

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL

THURSDAY 30 JUNE 2016 AT 10.00AM

PRESENT: Councillor Nedved (Chairman), Councillors Betton, Bloxham (as substitute for Councillor Mitchelson), Christian, Mrs Coleman McDonald and Ms Patrick (as substitute for Councillor Bowditch)

ALSO PRESENT Councillor Glover – Leader (until 11.30am)
Councillor Southward – Environment and Transport Portfolio Holder (until 11.32am)
Councillor Mrs Bradley – Economy, Enterprise and Housing Portfolio Holder
Councillor J Mallinson - Observer

OFFICERS: Deputy Chief Executive
Director of Resources
Director of Economic Development
Neighbourhood Services Manager
Policy and Performance Officer
Overview and Scrutiny Officer

EEOSP.29/16 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Mitchelson, Councillor Bowditch and Councillor Dodd.

EEOSP.30/16 DECLARATIONS OF INTEREST

Councillors Bloxham, Ms Patrick and Nedved declared an interest in accordance with Council's Code of Conduct in respect of Section 2 of report PC.10/16 which gave an update on a project at Rosehill car park (Agenda item A.5). The Members interest related to the fact that they were members and a substitute on the Development Control Committee. The Members agreed not to take part in any discussion on this project.

EEOSP.31/16 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

EEOSP.32/16 CHAIRMAN'S COMMENTS

The Chairman welcomed the Panel and new Members to the first meeting of the municipal year.

He expressed his deep sadness on the passing of Councillor Ged Caig who had been the Vice Chairman of the Panel for two years. Councillor Caig had made an important contribution to the Panel during his time on the Panel and his loss would be sorely felt by all Members of the Panel.

EEOSP.33/16 MINUTES OF PREVIOUS MEETINGS

With regard to minute EEOSP.22/16 of 14 April 2016 a Member asked if the Rethinking Waste Cross Party Working Group could meet for an update prior to the next meeting of the Panel on 28 July 2016. The Environment and Transport Portfolio Holder informed the Panel that the Rethinking Waste Project Board was due to meet on 30 June and one of the agenda items was to discuss how the Project Board could better communicate the information regarding the Project. The Deputy Chief Executive confirmed that a meeting of the Cross Party Working Group would be arranged prior to the next Panel meeting.

A Member referred to a question he asked at the previous meeting (minute EEOSP.28/16 refers) regarding the toilet facilities in the Lanes and asked for a further update. He also asked that the matter come back to the Panel. The Leader informed the Panel that he had raised the matter with the Lanes management and had been informed that a new location for the public toilets had been found. Negotiations were underway to free the space to allow for the new toilets to be installed.

RESOLVED – 1) The minutes of the meeting held on 3 March 2016 be approved and signed by the Chairman.

2) The minutes of the meeting held on 14 April 2016 be noted.

3) That a meeting of the Rethinking Waste Cross Party Working Group be arranged prior to the next meeting of the Panel on 28 July 2016.

EEOSP.34/16 CALL-IN OF DECISIONS

There were no items which had been the subject of call-in.

EEOSP.35/16 OVERVIEW REPORT AND WORK PROGRAMME

The Overview and Scrutiny Officer presented report OS.13/16 providing an overview of matters related to the work of the Environment and Economy Overview and Scrutiny Panel.

The Overview and Scrutiny Officer reported that the most recent Notice of Key Executive Decisions had been published on 3 June 2016. This had been circulated to all Members for information and no items fell into the remit of the Panel.

The Overview and Scrutiny Officer drew Members' attention to the work programme which had been attached as appendix 1 to the report. Members, Portfolio Holders and officers were asked to give consideration to issues which scrutiny could add value to during the Civic Year and building them into the work programme for the Panel. Guidance on scrutiny agenda planning had been attached to the report as appendix 2 and Members were encouraged to use the prioritisation aid contained within the guidance to ensure that items placed on the work programme were those that scrutiny could add value to.

The Deputy Chief Executive and the Director of Economic Development had been invited to attend the Panel to discuss priority areas within the Panel's remit.

The Director of Economic Development outlined the following matters as a priority for the Panel's work programme:

Local Enterprise Partnership – The Local Enterprise Partnership (LEP) were working on the growth fund 3 bid, for submission in July, which covered a number of priority projects in the City Centre. This would be the last round of funding in this parliament and it was important for the regeneration of the City. It was suggested that the matter be scheduled for consideration by the Panel in September/October when the details of the bids had been developed.

In addition the annual overview report for the LEP would be made available for the Panel in early 2017.

Two key priority projects for the growth fund 3 bid were the Carlisle Railway Station and the Citadel. A bid for £13.76m was being made for improvements to Carlisle Railway Station which would enable improvements to the infrastructure and to the station itself to provide a hub and connectivity for the whole of Cumbria and South West Scotland. Cumbria County Council would vacate the Citadel when their new purpose built offices were completed and options were being prepared on how best to deal with the empty buildings.

Local Plan – The Inspectors report had been completed and officers were checking it before it was brought to Council in September for the final sign off. The Local Development Scheme would be the next stage following the sign off of the Local Plan. The Community Infrastructure Levy (CIL) had been included on the work programme with the Local Plan item. The CIL was a levy collected from properties in new development that contributed to the infrastructure in the development. The process for the CIL was very technical and required a lot of work.

The Director stressed the importance of continuing the Cross Party Local Plan Working Group in taking forward the Local Development Scheme.

A Member commented that it was important that the development of the Citadel was carried out correctly as it was the entrance to the City and held rooms such as the old court rooms which were of historic value. He asked what involvement the City Council and Members would have in the development plans.

The Director of Economic Development agreed that the Citadel was an important iconic building and was the first impression of the City from the station. The building was historic in its own right and was a listed building which needed to be looked after. The City Council was working with Cumbria County Council on the options which were available; when these were ready they would come through the Council's decision making process. It was hoped that a draft document would be ready for Members by the autumn.

A Member asked how responses from the public consultation had been used in the preparation of the Local Plan. The Director of Economic Development explained that each step of the Local Plan had been the subject of public consultation. The Inspector had considered all of the consultation responses and taken them into account when preparing her report.

The Chairman reminded the Panel that the Local Plan had been the subject of various consultations over a two year process and had been to the Panel on several occasions.

The Deputy Chief Executive reminded the Panel that both himself and the Portfolio Holder were new to the Local Environment work and would require a period of adjustment. He then outlined the following matters as a priority for the Panel's work programme:

Rethinking Waste – this would remain a priority for the Panel for the next year.

Car Parking – this would consider target income, flood recovery, future plans and the change to the culture of car parking.

Tourism—the contribution of the City Council to the development of tourism and its day to day operations.

Commercialisation of Parks - the name of the priority would be changed as it did not reflect the nature of the matter. The priority was about getting an appraisal of progress made at Talkin Tarn and looking to see if the principles of the successful business plan at Talkin Tarn could be applied to other green spaces such as Bitts Park and Hammonds Pond.

RESOLVED – 1) That the Overview Report (OS.13/16) incorporating the Work Programme and Notice of Executive Key Decision items relevant to this Panel be noted.

2) That the following items be scheduled in the Panel's Work Programme:

- Local Enterprise Partnership – Growth Fund 3 Bid – September/October 2016
- Local Enterprise Partnership – Annual Update – January 2017
- Local Plan – September 2016

EEOSP.36/16 DECEMBER 2015 FLOOD UPDATE REPORT

The Deputy Chief Executive submitted report SD.10/16 which was part of a series of update reports prepared for Overview and Scrutiny Panels on flood recovery activities and future programmed work.

The reports contained a generic section designed to give all Panels an overview of flood recovery work and a more specific section tailored to the work areas of each Committee, included in the report were specific updates relating to:

- Local Environment –
Green Spaces: new equipment was due to be installed in Bitts Park in July and work had begun on the splash park and re-surfacing.
River Banks: consideration was being given to the options available regarding damaged river banks in Bitts Park and the Sheepmount. Bingham Yates engineering consultants were surveying the river banks and access track and the Sheepmount and would produce an options report for the Council.
Charlotte Terrace Play Area: the play area in Botcherby was being replaced.
Allotments: flooded allotments were now up and running
- Customer Contact and access to services -
The temporary customer contact centre was operational and the call centre continued to be located on the first floor. The facilities were functioning well; efficiently maintaining access to the Council's front of house public services and delivering other public sector partner services.
- Flood grants and household payments-
Community Support Grant: 1,554 households within the district had received the Community Support Grant of £500 amounting to £777,000 of grant. The money was being recovered from Cumbria County Council upon submission of fortnightly claims.
Flood Resilience Grants: 431 grant applications had been received and granted funded measures to 344 properties (5 were not eligible and 82 were incomplete), totalling £1,141,988. Of these the Council had paid out 116 grants totalling £396,214 which was recoverable from Cumbria County Council.
Council Tax & NNDR Discount Schemes: Council tax discounts had been awarded to 2,107 householders which amounted to £778,455.03 up until 31 March 2016.
Business Rates discount had been awarded to 102 businesses amounting to £213,047.32 up to 31 March 2016; and a further £321,000 awarded in respect of

2016/17. The total number of businesses affected was 205, with 96 properties now being re-occupied.

The total number of households still unable to return to their properties as a result of Storm Desmond was 928.

- City Council property and asset recovery –
WYG had assisted the Council to develop a property recovery plan and tackle immediate recovery issues such as making safe and stripping/drying out assets. A central part of the work had been a surveying exercise to establish the post flood condition and reinstatement cost of over 60 assets ranging from the Civic centre to minor items. The completion of the surveyors was imminent and the next phase of works procurement had begun.
- Financial considerations and activities –
Bellwin Scheme: The Bellwin Claim had been submitted and the City Council's total eligible expenditure was £404,398 of which the Council had to meet the first £26,486 which had been included in the 2015/16 outturn. The claim included £14,984 submitted on behalf of Greystone Community Centre.
- Car Park recovery –
A full survey of the car park machines had been completed and 16 of the 27 ticket machines were flooded beyond repair. The City Council's insurance company had agreed to pay to replace the flood damaged machines. The ambition was to replace the flood damaged machines with the new model machines and then phase in the replacement of the other 11 machines to upgrade them to card and cashless payment facilities. In addition to the procurement of updated replacement machines Council officers had also undertaken surveys of all car park surfaces, lighting and fences and repairs had been undertaken and a programme of repair and improvement was being prepared.
- The Council continued to play a full role in liaising with the Environment Agency, County Council and other groups and bodies in supporting the community and businesses.

The Community Overview and Scrutiny Panel and the Resources Overview and Scrutiny Panel had both received flood update reports relevant to their Panels and both had felt that future update reports should focus more future action.

In considering the report and presentation Members raised the following comments and questions:

- Could the plans for the play equipment in Bitts Park be made public?

The Deputy Chief Executive explained that details of the installation date had not been finalised but the proposed equipment type could be made public.

- A Member asked for a robust plan along with costs for the works to be undertaken at the riverbanks. He had attended a meeting between Cumbria County Council and the Environment Agency and had been concerned that there had not been any City Councillors at the meeting and only one officer representative. A number of issues had been raised at the meeting such as bridge work and dredging work and the Member asked if the concerns had been passed on for consideration.

The Deputy Chief Executive reminded the Panel that the responsibility for the riverbanks was dependent on the ownership. Bingham Yates would survey the damage and produce a report setting out the Council's options for areas that fell within their responsibility and

this would come through the decision making process. Bridges and dredging of rivers was not the responsibility of the City Council, however, the City Council did liaise with partners such as the Environment Agency as part of the section 19 report.

The Deputy Chief Executive added that the meeting that the Member had attended had been a lead agency meeting which the City Council had officer representation. Officers had also attended a second meeting at Crosby and their presence and advice had been well received.

Councillor John Mallinson confirmed that officers had attended the meeting at Crosby and their advice had been welcome and productive.

The Leader added that the lead agency meeting had taken place over two days and he had attended the first meeting. He reassured the Panel that the City Council was actively involved in the flood recovery.

- Members recognised the difficulties the City Council had with regard to responsibilities and asked what lessons had the Local Authority learned that could be actioned by the Council?

The Deputy Chief Executive responded that the City Council's main lessons learned regarded resilience measures that would help with recovery rather than preventing the flood. Resilience measures would be built into the renovation of flooded Council assets to make the recovery quicker. An example was the movement of the electricity from the ground floor to the first floor of the Civic Centre and the move from mainframe storage to cloud storage. Work was also being undertaken on the Council's Business Resilience Plan and the location of reception centres.

A Member commented that the Council could be more proactive and carry out practical works such as ensuring gulleys were cleared to help avoid smaller localised flooding.

- What proportion of the Winter Flood Plan covered aspects of resilience before the winter?

The Deputy Chief Executive explained that the Flood Plan was a cross cutting document with a number of agencies. The Plan, at the moment, was to be flood ready rather than resilient. There were some issues which needed to be resolved and communicated but the nature of the Plan was for it to be clear to people which public agency carried out which actions and how they would help people. There would be more information on the Plan in the next report to the Panel.

The Economy, Enterprise and Housing Portfolio Holder added that the Council needed to look much further forward and the Local Plan would help with future planning. The Local Plan had been amended to reflect the impact of climate change and potential local flooding. She explained that being a flood risk area did not prevent development but it did mean the development must be flood resilient. Consideration should be given to how the Planning Authority could encourage construction companies to build flood resilience measures into developments.

- Were the Community Action Plans similar to the Winter Flood Plan and did they work together?

The Deputy Chief Executive clarified that the two Plans were different. The Winter Flood Plan's aim was to communicate clearly the roles of various agencies. The Community Action Plans made sure that people received practical support. Both Plans had to be monitored and tested.

The Leader added that both Plans would fit together to make sure everyone had an understanding of their role should the flood happen again.

- Only 96 businesses properties had been re-occupied out of the 205 which had been affected, where had the businesses gone?

The Director of Resources replied that a number of the businesses that had been affected were small local businesses. Many of those businesses had relocated to other areas of the City.

- A Member asked for an update on the allotments.

The Deputy Chief Executive replied that the allotments were open following the provision of skips from the Council. He agreed to provide a written response to the Panel with regard any reductions that had been offered to the ground rent.

- How much would the survey of the riverbanks cost?

The Deputy Chief Executive informed the Panel that further details of the survey and costs would be included in the Panel's next report.

- Was there a breakdown of the £25m capital that the Chancellor had announced would be made available?

The announcement from the Chancellor had stated that the money would be drawn down for improvements to flood defences but there had been no further details made available.

- Would the play area at Eden Park be improved as a result of increased funding?

The Deputy Chief Executive clarified that the funding for the play area was coming from two different streams but it was not increased funding. He added that the Council continued to follow its existing policy on play areas in the City which had been approved by full Council.

RESOLVED –1) That the flood update report (SD.10/16) be noted.

2) That the next Flood Update report to the Panel include:

- Future actions that will be taken by the City Council and other agencies
- Further details on the Winter Plan 2016/17
- Further information on Council asset recovery

3) That the Deputy Chief Executive provide a written response updating Members of the Panel on the support offered to allotment holders.

EEOSP.37/16 DISCRETIONARY RATE RELIEF POLICY – LARGE EMPTY 'HARD TO LET' BUSINESS PREMISES

The Director of Resources submitted report RD.11/16 concerning the City Council's Discretionary Rate Relief Policy.

The Director of Resources indicated that, as Members were aware, currently the Council was allowing re-occupation relief in granting a 50% discount from business rates for new occupants of previously empty retail premises. That was allowed for 18 months with the cost of relief met by Government Grant. The scheme finished on 31 March 2016.

Whilst the scheme helped in getting hard to let retail premises occupied (particularly in Earls Lane), it did nothing to assist in terms of the occupation of hard to let offices and other commercial premises. Although the Council was bucking the trend in terms of vacant properties, 32 large commercial premises were currently empty (Appendix 1). The Executive wished to bring those premises back into use in order to attract jobs to the City and recoup relevant rates.

Other authorities were now taking advantage of new discretions under Section 69 (5) of the Localism Act 2011 to encourage new businesses into their districts by offering 'rate holidays' when occupying empty commercial premises. The City Council needed to be in a position to offer similar incentives if it wished to compete with those authorities.

Due to the fact that any decision to offer such discretionary rate relief could only be made if considered reasonable having regard to the interests of Council Tax payers the main beneficiaries would be firms bringing employment opportunities to Carlisle.

The Director of Resources indicated that in the Carlisle Plan the Council actively promoted Economic Development. Under actions supporting the Plan the Council could actively support businesses looking to relocate to Carlisle with a package of assistance including a rate free holiday, for occupying empty difficult to let commercial property and other incentives e.g. subsidised parking. The businesses would need to commit to Carlisle for a minimum of 5 years and create job opportunities and other benefits for the Carlisle economy.

He further explained that Discretionary Rate Relief for such a scheme would be met by the 'Collection Fund' i.e. 50% by Government, 10% by the County Council and 40% by the City Council. However, due to the workings of the Localised Business Rates Scheme, in many circumstances the scheme would be self-financing in the medium to long term. The Council would fund its cost of granting discretionary relief via an invest to save arrangement on its NNDR collection fund arrangements. Details of the risks associated with invest to save proposals were highlighted for the benefit of Members.

The Director added that, subject to Members agreeing the discretionary empty rate holiday initiative, the Council's Discretionary Rate Relief Scheme needed to be drafted to cover:

- Definition of hard to let empty commercial premises
- 5 year commitment of business to the City
- Jobs likely to be created
- Other benefits to Carlisle relocation
- Other assistance that could be offered in any relocation package (outwith Discretionary Rate Relief Scheme)

Suggested draft amendments to the Council's Scheme were provided at Appendix 2.

The Executive had considered the matter at their meeting on 4 April 2016 (EX.25/16 refers) and resolved:

“That the Executive:

1. Had considered the proposed amendment to the City Council’s Discretionary Rate Relief Policy as set out in Appendix 2 Section (4) for the reasons detailed in Report RD.60/15 before referring it to the Resources and Environment and Economy Overview and Scrutiny Panels for consideration and comment back to the Executive before a recommendation to Council.
2. Noted that any applications for discretionary rate relief under the revised Policy would be considered by the Executive on an individual basis who would determine, in considering a Business wanting to locate to Carlisle proposals, whether that was in the interests of Carlisle City Council Taxpayers before considering granting discretionary rate relief.”

In considering the report Members raised the following comments and questions:

- In response to a Member’s question the Director of Resources confirmed the ownership of the land at Viaduct Estate. He explained that although all of the properties listed in appendix 1 of the report were empty there was no guarantee that the properties would be occupied due to a number of factors including economic factors or the condition of some of the properties.
- What involvement did the Council have with local landlords who found themselves with properties that were difficult to let?

The Director of Resources responded that when the Discretionary Rate Relief Policy was amended it would be used as a tool to attract business to Carlisle.

- A Member noted that the list of hard to let properties was diverse and included retail premises not just commercial premises.

The Director of Resources informed the Panel that retail premises were often temporary and the amendment to the Policy was to encourage large employers, he added that should a large retailer apply for the discretionary rate relief in a hard to let property then the Executive would consider the application.

- Was the amendment to the Policy just for new businesses coming into Carlisle or could local businesses wishing to expand apply for the relief?

The Director of Resources confirmed that the amendment was primarily to encourage new businesses into the area but if a local business wished to expand, and it was of benefit to local council tax payers, then the business could apply for the rate relief.

- Was there any way the Council could mitigate the risks to ensure businesses stayed for the required five years?

The Director of Resources explained that there would be a contract between any large businesses moving into hard to let premises and the Council which stipulated the criteria for the discretionary rate relief, however, there would still be some risks as businesses could become bankrupt.

- Who would make the decision with regard to applications received?

The Director of Resources explained that when an application was received officers would carry out all of the necessary investigative work and ensure everything was correct before preparing a report for the Executive to consider with the application. The Executive would consider each application on an individual basis.

- When would the amendment be implemented?

The Director of Resources responded that the implementation date would be clarified and included in the final report to Council.

Members agreed that businesses should be encouraged to come to Carlisle and local businesses should be encouraged to help Carlisle grow but felt strongly that all of the correct checks and balances were in place to mitigate any risks.

RESOLVED – 1) That the Discretionary Rate Relief Policy – Large Empty ‘Hard To Let’ Business Premises report (RD.11/16) be noted;

2) That, subject to the final approval of Council, the Panel received feedback on the outcome of the implementation of the Policy at a future date.

EEOSP.38/16 END OF YEAR PERFORMANCE REPORT 2015/16

The Policy and Performance Officer submitted report PC.10/16 which updated the Panel on the Council’s service standards that helped measure performance and included updates on key actions contained within the new Carlisle Plan.

The report contained information against new priorities/activities which were contained in the new Carlisle Plan 2015-18 and included Freedom of Information figures which Members had previously requested.

Members first considered the Service Standards, section 1 of the report:

- Was there more information available on the background to the corporate complaints service standard?

The Deputy Chief Executive informed the Panel that the Resources Overview and Scrutiny Panel would be considering a detailed report regarding corporate complaints. The complaints set out in the report covered a range of issues but managers were monitoring them closely to determine in patterns in services of effects of decisions made by the Council. The corporate complaint procedure had been amended to give set deadlines and training had been given on the policy along with letter writing skills.

- A Member congratulated the Development Control team for processing 93.5% of household planning applications within eight weeks. This was an impressive figure given the increase in planning applications.

- Why had 49 recycling collections been missed?

The Policy and Performance Officer explained that spikes in missed collections in July and January can be explained by a Police incident in July and the impact of the December 2015 flooding. The Deputy Chief Executive added that both himself and the Town Clerk and Chief Executive received daily reports on missed collections and assured the Panel that the situation was being monitored very closely. There had been some changes to recruitment and job descriptions in Waste Services and it was hoped these changes would improve the number of missed collections.

- Were there any combined figures for household recycling taken to sites and business recycling?

The Deputy Chief Executive agreed to investigate further the possibility of reporting figures for recycling at sites and by businesses.

- Had there been any additional steps taken to encourage more recycling?

The Deputy Chief Executive reported that there had not been any new additional steps taken but further work would be undertaken as part of the Rethinking Waste project.

Members then considered the Carlisle Plan 2015-18 Summary, section 2 of the report:

- Had access to play areas for disabled children been looked at when new play areas were being installed? A Member commented that he had raised the issue before the new Melbourne Park play area had been installed but inclusive equipment had not been placed in the play area.

The Economy, Enterprise and Housing Portfolio Holder informed the Panel that play areas fell within the remit of the Community Overview and Scrutiny Panel. She reminded the Panel that full Council had taken the decision to install specialist equipment in the major and most popular play areas which was Bitts Park and Hammonds Pond. The equipment was very expensive and although the Council had the aspiration to place specialist equipment in play areas the financial difficulties prevent this work.

Each Ward Councillor receives a small amount of money each year which could be contributed to local play areas and many areas had 'friends of' groups which had been very successful in applying for funding which was not available to the Council. She stressed that the Council did its best to meet the aspirations and expectations of the local community but it was not always possible to do that due to funding. The Council was making very difficult decisions about where funding went whilst fulfilling its statutory obligations.

A Member commented that the new play area at Melbourne Park had been funded by Section 106 monies from the St Aidan's area but the money had been limited and the Council had provided the best it could with the money available.

RESOLVED –That the end of year performance report 2015/16 (PC.10/16) be noted,

(The meeting ended at 12.25pm)