available it is estimated that for the Housing Register as a whole up to 25% of applicants have some level of disability.</p> <p>Many applicants with a physical disability where their current housing circumstances impact on their disability will be prioritised for housing under the Policy. Disability is recognised in both of the 2 priority bands A and B.</p> <p>Many applicants with a severe mental health condition and are homeless will be prioritised under the policy through being awarded reasonable preference for being owed a statutory homelessness duty</p>	No additional comments

			The Council is also committed to capturing better information about social housing void properties to classify those that have or can be adapted.	
	How accessible are the application and bidding processes for applicants with a disability?	Positive	<p>The intention is to move to a new IT operating framework. The new website will be developed to ensure that it is fully compliant with all accessibility requirements. Actions that will be explored include:</p> <ul style="list-style-type: none"> a) To ensure that the website is W3C 1.0 compliant b) That information is available on how to adjust type, font size, colour contrast and how to make the applicant's computer speak text aloud. c) To implement a drop down menu for people who need to read information in a language other than English. d) The ability to receive a letter in audio. 	The Council will seek in the future, where the IT allows, to monitor data on the frequency of applicants accessing their account to check whether some applicants are being disadvantaged
Transgender/ Gender reassignment				
	Is there an impact of the policy, or the changes, on transgender/gender reassignment applicants	Neutral	Applicants who have undergone gender reassignment – can, as with any other applicant, apply to join the housing register and will qualify as long as they meet the eligibility and qualification criteria.	The scheme will more proactively collect monitoring information

			The revised policy provides band A priority for applicants who have been subject to extreme harassment. Nationally statistically many people who have undergone gender reassignment report higher levels of harassment.	for this group but has insufficient data at present
Pregnancy and maternity				
	No further impact identified	Positive	<p>The majority of the Register is made up of applicants that are female-headed households with up to 10% being pregnant (based on national estimates). Pregnant women are more likely to have become homeless due to being excluded from a family home, or homeless due to domestic abuse, or homeless due to being unable to continue to afford the rent on a private rented property once they have given birth given the cost of childcare.</p> <p>The homeless and survivors of domestic abuse are given a high priority for housing under the Policy and therefore pregnant women as a groups are likely to be advantaged and not disadvantaged by the Policy</p>	No additional comments
Race				
	The changes to the residency requirement for banding priority under the Housing Register may	Negative	<p>A residency requirement of 1 year or 3 years in the last 5 to qualify for the higher needs bands A or B will have some impact on, refugees, non-UK nationals and Irish Travellers. The revised scheme has attempted to:</p> <p>Strike the right balance between disadvantage to some groups of a residency requirement and the policy aims of the residence</p>	No additional comments

	impact on refugees, non British nationals and Irish Travellers		<p>requirement, which is to prioritise applicants who can demonstrate a positive commitment to Cumbria through being settled in the area. That is why:</p> <ul style="list-style-type: none"> a) A 1 year qualification has been chosen instead of 2 or 3 years which is the norm for the vast majority of local authorities (based on the national statistical local authority returns to MHCLG) b) The policy still allows applicants without the required residency period to qualify for the register (unlike most local authority schemes), awards them band C and means they may be still be successful in bidding for properties. c) To mitigate any impact the policy is careful to build in exemptions and consideration of exceptional circumstances for applicants who do not meet the residency rules. <p>This impact and mitigation is considered more fully below in the section on the impact of the Policy changes across all of the protected groups</p>	
	On-line access for making an application and bidding will impact on applicants whose first language is not English		<p>The new Cumbria Choice website will have information for people who need to contact or talk to a partner in language other than English and there is a translation option for the on-line form and accompanying information.</p> <p>This is considered to be a low risk because if a person's command of English is particularly poor they are likely to have access to someone with interpretation skills.</p> <p>The new Policy has been designed to be more 'straightforward' and easier to understand reducing the potential impact on applicants who do not have English as their first language. As is currently the</p>	

			case, Officers can provide advice and assistance for people who may have difficulty understanding the policy	
Religion / belief				
	Is there an impact of the Policy or the Policy changes on applicants with a religion or belief?	Neutral	It can be difficult to distinguish what are factors to do with a person's religion as opposed to their ethnic or cultural origins. At present there is only generalised information for the Housing Register.	There will be more effort on collecting more accurate information in order to be able to assess any impact as the policy and the EQIA is reviewed
Sexual orientation				
	Is there an impact of the policy changes on applicants re their sexual orientation?	Neutral	The revised policy provides band A priority for applicants who have been subject to extreme harassment. Nationally, statistically many people report higher levels of harassment due to their sexual orientation.	More effort will be made on collecting the information in order to be able to assess any impact as the policy and the EQIA is reviewed

Sex				
	Is there any potential gender bias in the changes proposed?	Negative	<p>Females make up the majority of the housing register. This is because women are likely to be the main carers and are more likely as a result to come under one of the reasonable preference categories for a statutory housing need. This is likely to continue.</p> <p>A large proportion of the register is made up of 'female headed' households. The changes will not impact on the proportions of female headed households owed a statutory housing need</p> <p>Married, civil partners and co-habiting couples, same sex couples, brothers and sisters who wish to live together, can make applications.</p>	No additional comments
General comments on impact and safeguards			<p>Overall the changes proposed will have a positive impact for many of the protected groups identified under the Equality Act. Where there could be a negative impact the policy changes have been carefully constructed to keep any negative impact on any group to a minimum.</p> <p>Although it can always be argued that any change that positively impacts on the chances of social housing for one or more protected groups may have a negative impact on another protected group any impact is not considered to be substantial.</p> <p>There is a further protection in that all applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the Council's decision regarding how they have been assessed and the band they have been awarded.</p>	

			The policy has been amended to provide all applicants with the opportunity to submit reasons why they believe their case should be considered for exceptional circumstances and where requested this will now be considered under the statutory review process ensuring senior officer scrutiny of their request and improved consistency in decision making.	
Part B Consideration of the changes in the context of their impact on all or several of the protected groups	All Groups/Several Groups			
	The impact of moving to a simple 3-band system with the time a person joined the register determining their place in the queue for the band they have been allocated	Neutral	<p>This aim of this simple change is to build trust in the system as it will become more of a 'waiting list' queuing system recognised by everyone using it as a fair way to allocate a limited resource where there is often over demand for certain property types or areas.</p> <p>This is assessed as having a neutral impact, as the 2 high need bands A and B are retained and applicants with a protected characteristic dominate these bands.</p>	
	The policy makes changes to the local connection rules impacting on whether an applicant may be awarded a priority band A or B.	Negative	<p>To qualify for the higher priority bands A or B an applicant must have a local connection with Cumbria. This is defined under the new policy as:</p> <ul style="list-style-type: none"> a) Living in Cumbria for the last year, or for 3 years in the last 5 b) Having close family living in Cumbria c) Be working in Cumbria as long as this isn't casual work. 	The scheme will analyse the equality profile of households who will potentially be affected by

			<p>Statutory guidance from the Government's MHCLG Department strongly encourages all local authorities to adopt a minimum 2 - year residency test as part of their qualification criteria.</p> <p>In accordance with Government Guidance there is the intention to embrace the idea of giving greater priority to applicants in housing need with a local connection to Cumbria based on residency, employment, or close family. However, the changes have sought to strike the right balance between the potential disadvantages for some groups of a residency requirement set against the policy aims of adopting a residency requirement, which is to prioritise applicants who can demonstrate a positive commitment to Cumbria through being settled in the area.</p> <p>The compromise chosen therefore is a 1 year residency rule to qualify for the higher priority bands A or B instead of 2 or 3 years residency rule to qualify for the register at all, which is the norm for the vast majority of local authorities (based on the data for local authority statistical returns to MHCLG 18/19).</p> <p>A key safeguard is that the policy will still allow applicants unable to meet a 1 year residency period to qualify for the register (unlike most local authority schemes) and they will be placed into Band C. This means they may still be successful in bidding for properties that are in less popular areas</p> <p>Local connection rules including length of residency were overwhelmingly supported in the consultation feedback.</p> <p>Adopting a residency rule is considered as particularly necessary given that the rental market in some parts of Cumbria is an affordable option for those seeking to rent privately in the region. It means that without a rule any applicant can apply for social housing, and their</p>	the proposed changes to local connection rules
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			<p>housing need may attract band A or B priority regardless of the fact that they may have only just moved into Cumbria. This is important for local authorities that have limited access to social housing in areas of high demand and seeks to prioritise limited social housing resources for applicants who have an established connection to the area.</p> <p>The partnership is mindful of any potential impact of introducing local connection rules on applicants who are classified as a protected group under the Equality Act.</p> <p>We are satisfied that the 1 year residency rule, employment and close family connection rules, are a proportionate means of achieving a legitimate aim which is to prioritise people with a local connection without preventing any access to housing for those in housing need without a local connection.</p> <p>The Council is satisfied that it has brought in changes that achieve an appropriate balance and namely that any indirect discrimination of the local connection rules on applicants from a protected group will be minimised through the actions set out below and that any impact is proportionate.</p> <p>The new policy has been careful to build in safeguards and exemptions to the local connection rules and the residency rule in particular. The safeguards include the ability for an applicant to retain their local connection where they have left the area due to:</p> <ol style="list-style-type: none"> 1) Being in hospital, or 2) Having to move out of the area for care, or 3) Being accommodated in supported accommodation outside the district, or 	
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			<p>4) Having been placed into temporary accommodation outside of their 'home' district Cumbrian Council, or</p> <p>5) Applicants who are leaving an institution such as a prison or secure unit or a hospital, rehabilitation centre, refuge, hostel or supported accommodation scheme and were resident for 1 year or 3 out of the previous 5 years immediately before they moved into their current accommodation.</p> <p>Exemptions from the local connection rules for exceptional circumstances will also be considered for:</p> <ol style="list-style-type: none"> 1) Any application from a Gypsy or Traveller household that does not meet the continuous period of residence rule, as the period may have been broken by periods of travelling. 2) Care leavers below the age of 21 years who are owed a duty under Section 23C of the Children Act 1989 by any local authority Children Services Department and have been accommodated within Cumbria for a continuous period of at least two years 3) Reasons of safety; i.e. when an applicant is fleeing domestic abuse or hate crime from another area, or <ol style="list-style-type: none"> a) Is on a witness protection program, or b) Where by not moving to the area this would be detrimental to their wellbeing or cause significant hardship. <p>Going forward there is a commitment to monitor and analyse the equality profile of households who will potentially be affected by the local connection rules and in particular the 1 year residency rule.</p> <p>A residency requirement of 1 year will impact to some extent on, refugees and non-UK nationals, Irish Travellers (though safeguards have been built in for travellers). The Council has sought to strike the right balance between disadvantage to some groups of a</p>	
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			<p>residency requirement and the policy aims of the residence requirement, which is to prioritise applicants who can demonstrate a positive commitment to Cumbria Choice and are settled in the area as defined by 1years residence, employment or close family associations.</p> <p>It is likely that for residents who have not resided in Cumbria for more than a year the rule will impact to some extent on BME residents, former asylum seekers and Irish travellers who will not be able to access the higher priority bands A or B until they meet the 1 year residency criteria, or other local connection rule such as employment. It should be noted however, that this will not stop them from bidding with their band C status and they may still be successful in obtaining an offer of social housing.</p> <p>It is also the case that levels of 'inward migration' into Cumbria is relatively low compared to other local authority areas of England.</p> <p>The Statutory Guidance issued by the Government expressly highlights the need for local authorities to take account of special circumstances. The changes on residence achieve this, for example, by protecting people who are moving into the district to escape violence</p> <p>Furthermore, it should be noted that all applicants to the housing register would be equally disadvantaged through the 1-year residency rule.</p> <p>To summarise the impact of the residency criteria is not considered to be substantial and the 6 local authorities have been careful to reduce the impact through the following actions:</p>	
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			<p>1 - The residency criteria is set at 1 year which is the number of years suggested in the Government's own guidance. We have been careful not to adopt a '2 or 3 years or more' residency rule which would have a greater negative impact.</p> <p>2 - The proposed allocations policy recommends that exceptions to the 1-year local connection requirement be made in appropriate cases, such as applicants who have been subjected to domestic violence.</p> <p>3 - By permitting exemptions to avoid hardship, the circumstances of all applicants can be fully considered and the possibility of an applicant suffering any disadvantage avoided.</p> <p>4 - There is an exemption for applicants where there are additional health, welfare or care/support needs that is reliant on the relative being within the area</p> <p>5 - All applicants have a statutory right to seek a review of their housing application if they are dissatisfied with the decision re the band they have been awarded. This provides an applicant with the opportunity to submit reasons why they believe their case should be considered under the exceptional circumstances part of the policy.</p> <p>6 - The Policy includes other ways an applicant can obtain the higher A or B banding for their housing need other than being resident for 1 year. The alternatives are where an applicant is employed in Cumbria for as little as 16 hours a week, or has close relatives living in Cumbria.</p> <p>7- Any disadvantage is only for a relatively short time period until the applicant can evidence residency for 1 year after which an applicant will be allocated the band that fully reflects their housing need.</p>	
	The specific change to include the ability to qualify for households who	Negative or neutral and positive in the longer term	<p>One of the policy aims is to reduce inequality and poverty over the long term by encouraging employment</p> <p>A key aim of this policy change is to encourage those who work in Cumbria to be able to work, live and settle in Cumbria. This is</p>	The scheme will analyse the equality profile of households

	are employed in the area		<p>especially relevant where they are unable to afford to rent or buy and have a housing need.</p> <p>The criteria has been deliberately set as paid employment for 16 hours or more per week for a period of one year, or self-employment where an applicant can demonstrate that the self-employed work they perform is in Cumbria. This recognizes that many women with childcare challenges may only be able to work part time.</p> <p>The policy aim is to make a contribution to rebalancing communities on social housing estates seeking a balance of households that are dependent on benefits and are economically active.</p> <p>There will be little impact on other households who don't work and live in Cumbria Choice and have a protected characteristic, as most of these applicants will qualify for a priority band under the 1-year residency rule.</p> <p>Unlike many other local authorities we have been careful not to build into the shortlisting rules work as a determining factor for prioritising applicants, as this could have a disproportionate impact on applicant's who are not able to work and come under the definition of one or more of the protected characteristics.</p> <p>Many of the mitigating actions and considerations set out in the section on the residency rule above apply equally here</p>	who will potentially be affected by the proposed changes to local connection rules for employment
	The specific change to include under the local connection rules family (normally mother, father,	Neutral or positive	This rule allows an applicant who is not resident or employed in Cumbria Choice to qualify under the local connection rules if they have close family living in Cumbria.	

	brother, sister, son or daughter) that have lived in the area for a minimum of the past five years.		This rule is likely to be positive for those applicants from a relevant protected group who live outside of Cumbria but have close family living in Cumbria and would be unable to qualify for another reason	
	What is the assessed impact of the revised income, savings/assets thresholds on applicants with a protected characteristic under the Equality Act?	Neutral or negative	<p>There were income and savings qualification thresholds under the previous Policy. These have been revised and are:</p> <p>Applicants who are considered to have sufficient financial resources to buy suitable accommodation in Cumbria will not qualify for Bands A or B but can qualify for Band C. 'Sufficient financial resources' are defined as sufficient capital to buy or rent privately; or sufficient income to raise a mortgage to buy or rent privately; or a combination of both. The income and savings limits are:</p> <p>Applicants (both single persons and couples) who have total savings, investments and/or assets of £25,000 or more.</p> <p>Applicants whose total gross household income from all sources exceeds an annual income of £45,000 or more (for single persons) or joint income of £60,000 or more (for couples).</p> <p>Those applicants with savings or income above the thresholds will be able to join the register and will be placed in band C and will also be advised on homeownership options and market and intermediate rent options.</p> <p>Although some applicants from a protected group will be impacted by this policy many other protected group applicants are on low incomes or have no savings and will benefit, because there will be fewer applicants on the register in bands A or B competing for housing.</p>	The Council will monitor the number of applications rejected for an award of the higher bands A or B due to high income levels or savings

			<p>The Council is satisfied that:</p> <p>The new policy contains a wide range of exemptions to the Income and savings thresholds compared to the previous policy and that these exemptions are targeted at applicants likely to be from a protected group based on age or disability.</p> <p>Furthermore, any negative impact on protected groups is reduced by the fact that they will have the income level or savings to obtain an alternative housing solution and by the fact that there is a process in the policy to consider exceptional circumstances.</p> <p>A key safeguard is that the policy will still allow applicants whose income or savings are above the thresholds to still qualify for the register (unlike most local authority schemes) and they will be placed into Band C. This means they may still be successful in bidding for properties that are in less popular areas</p>	
All groups				
	We will continue to operate an open register in Cumbria. Everyone will still be able to register regardless of whether they meet the definition for a statutory housing need (unless there is evidence of	Positive	<p>Although not a change to the policy the continuation of an open register will not impact on the objective that social housing should continue to be prioritized for those applicants assessed as being in the greatest housing need (bands A and B) and that these households are overrepresented by applicants who meet the protected groups criteria.</p>	

	serious unacceptable behaviour or significant former rent arrears). How might this impact on the protected groups?		However, many applicants without an assessed statutory housing need still meet the protected groups criteria. The continuation of an open register is therefore likely to benefit these applicants because they may be successful in bidding for lower demand properties.	
	The new Policy includes the ability to apply local lettings policies	Neutral at this stage. Each local lettings policy will need to consider any equalities impacts before being adopted.	<p>Although this isn't a change to the new policy as local letting policies were always allowable under the current policy, the new policy sets out a clear framework for how these policies will be agreed and requires an evidence base and a strict timetable for reviewing the impact. The equalities impact of local lettings policies had not been assessed fully under the current policy. There will now be a clear equalities consideration as part of the process for agreeing any LLP policy and a clear equalities monitoring on the impact of any policy.</p> <p>Local lettings policies have the potential to have an impact on the housing prospects of a number of disadvantaged groups. Such a policy restricts allocations within a small geographical area in order to achieve certain policy and good management outcomes. An example might be lower child densities in certain block or road, or to restrict the number of vulnerable people allocated accommodation in a block where there are already a number of people housed with complex needs and there is evidence that the number is causing</p>	We will fully consider the equalities impact of any local letting policy in deciding whether to approve any LLP and will then monitor the on-going impact

			<p>housing management issues for a landlord and impacting on other residents.</p> <p>The Allocations Policy is framed to allow for individual lettings plans to be developed and approved on a case-by-case basis. Each local letting plan will have to have an evidence base and be approved through a clear transparent process. Any equalities impact must be considered as part of the assessment process when deciding whether on not to approve a local lettings plan.</p>	
	<p>Applicants with former/current rent arrears or serious unacceptable behaviour who are assessed as being in housing need will be assessed as either non qualifying or allowed to qualify but not allowed to bid until the issue has been resolved.</p>	<p>The changes will have positive implications</p>	<p>Applicants with former/current rent arrears or serious unacceptable behaviour that are in housing need will be assessed as either non qualifying or allowed to qualify but not allowed to bid until the issue has been resolved.</p> <p>This isn't a change to the Policy but a clarification of how these rules will be applied. Under the previous policy section an applicant could be disqualified for former rent arrears or unacceptable serious behaviour. The previous policy lacked clarity resulting in some applicants being 'stuck' and unable to access social housing due to previous rent arrears or behaviour but a lack of clarity for how the policy would be applied and what an applicant needed to do to resolve a problem led to inconsistency in the application of the policy. Many applicants where the policy was applied would be in a protected group.</p> <p>Changes have been made that will benefit these applicants. These are:</p> <ul style="list-style-type: none"> a) Much clearer criteria for when an applicant will or will not qualify b) Exemptions and exceptional circumstances consideration built into the Policy. c) Agreement with the Registered Provider housing associations on the approach to take regarding when an applicant should be 	<p>The number of households impacted by policy will be carefully monitored</p>

			<p>considered for an offer accommodation in respect of what 'resolving their arrears or unacceptable behaviour means. This will mean fewer applicants are 'stuck' with no solution.</p> <p>d) Where applicants qualify but are unable to bid until the matter has been resolved they will be allocated the correct band for their housing need and will continue to accrue 'time in band' priority which will be an advantage to them when they have resolved the issue.</p> <p>Although the housing related debt and unacceptable behaviour rules will impact negatively on some applicants from a protected group we are satisfied that:</p> <ul style="list-style-type: none"> ➤ The rules are a proportionate means of achieving a legitimate aim which is to ensure that new tenants pay the rent and resolve previous housing debt owed to a social landlord, or resolve unacceptable behaviour, and ➤ The changes that achieve an appropriate balance with safeguards and exemptions so that any indirect discrimination on applicants from a protected group has been minimised through the safeguards introduced in the new Policy and are proportionate. 	
	Making direct lets /sensitive lettings outside of the CBL system in certain circumstances	Positive for the protected groups of sex, disability	The revised Policy allows more flexibility in certain circumstances to make the best use of the housing stock. The vast majority of general needs properties will continue to be allocated via choice based lettings but there will be times when a housing association or Council needs to directly match a property to an applicant.	A target figure of no more than 15% has been set to ensure that the integrity

		and sexual orientation Neutral for the other groups	<p>The policy lists the circumstances when a direct letting may be applied and includes MAPPA, MARAC or other sensitive lets or where there is a need to move due to extreme risk of domestic violence or harassment or witness protection.</p> <p>Where direct lets are made in sensitive circumstances this is often where an applicant may be a victim of domestic abuse or is being harassed or has complex needs. A direct sensitive let will allow the best match to be made depending on the circumstances and needs of a particular applicant. This is an advantage to a number of protected groups for disability, sex (women are more likely to be victims of domestic abuse)</p> <p>For the other protected groups making direct lets outside of the policy band and date order will have a minimal negative impact as these will only be made in limited circumstances</p>	of the CBL system is retained. The percentage of direct lets will be carefully monitored
	If an applicant in the high need Bands A or B refuses 3 reasonable offers in that 12 months they will be 'downgraded' to Band C for 12 months	Negative	<p>Applicants in Bands A or B who refuse 3 offers following a successful bid or direct allocation will be downgraded to Band C for a period of 12 months.</p> <p>We will implement clear operational procedures for the assessing officers to take into account people with mental health or support needs where their condition may impact on their behaviour and their ability to keep appointments in the normal way. Officers will look at the individual circumstances for all applicants before applying the rule.</p> <p>An additional safeguard is that the new Policy clearly defines what a reasonable offer is. This will ensure consistency in the application of the refusal policy.</p>	Regular analysis of the number and needs of applicants downgraded to Band C because they refused 3 reasonable offers will be needed to ensure that specific groups are not being

			<p>The view is that allowing an applicant to refuse 3 reasonable offers before being downgraded to Band C is a reasonable compromise between allowing choice and managing re-letting times for the partners. It is not expected that many applicants will have the rule applied, as having the rule in place will focus applicants on seriously considering any property they bid for.</p> <p>It is also likely to be positive in that some applicants in a high band who are in a protected group refuse offers of accommodation waiting for what they perceive to be the 'perfect' offer. This leaves them in unsuitable housing for a longer period of time. This policy will help tackle this problem</p> <p>Where an applicant is owed a homeless duty 1 suitable offer will end the homeless duty (this is required by the homelessness legislation) but they would still be able to receive 2 more offers if their housing need means they would still qualify for a Band A or B.</p> <p>Even if they have no other statutory housing need they would still qualify for the Housing Options Band C and be able to access lower demand properties and be entitled to 2 more offers in a 12 month period.</p>	adversely affected
	Removal of 'cumulative housing need' rule from the scheme to make the scheme more transparent for customers and easier to	Neutral or negative	<p>The change is to remove the 'cumulative housing need' rule from the scheme to make the scheme more transparent for customers and easier to understand and to administer. Under the current policy customers who have two or more of the housing needs as listed in Band C are 'promoted' into Band B and meeting 2 band B criteria would be promoted to band A. This is called the cumulative need rule. There may be some impact on applicants who meet the protected group criteria and have more than one assessed housing need.</p>	

	understand and to administer		<p>Under the new policy an applicant who meets 2 of the housing need criteria for band B will still only be awarded band B and not promoted to Band A. The old policy of cumulative need has been extremely hard for officers to assess resulting in inconsistency in applying the rule and applicants constantly requesting that their circumstances reassessed in the hope of qualifying for the higher band.</p> <p>There is mitigation built into the decision to remove the cumulative need rule in that band A criteria has been clarified to include applicants with an exceptional or urgent housing need therefore reducing the need for a cumulative need rule.</p> <p>There is also a positive impact in that applicants in the current band C are less likely to have a protected characteristic. By being able to meet 2 band C criteria they would be placed on an equal footing with applicants with a band B need and band B contains more applicants that have a protected characteristic.</p>	
	Applicants who have a local connection with the Cumbrian local authority where a vacant property is advertised will be given priority in any shortlist	Neutral	<p>This is not a direct change to the policy but an amendment to provide greater clarity.</p> <p>For any shortlist an applicant that has a local connection with the Cumbrian local authority where a vacant property is advertised will be given priority over applicants who bid without that local connection. This could impact on victims of domestic abuse but the policy has safeguards built in so that any DA cases where it is agreed that they need to move as they cannot stay in their local authority district due to risk, will be treated equally on any shortlist.</p>	
	The impact of the expanded criteria for when a customer will qualify for the statutory housing need bands A and	Positive	<p>The criteria for when a customer will qualify for the Housing Need Bands A and B will be expanded and made far clearer. This will make it easier for applicants and their representatives to understand if they qualify, and far easier for officers assessing their case to made consistent and timely decisions regarding whether a customer qualifies for a high needs the Band A or B.</p>	

	B and have set out clearer criteria for when a band will be awarded to ensure assessments are always consistently applied		This decision has a positive impact in that the criteria for being granted a band A or B award has been expanded for medical, disability, hardship, risk and move on meaning that more applicants from a protected group will qualify for a higher band award.	
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Date EQIA approved

Any subsequent amendments – date and detail