

COUNCIL

SUMMONS

To the Mayor and Members of Carlisle City Council

You are summoned to attend the Meeting of Carlisle City Council which will be held on **Tuesday, 16 July 2013 at 18:45**, in the **Council Chamber, Civic Centre, Carlisle, CA3 8QG**



Director of Governance

AGENDA

1. The Mayor will invite the Chaplain to say prayers.
2. The Town Clerk and Chief Executive will open the meeting by calling the roll.

3. **Minutes**

The Council will be asked to receive the Minutes of the meetings of the City Council held on 30 April and 20 May 2013

4. **Public and Press**

To determine whether any of the items of business within Part A of the Agenda should be dealt with when the public and press are excluded from the meeting.

To determine whether any of the items of business within Part B of the Agenda should be dealt with when the public and press are present.

5. Declarations of Interest

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

6. Announcements

- (i) To receive any announcements from the Mayor
- (ii) To receive any announcements from the Leader of the Council
- (iii) To receive any announcements from Members of the Executive
- (iv) To receive any announcements from the Town Clerk and Chief Executive

6.(i) Minute's Silence

The Mayor will invite Council to observe a Minute's Silence in memory of Professor Councillor Joe Hendry, Leader of the City Council 2012-13, and Member of the Council since 2003.

6.(b) Councillor Mrs Geddes

The Council to place on record its sincere appreciation of the services rendered as a Councillor of the City by Councillor Mrs Geddes over a period of twenty years. The Mayor will present to Councillor Mrs Geddes an Illuminated Address as a token of the Council's appreciation.

7. Questions by Members of the Public

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive to report that no questions have been submitted on notice by members of the public.

8. Presentation of Petitions and Deputations

Pursuant to Procedure Rule 10.11, the Town Clerk and Chief Executive to report that no petitions or deputations have been submitted by members of the public.

9. Questions from Members of the Council

Pursuant to Procedure Rule 11.2, the Town Clerk and Chief Executive to report that no questions have been submitted on notice by Members of the City Council.

10. Executive

(a) Minutes

The Council will be requested to receive the Minutes of the meetings of the Executive held on 7 and 31 May; 7 June and 1 July 2013 and ask questions of the Leader and Portfolio Holders on those Minutes.

10.(b) Portfolio Holder Reports

The Council will be asked to receive reports from the following Portfolio Holders:

(i) **Economy and Enterprise** **11 - 14**

(ii) **Finance, Governance and Resources** **15 - 20**

(iii) **Environment and Transport** **21 - 26**

(iv) **Communities and Housing** **27 - 32**

(v) **Culture, Health , Leisure and Young People** **33 - 38**

and ask questions of the Deputy Leader and Portfolio Holders on those Reports.
(Copy Reports herewith)

11. Overview and Scrutiny

The Council will be asked to receive the Minutes from the following meetings of the Overview and Scrutiny Panels and to ask questions of the Chairmen; and receive reports from the Chairmen of the Overview and Scrutiny Panels:

- (i) **Community Overview and Scrutiny Panel** **39 - 40**
(a) Minutes of the meeting held on 30 May and 20 June 2013.
(b) Chairman's Report
- (ii) **Resources Overview and Scrutiny Panel** **41 - 42**
(a) Minutes of the meeting held on 6 June 2013
(b) Chairman's Report
- (iii) **Environment and Economy Overview and Scrutiny Panel** **43 - 46**
(a) Minutes of the meetings held on 8 May, 13 June, 20 June and 25 June 2013.
(b) Chairman's Report
(Copy Reports herewith)
- 12. Regulatory Panel**
To receive the Minutes of the meetings of the Regulatory Panel held on 17 April and 29 May 2013.
- 13. Licensing Committee**
To receive the Minutes from the meetings of the Licensing Committee held on 17 April and 29 May 2013.
- 14. Development Control Committee**
To receive the Minutes of the meetings of the Development Control Committee held on 17 and 19 April; and 5 June 2013.
- 15. Audit Committee**
To receive the Minutes of the meeting of the Audit Committee held on 15 April 2013.
- 16. Employment Panel**
To receive the Minutes of the meetings of the Employment Panel held on 10 and 20 May 2013.
- 17. Standards Committee**
To receive the Minutes of the meeting of the Standards Committee held on 26 June 2013.

18. Appeals Panel

To receive the Minutes of the meeting of the Appeals Panel held on 16 April 2013.

19. Notice of Motion

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive to report the receipt of the following Motion submitted on notice by Councillor Ellis:

"This Council welcomes the cross party support for Welfare Reform and the spending policies of the current Coalition Government."

20. Proposals from the Executive in relation to the Council's Budget and Policy Framework

(i) EX.48/13 - Provisional General Fund Revenue Outturn 2012/13 47 - 78

Pursuant to Minute EX.48/13, to note the General Fund Revenue Outturn for 2012/13 and consider the Executive's recommendations as set out below:

Council is asked to;

- (i) approve the carry forward requests totalling £696,400 (£677,400 to be met in 2013/14, and £19,000 in 2014/15), as set out in the report;
 - (ii) approve the release of £1,878 balance from the Sheepmount Reserve into the General Fund Reserve, as detailed in paragraph 4.1;
 - (iii) approve the release of £29,670 balance from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
 - (iv) approve the write-off to the General Fund Reserve of the accrued deficit of £190,000 on the On Street Parking Reserve, outlined in paragraph 4.3;
 - (v) approve the transfer of £200,000 into the Transformation Reserve, as detailed in paragraph 4.4;
 - (vi) approve the £175,000 to be set aside for the Municipal Mutual Insurance provision, as outlined in paragraph 4.5; and
 - (vii) approve the establishment of the Welfare Reform Reserve and transfer of £200,000 into the reserve, as detailed in paragraph 4.6.
- (Copy Report RD.12/13 and Minute Extracts herewith)

(ii) **EX.49/13 - Provisional Capital Outturn 2012/13 and Revised Capital Programme 2013/14** **79 - 102**

Pursuant to Minute EX.49/13, to note the Capital Outturn for 2012/13 and the revised Capital Programme for 2013/14. Council is requested to consider the Executive's recommendations as set out below:

Council is asked to:

- (i) approve the carry forward requests totalling £1,822,500 (£1,822,500 to be met in 2013/14) as set out in the report;
 - (ii) approve the requests to carry forward £6,200 for new items of expenditure to be met in 2013/14;
 - (iii) approve the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by Executive when revenue generating opportunities for land and property acquisitions become available;
 - (iv) approve the revised Capital Programme for 2013/14 onwards should the carry forwards and Asset Management Plan budget revisions be approved.
- (Copy Report RD.11/13 and Minute Extracts herewith)

(iii) **EX.50/13 - Treasury Management Outturn 2012/13** **103 - 126**

Pursuant to Minute EX.50/13, to consider the recommendation of the Executive that the City Council approve the Treasury Management Outturn for 2012/13 as required under the CIPFA Code of Practice on Treasury Management.

(Copy Report RD.13/13 and Minute Extracts herewith)

- (iv) **EX.40/13 and EX.65/13 - Food Law Enforcement Service Plan** 127 - 174
- Pursuant to Minute EX.40/13 and EX.65/13 to consider a recommendation from the Executive that the City Council approve the Environmental Health Service Food Law Enforcement Plan and the General Plan 2013 to 2014, as appended to Report LE.20/13.
(Copy Report LE.20 /13 and Minute Extracts herewith)
- (v) **EX.35/13 and EX.53/13 - Carlisle and Eden Community Safety Partnership Plan** 175 - 184
- Pursuant to Minute EX.35/13 and EX.53/13 to consider a recommendation from the Executive that the Carlisle and Eden Community Safety Partnership Plan be referred to Council for adoption.
(Copy Report CD.43/13 and Minute Extracts herewith)
- (vi) **EX.41.13 and EX.66.13 - Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants)** 185 - 204
- Pursuant to Minute EX.41/13 and EX.66/13 to consider a recommendation from the Executive that Council:
- Approve the new Policy for Housing Assistance and the use of funds as described in Appendix 2 in accordance with the Council's Budget and Policy Framework.
 - Note and accept the decision of the Executive to delegated responsibility for the use of funds as outlined at Appendix 2 and the granting of grants and loans to the Director of Community Engagement and Director of Resources.
 - Note and accept the decision of the Executive to delegate decision making on proceeding with future Empty Property schemes to the Portfolio Holder (Copy Report CD.42/13 and Minute Extracts herewith)
- (vii) **EX.42/13 and EX.67/13 - Treasury Management Counterparties** 205 - 216
- Pursuant to Minute EX.42/13 and EX.67/13 to consider a recommendation from the Executive that the City Council approve the investment counterparty limits as set out in Report RD.08/13.
(Copy Report RD.08/13 and Minute Extracts herewith)

- (viii) **EX.54/13 - Release of Funding for Interim Provision of Bring Site Service** **217 - 226**
- Pursuant to Minute EX.54/13 to consider a recommendation from the Executive that the City Council approve an increase to the capital programme in 2013/14 by £227,000, funded initially from capital receipts but repayable over 4 – 5 years from revenue savings, to fund the new vehicles required to provide an in-house service and place orders for machinery and ancillary equipment with immediate effect (should the service be outsourced in 2015, the vehicles and machinery will be included within the specification for the contract).
(Copy Report LE.21/13 and Minute Extract herewith)
- (ix) **EX.55/13, EX.64/13 and EX.68/13 - Carlisle District Local Plan 2015-2030** **227 - 580**
- Pursuant to Minute EX.55/1, EX.64/13 and EX.68/13, to consider a recommendation from the Executive that the City Council approves the Carlisle District Local Plan 2015-2030 Preferred Options for public consultation and the supporting documents.
(Copy Report ED.20/13 and Minute Extracts herewith)
- 21. Appointment of the Leader of the Council**
- Following the death of the Leader of the Council, and pursuant to Article 7.03 of the Council's Constitution, to appoint a Leader of the Council until the Annual Meeting of the Council in 2017 (or for up to the end of his/her term of office as a Member, whichever is the shorter).
- 22. Representatives on Outside Bodies** **581 - 582**
- To consider a report of the Director of Governance regarding appointment of Representatives to Outside Bodies.
(Copy Report GD.35/13 herewith)
- 23. Code of Conduct: Principles in Public Life** **583 - 596**
- To consider a report of the Director of Governance regarding the first twelve months' operation of the City Council's Code of Conduct and proposed amendment to the seven principles of public life.
(Copy Report GD.36/13 and Minute Extract herewith)
- 24. Committee Nominations**
- To receive and approve the following nomination for a change to Conservative Group Membership on the Environment and Economy Overview and Scrutiny Panel:
- Councillor Mitchelson to replace Councillor Lishman as a substitute Member.

25. Decisions taken as a Matter of Urgency

**597 -
600**

Pursuant to Overview and Scrutiny Procedure Rule 15 (i), the Director of Governance to report on decisions taken as urgent decisions and dealt with as a matter of urgency without the need for call-in.

It is a requirement under the above Procedure Rule 15 (i) for decisions taken as a matter of urgency to be reported to the next available meeting of the City Council.

(Copy Report GD.34/13 herewith)

26. Communications

To receive and consider communications and to deal with such other business as may be brought forward by the Mayor as a matter of urgency, in accordance with Procedure Rule 2.1(xiv) to pass such resolution or resolutions thereon as may be considered expedient or desirable.

PART 'B'

To be considered in private

B.1 Standards Arrangement - Appointment of Independent Person

- Information relating to any individual;

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Economy & Enterprise Portfolio Holder's Report –
Councillor Colin Glover**

PLANNING

Local Plan

Work on the preparation of the Local Plan for Carlisle is progressing well with the team working hard to ensure that it meets the target of both the policies and allocations to be presented to Full Council today, ready for public consultation in the summer. The Local Plan is a key Council document and the team are working closely with the communications team to ensure that the document is accessible to as many people as possible, maximising opportunities to publicise it during the consultation period (29th July-16th September).

Please note the link below which takes you to the Local Plan web pages:

www.carlisle.gov.uk/planning-and-buildings/local-development-framework.aspx

BUILDING CONTROL

LABC Partnership Scheme

Building Control has received a number of applications under the LABC Partnership scheme and consequently is dealing with applications outside Carlisle. They have carried out plan examinations on health care building within Cumbria, work on an infrastructure servicing building in Cheshire, a food distribution warehouse in the north east and on a number of Cumbria County Council buildings within the County.

ECONOMIC DEVELOPMENT

Carlisle Design Week

We picked up positive feedback regarding this week which culminated in a variety of displays and exhibitions at Dickinson's, whose owner, Steve Travis, was the principal organiser. The Design Week web site, which included a feature and link to Discover Carlisle, attracted nearly 1000 unique visits and the business who were more proactively involved have already benefit from the interest generated. The event is an excellent example of a private sector led initiative, supported by the Council, which will form the basis for future partnership working. The organisers are already planning next year's event.

Start-Up Britain Bus – Carlisle Wednesday 31st July

The double-decker bus is part of a national enterprise campaign to help boost the number of businesses started in the UK. Whilst this is the 3rd tour throughout the UK, it is the first time that the bus has been anywhere in Cumbria.

The bus will be located outside House of Fraser on Wednesday 31st July from 9am – 5pm. There will business advisors on and around the bus to provide free advice and help regarding starting a business. Local advice and support will be provided by the Chamber of Commerce, on behalf of the Council, as part of the BSUS programme, which is accessible through the newly launched Cumbria Growth Hub.

Other partners include the University of Cumbria, Carlisle College and local secondary schools which will be involved in promotion of the event and have a presence on the day. As part of the promotional activity attendees will be offered the chance to win enterprise related prizes. Carlisle City Council's 'prize' contribution is for a new business to have a 3 month rent free period at the Enterprise Centre (subject to terms and conditions).

City Centre Business Group

I was invited to attend the June meeting of the City Centre Business Group along with Jane Meek and Angela Culleton. A variety of issues were discussed during a question and answer session and the group identified priorities for action to improve the city centre including car parking, city centre cleanliness and business engagement.

Kingmoor Park Launch

On 6th June 2013, the Director of Economic Development and I attended an event hosted by John Stevenson MP in the House of Commons to promote the opportunities for development at Kingmoor Park. The event was attended by many key agents from the

London property scene as well as businesses and MPs from other areas of the country. It was a great opportunity to tell them about Carlisle, our plans for the future and convince them that Carlisle is very definitely open for business.

Sense of Place Launch

Carlisle is a great place to live, work and have fun. We have world renowned attractions, fantastic scenery, an amazing history, loads of sports and activities to get involved with; great businesses and we're well connected.

We've been working hard with stakeholders to capture this and more in a 'new story' for Carlisle and the surrounding area to raise our profile, highlight why we are special and help us better compete nationally and internationally. We want to grow our economy and create new jobs but we need help to get our message out there and heard.

The launch event was held on Thursday 11th July where leading figures from the area such as: Fred Story, Story Homes; Moira Tattersall, Carlisle College; Alan Wilson, Pirelli UK (Carlisle); Jason Gooding, Carlisle City Council and David Helliwell; CN Group outlined the shared ambition and 'story' for our city and region.

ACTING LEADER UPDATE

Policy & Communications

A new internal group was launched in June to look at developing the use of Social Media, the Digital Champions Group, will be looking at new ways of communication using the full range of social media tools.

Policy & Communications have been working closely with the Local Plan Team to prepare the publicity and consultation materials for the Local Plan.

Carlisle Partnership

The Carlisle Partnership Executive's most recent meeting was held last month and focused on Health priorities and the transition of public health into the County Council. The meeting was well attended by partners and thematic group chairs, who continue to report back on the work taking place within the district and subgroups.

The Healthy Communities group will now link with the Healthy City Steering Group to become the single feed in group to the Partnership Executive. Whilst being an independent entity, it is intended that its work will compliment and challenge the Countywide Health and Wellbeing Board (HWBB).

Carlisle Partnership has submitted the Annual Healthy City Reporting Template to the World Health Organisation. This will form part of the phase V evaluation of their programme. The themes of phase VI are due to be announced and link timely to the revised structure of the Carlisle Healthy City Steering Group. A new Terms Of Reference has been produced and new partners engaged. Subgroups are currently exploring the Active Carlisle and Older people (Mrs Carlisle) links.

Following the completion of the Economic Review of Carlisle, subgroups have been tasked with advancing the four priority areas (Business, Skills and Employment, Infrastructure and Image). In addition the Digital Carlisle Group is currently developing the city centre WiFi project group.

The Cumbria Growth hub launch took place in mid May and was well attended. 420 businesses made contact and data will be collected to assist in evaluation and the evidence base.

The Carlisle and Eden Community Safety Partnership have recently developed their draft Partnership Plan for 2013/14, which outlines the priorities and action plans being delivered over the coming year.

The Carlisle East and City West PSG's (Problem Solving Group) continue to work well and provide early interventions to ensure a quick response to community issues. Noise nuisance still remains one of the key priorities across the west of the City. The City Council's Environmental Health Team is working closely with partners (Police and Housing Providers) to ensure issues are tackled quickly and efficiently. Further details are contained in Cllr Riddle's report.

The Carlisle Housing Partnership continues to advance the Housing Strategy. Information discussed at the last Partnership Executive (focus on housing) has been used to feedback to the subgroups and further actions. Strong links with the LEP continue to be maintained. The promotion of low cost home ownership is a key action for the Housing Market subgroup.

The Rural support group is exploring locality working, which featured at a special joint RSG and Carlisle Parish Council Association meeting. A paper has gone out to consultation with the Parishes.

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Finance, Governance & Resources Portfolio Holder's Report –
Councillor Dr Les Tickner**

GOVERNANCE

Legal Services

The Legal and Property Services Teams are continuing to work closely to achieve the targets set in the Council's Asset disposal programme and the project. Several more transactions are due to complete this month. The Legal Team is also very busy generally advising on and preparing for numerous Agreements, Adjudications and Tribunals.

Licensing

Disability awareness training for taxi/private hire drivers is taking place 'in house' once a fortnight. The purpose is to raise awareness of their responsibilities under the Disability and Equalities Act 2010. Licensing staff prepared and deliver the presentation which is going out to all drivers. We are over half way through the sessions and have delivered it to approx. 230 drivers.

Cumbria Constabulary are having a drive to detect scrap metal thefts in the county which is running into £100,000's. The knock on effect is that itinerant collectors are now complying with the law and registering with their local authority. This has created additional work for which we cannot charge a fee. This will, however, be addressed later this year when the legislation is substantially overhauled with the Scrap Metal Dealers Act 2013. In December 2012 the law was tweaked to say that dealers must use cashless transactions to raise accountability and create an audit trail for the payment of scrap metal.

Licensing are currently working through the myriad of new legislation which relaxes the criteria for 'regulated entertainment'. Four pieces of secondary legislation have been published in the last six months, each varying the definition. This has necessitated staff

updates, application form and guidance amendments, web site changes and trade awareness.

Ongoing guidance is being given to the many groups and organisations that are holding summer events which will include alcohol and/or entertainment. Licensing staff are also members of the Council 'Event Working Group', formed to co-ordinate events where the Council have an involvement.

Electoral Services

The County Council elections for the Carlisle area on 2nd May 2013 were delivered successfully and a claim is being prepared to enable the costs of the election to be reimbursed by the County Council.

The claim in respect of the Police and Crime Commissioner election has now been settled by the ECU and the balance of the outstanding monies will be received shortly.

Arrangements continue to be made in preparation for the introduction of Individual Electoral Registration. The Confirmation Dry Run, when the City Councils electoral register will be matched against records on the Department of Works and Pension site, was carried out on 8th July as part of a national dry run that is being carried out throughout July and August. The outcome of the dry run will be known in the next few weeks and these results will be used to inform the planning of resources and actions.

As a further part of the preparations for Individual Registration the Absent Vote Refresh scheduled to be carried out at the turn of the year will be brought forward and carried out in August / September. It is estimated that just over 1000 postal vote electors will be asked to refresh their signature in this years exercise.

Preliminary arrangements are also being made to carry out the Annual Canvass. The canvass is usually carried out from September with the new electoral register being produced at the start of December. However legislation has been passed the effect of which is to delay this years canvass which will commence in October with the new register produced in February 2014. This is so that the register will be as up to date as possible prior to the implementation of Individual Electoral Registration in 2014.

RESOURCES

Financial Services

2012/13 Final Accounts Process

The 2012/13 outturn reports have now been considered by the Executive and the Resources Overview & Scrutiny Panel and are considered elsewhere on this Council

agenda for formal approval. The Executive formally recommend that Council approve carry forwards totalling £0.696m for revenue and £1.8m for capital.

Work on the 2012/13 Statement of Accounts continued through May and June and the draft accounts (subject to Audit) were signed off by the Director of Resources at the end of June. These will be considered by the Audit Committee on 22nd July. The external audit process started in early July and will continue through to the end of September. The External Auditors (Grant Thornton) will report the outcome of the audit process through its Annual Governance Report which will be considered by the Audit Committee on 26th September, following which the Accounts will be formally approved by Members. The statutory deadline for the completion of the audit and approval process is 30th September. There are no significant changes for the 2012/13 Accounts.

Strategic Planning

The Medium Term Financial Plan and Corporate Charging Policy, the Capital Strategy and the Asset Management Plan for 2014/15 onwards are currently being reviewed and updated. Draft plans will be considered by the Executive at the beginning of August before being considered by Resources Overview and Scrutiny Panel later in the month. Council will formally consider the new plans at its meeting on 10th September. The 2013 Spending Review Statement of 26th June provided an analysis of the cuts agreed by government departments with HM Treasury for 2015/16, with a 10% reduction agreed for the DCLG. How this reduction is to be passed onto Local Authorities is expected later in the year but could reduce the Council's funding by approximately £260,000 per annum.

Audit Services

The next Audit Committee will meet on 22nd July when members will receive the final reports for the remaining 8 material system reviews along with other risk based audit reviews which have been finalised in the first quarter of 2013/14.

The Committee will also receive the 2012/13 Internal Audit Outturn report which includes the annual opinion on the adequacy of Internal Control and the self assessment on the effectiveness of Internal Audit.

Work on the 2013/14 Audit Plan has commenced. Reviews on Revenues Recovery, Performance Standards, Organisational Development and Procurement are ongoing.

Internal Audit is also working through the data matches produced as part of the 2013 National Fraud Initiative. The outcome of this exercise will be reported separately to the Audit Committee later in 2013.

Digital and Information Services

The new working and employment arrangements with Allerdale have been operational for 3 months with no issues arising. Staff at both sites has settled into their new structures very well.

The introduction of online self-service for council tax has been a success and will be followed by the introduction of housing benefits and NNDR.

A plan has been developed for the next phase of service channel migration. This will focus on Local Environment.

Property and Facilities

Asset Review Disposal Programme

During the period of this report there have been no further asset disposals completed. Disappointingly, two transactions, victims of the current economic and financial climate, have fallen through at the eleventh hour. These sales were worth almost £0.5m to the Council, officers will commence work again to bring them back to the marketplace in order to find alternative purchasers. Despite this setback, and the lack of sales this month, overall target receipts still remain ahead of predictions.

Preparatory work continues on a number of assets to bring them forward to an auction sale planned in October 2013. Additionally, a couple of stalled transactions on the Raffles Estate are now coming to fruition with agreed land sales in the pipeline to a Registered Provider for the provision of affordable housing to rent in conjunction with the Council's partner, Lovells.

Work is still underway to bring forward a programme for the portfolio of residential sites which are included in the Business Plan.

Building and Facilities Projects

Civic Centre

Work is being carried out to the new ground floor contact centre facility; this involves re-modelling the reception area and re-locating the Keepers desk. Deliveries now come to the rear door. Re-wiring work is continuing to the Civic Suite part of the first floor. Work has also been carried out to the paved area on the north side of the building

Female and Family Accommodation

This major new build project is now complete and the official opening will take place on 15th July.

Enterprise Centre

The stonework to the facade of the building on James Street is currently being renovated

POLICY AND PERFORMANCE

The end of year performance for the Service Standards has now been to each of the Overview & Scrutiny Panels and the new format has been well received.

Information Management

Recent counts for information requests (From 5 April 2013 to 28 June 2013):

Environmental Information Regulations requests received - 14

Environmental Information Regulations requests responded to - 22

Freedom of Information requests received – 114

Freedom of Information requests responded to - 186

Data Protection Act subject access requests received - 5

Data Protection Act subject access requests responded to – 2

Organisational Development

A wellbeing and learning day for staff and Members took place on Tuesday 14 May at the Civic Centre which was attended by over 160 people. Local chef, John Crouch, did cookery demonstrations using food supplied by Fair Food Carlisle. Hair and beauty students from Carlisle College offered manicures and makeovers which helped to develop their skills of working with different types of customers and provided evidence for the qualifications they are working towards. A range of other health, wellbeing and community organisations were also there to offer advice and support. Staff from Cumbria County Council based at the Civic Centre also came. Lancaster City Council and Richard Rose Morton Academy also sent staff to see how the City Council runs events like this.

The City Council supports several local charitable organisations and recently held a book sale in aid of Eden Valley Hospice which raised £115.13. Staff and Members have continued to support Carlisle Foodbank with donations of food. A donation box for members of the public to donate food is now located at the Civic Centre reception desk.

Meeting Date: 18 July 2013

Public/Private*: Public

Title: **Environment & Transport Portfolio Holder's Report –
Councillor Elsie Martlew**

Highways Residual Agreement - To clarify who does what following the termination of Claimed Rights, a Residual Agreement is being drawn up. This will detail the work the City and the County will each carry out. For example, the City will continue to cut grass verges in the urban area and the County Council will contribute financially towards this work. The agreement will remain in place for 3 years with the option for it to be extended if of mutual benefit.

- **South Lakes Parking Agreement** - The City Council and County Council have now finalised a Parking Agreement under which the City will deal with the processing of On-Street Penalty Charge notices issued by the County Council in South Lakes District. This work is being carried out by the in-house team who also deal with all parking enforcement and processing in Carlisle and Eden District.
- **Car Park Maintenance** - Arrangements are being made to carry out maintenance work in the car parks at Union Lane, Brampton, at Upper Viaduct, Town Dyke Orchard and Swifts Bank. Failed areas are to be patched and surfacing will take place in Upper Viaduct and Town Dyke Orchard. This will provide an opportunity to remark the spaces to allow more space for the larger cars now being used.
- **Annetwell Street** – Recent press publicity has highlighted that the double yellow lines on Annetwell Street are unenforceable due to there being no valid traffic order to cover this street. As a result of the publicity many drivers are now parking on both sides of the street and are causing difficulties for large vehicles to proceed along the street and those wishing to pass each other.

The City Council first became aware of this issue some months ago and no PCN's have been issued on the street since then. Officers are taking steps in conjunction with County Council colleges to prepare a traffic order to bring some control back to the

street as soon as possible. This problem highlights the abuse that can take place when a system of proper parking enforcement is not in place.

- **Illegal and Dangerous Tattooing** - Following a complaint from a member of the public the Environmental Health Service applied to the District Judge for a Court Order to prevent illegal tattooing from a domestic property. The Environmental Health Service and Police Officers executed a warrant at an address on Ridley Road in Currock on Tuesday 21 May 2013 and seized a large amount of tattooing equipment. The Council is considering further enforcement action against the tattooist.

The unprecedented action by the City Council comes following an increase in reports of unregistered tattooists and the major health risks associated with using them. We are particularly concerned that school children are being tattooed by unregistered tattooists and are working with Cumbria Police, Public Health England and Cumbria County Council to develop a strategy to address this. Registration ensures tattooing is carried out legally and hygienically. Along with poor workmanship unregistered tattooists can leave people with skin infections and blood borne diseases. The Environmental Health team are currently investigating allegations of illegal tattooing against five individuals all thought to be operating from homes.

- **CCTV:** Discussions were held with the Police and Crime Commissioner office in April on the potential of a county wide system. All the existing 63 cameras will continue to run and record until the 31st March 2014 when the existing BT fibre optic contract terminates. From 1st April 2014, unless otherwise agreed, the City Council will only maintain the 9 cameras in the Civic Centre and the car parks. The last member of the CCTV team left the Council in June 2013. A revised procedure for requesting CCTV images is being drafted for implementation in July 2013. From the 1st April 2014 decommissioning of redundant cameras will begin subject to any proposals coming forward to provide a County wide service.
- **Clean Up Carlisle** - The Education and Enforcement Team are continuing to work hard on your behalf for a "Cleaner Carlisle." A resident who failed to correctly handle and store his waste prior to collection was fined a total of over £950 by the Magistrates Court. The gentleman who was throwing his domestic waste over a wall into the street failed to take action despite two Statutory Notices being served on him by the Education and Enforcement Team.

Since 1st April 2013 four people have been successfully prosecuted for allowing their dogs to foul and failing to pick up, total fines given by the Magistrates ranged from £210 to £370. Since 1st April 16 fixed penalty notices have been issued for dog fouling.

Two successful prosecutions for littering resulted in total fines of £290 and £165 respectively. Both littering offences were for dropping cigarette ends which continues to be a significant source of littering requiring cleaning up by Waste Services. Since 1st

April 16 notices have been issued for littering and incorrectly presenting waste for collection.

- Gulls - Since January over 200 landowners have been written to informing them of the action they can and should be taking to control Gull populations. A leaflet and press releases have supported this initiative. Follow up visits have been made to over 20 premises. Officers are generally pleased with the constructive action taken by many landowners. However, we are concerned that some landowners who were contacted are continuing to permit large numbers of gulls to nest and breed on their land. A leaflet is being drafted for developers to encourage them to either design out nesting sites or install proofing measures during the building phase.
- Bereavement Services - The contract for re-bricking of the cremator linings was let in June, with work expected to commence in late-July. The two cremators are both due to be re-lined with special fireproof bricks. The work will be phased so that one cremator will always be operational meaning we can continue to provide services throughout the period, which is expected to take up to 3 weeks. The cremators were installed in 2007 and the linings are at the end of their working life, showing signs of degradation caused by constant heating (to temperatures approaching 850C) followed by cooling.
- Allotments - The first allotment to sign up for self-management was Thorny Flatt, off Scawfell Road, where the documents were signed and sealed in early June. A number of other sites will follow in the next few weeks, meaning the tenants of these sites will be in full control of their management and operation. The allotment associations will set and collect rents (within limits), banking the funds to use for maintenance and improvement of the site.
- Hammonds Pond and Talkin Tarn - A new franchise has been agreed for the operation of rowing boats at both Talkin Tarn and Hammond's Pond. Visitors will be able to hire a range of craft, from the traditional rowing boats to Canadian canoes and single-seat kayaks. Instruction courses in the correct use of these boats will also be on offer.

Visitor numbers and tea-room income at the Tarn are up slightly, no doubt due in part to the better weather compared to last year. Visitor numbers at Hammonds Pond cafe are as expected.

- Cenotaph project - The schedule of work for this project has been amended slightly at the request of the War Memorials Trust following our application to them for a grant. The amended grant application has been resubmitted and is now being considered. The rules have changed slightly and we have now applied for a 75% grant instead of 50%. The programme of work has been arranged to suit the revised landscaping proposals and building work is scheduled to start in March 2014.

- Green Spaces - The regular seasonal work programme is well underway, with grass-cutting and summer bedding taking up the Grounds Team's time. Grass growth was sluggish in the early part of the season after the cold Spring weather but has now caught up rapidly with warmer, damp conditions.
- St James' Park - After a number of years in the control of CLL, St James' Park (Denton Holme) was formally handed back to Carlisle City Council's Green Spaces team on 1 April 2013. A programme of improvements is already underway, including replacing railings in the children's play area and resurfacing paths and steps in the park. Funding has been agreed with sponsors for renovating the two ball courts behind the bowls pavilion and overgrown shrubs have been cleared from the park frontage to prevent them being used for anti-social purposes.

Two bowling clubs use the bower and agreement has been reached over membership fees and use of the building. The clubs have expressed their delight at the standard of the green after some intensive work by the Green Spaces team.

Cllr McDevitt has secured funding for a new 'basket swing' for use by children of all ages and abilities to be added to the play area.

Finally, the Green Spaces team has commenced work with the Heritage Lottery Fund on a 'Parks for People' grant application. After a very encouraging visit to the park by HLF officers in late June, the signs are positive that we may be able to secure a significant grant towards some major improvements to the park's infrastructure.

- Willowholme - In the week before the Appleby Horse Fair a number of travelling families set up camp on Council playing fields behind the new Sainsbury store, just off Willowholme Road. It is not clear how they gained access but the gate had previously been secured with a padlock and chain.

When they finally vacated the site 8 days later, they left behind a morass of domestic and trade waste which made headline news in the News & Star.

Led by Green Spaces staff, a multi-disciplinary task force was assembled to clear the site. This required a range of assets including a refuse vehicle (for quick collection and disposal of domestic refuse) and a cage van (for safe disposal of empty gas canisters). With a combined team of Grounds, Street Cleaning and Waste Services staff picking and loading, the site was cleared and all waste materials safely disposed of. This was an example of how the Council's front-line teams can be relied on to deal with any situation professionally and efficiently as the need arises. The staff involved did the Council and the City of Carlisle proud!

Weeds on the roads and pavements have been subject of complaints in the local press but are now the responsibility of the County Council, to whom all service requests are being re-directed. The weeds are starting to make the city look untidy and are also

causing detritus to collect around the weeds. The County are implementing the weed spraying-which was scheduled to commence on 1st July 2013. A letter will be sent with photos to the County to illustrate how unsightly the weeds look and the problems they are causing the street cleansing team.

Spring Clean continues plus the installation of 20 replacement new street bins in the town centre. These are fitted with proper cigarette bins so encouraging proper disposal of cigarette butts.

We have put in a programme of works to clean the CNDR route within the resources available.

The waste team worked hard on bringing together and evaluating the proposed consultation responses regarding proposed changes to the bring site and purple sack services. The response rate from the public has been excellent and it shows just how interested people are in the Waste Service. Feedback on the bring site service will be available via the website in July and the Purple Sack Review will be considered by the Executive on 5th August.

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Communities & Housing Portfolio Holder's Report –
Councillor Jessica Riddle**

HOMELESSNESS, PREVENTION AND ACCOMMODATION SERVICES

Accommodation and Support Services

The Accommodation and Support Services currently have a 96% occupancy rate; and the move on period from temporary accommodation is currently 7 weeks for singles and 5 weeks for families. The positive move on rate for the men's scheme is 72% and women and family and dispersed properties 92%.

The service is working hard to ensure that there is a smooth transition process from the current women and family accommodation to the new building. The official opening event took place on 15th July and gave an opportunity for stakeholders to visit the scheme prior to residents moving in. We aim to be fully operational and move in to the new facility on 31st July.

In addition to the operational development several community projects and partnership initiatives are being developed to deliver a programme of positive engagement activities:

- ⇒ Community initiative to develop the garden / play area with the Heathlands project and Laurie Brewis Trust (LBT)
- ⇒ A programme of arts and crafts and practical living sessions with the LBT and Barnardos

- ⇒ Partnership working with Hayton School and Carlisle College to develop art work for the replacement women and family accommodation; teaching worksheets for children within the hostel; and teaching worksheets to be developed for the children attending Hayton School to promote homelessness awareness as a pilot for future prevention initiatives with young people and schools
- ⇒ A programme of education and training sessions with students from Carlisle College for residents including childcare, health and beauty, daily living skills etc
- ⇒ Drop in sessions planned in partnership with the Hebron church including a community cafe and child care

Welfare Advice Service

Total benefit gains for the period 1/4/13 until 26/6/13 are **£326,454.59**; comparative gains for the same period in 2012/13 were £329,427.19.

Welfare Reform Board

Carlisle Welfare Reform board was established in February 2013 with the agreed primary aim of ensuring effective collaboration and co-operation with key partners in response to the challenges of welfare reform. The board meets bi-monthly to collectively monitor, and analyse local intelligence and to develop pro-active collaborative preventative approaches to supporting people within the district. To date the board has focused on localised key changes such as under-occupancy; discretionary housing payments; homelessness; and 'Ways to Welfare'.

HOUSING

Homelife - Home Improvement Agency

Over the last 3 months the Home Improvement Agency has been developing its work streams as outlined in the business plan. Work on affordable warmth measures and affordable loans are being taken forward. The Community Neighbour Coordinator has been recruited and is now in post; their role will be to develop a volunteer network to provide low level support to older people in their own homes working particularly with Health & Social Care.

We are also in the process of recruiting a Housing Caseworker, who will facilitate hospital discharge where this is prevented by a housing issue.

Private Sector Housing Technical Team update

According to the Private Sector Housing Stock Condition Survey (March 2012), 14.5% of properties in Carlisle are in the private rented sector and, although this is slightly less than the national average, this has increased from 9.7% of the market share since 2006. The increase in the size of the private rented sector in Carlisle has implications for the Private Sector Housing Team and has increased the demands on the service to support landlords and carry out enforcement action where landlords are non-compliant.

To meet the increased demands placed on it, it is essential that the Private Sector Housing team can work efficiently and be adequately supported by available technology. With this in mind, a CIVICA/Flare database package is being rolled out across the team. The database will enable property details to be recorded, along with details of any enforcement action taken. It will be easy to interrogate the database, to produce reports, to improve work planning and result in more efficient working across the team.

The implementation date for CIVICA/Flare is scheduled for 24 July 2013.

Empty properties

The Empty Property Officer and Housing Apprentice continue to progress the empty property initiatives which have received external funding.

The Cluster of Empty Homes initiative focuses on selected geographical areas where the proportion of empty homes exceeds 10%. Activity has been focussed on generating interest in the scheme prior to grants and loans being available from the end of July onwards, subject to approval by the Council of the revised Scheme of Housing Assistance.

The target of returning 45 empty homes back in to use is progressing well, with 23 schedules of work having been produced and very positive enquiries from 8 further clients. A further mail shot will be produced in August to advertise this scheme.

REVENUES & BENEFITS

Housing Benefits

The implementation of the Benefit Cap nationwide commences from 15th July 2013 and it is anticipated will be fully implemented across the country by the end of September.

Generally the cap applies to combined income from the main out of work benefits (for working age customers)

- (Income Support/Job Seekers Allowance/Employment & Support Allowance (no support component) – refers to a term relating to the level of assistance someone on Employment & Support Allowance may need due to their level of illness or disability. If you have the Support element, in ESA the Benefit Cap will not apply)
- Housing Benefit
- Child Benefit
- Child Tax Credit

The cap levels are

- £500 per week for couples and lone parents
- £350 per week for single adults

If the combined income from benefits is above the set threshold, the cap is applied by reducing the amount of housing benefit paid.

Current numbers of housing benefit claims potentially affected, (taken from the latest May 2013 data scans in Carlisle) are 28 households with 39 people directly affected (this is number of adults affected as the children shown in the households comes to 163, an average of 4.2 per household).

The City Council is working closely with Job Centre Plus and other partners to ensure that support is provided for those affected.

CUSTOMER SERVICES

The Civic Centre foyer is currently undergoing work to refurbish the area and make better use of the space. The majority of the maintenance work is due to be completed towards the end of July. However, further work will be ongoing on utilising the space for exhibitions and marketing as well as working with partners.

New self service terminals will also be placed in the foyer allowing customers the opportunity to access services directly from the terminals. This is in addition to the way customers access services now. Triage receptionists will be assisting customers with the new facilities.

CARLISLE & EDEN COMMUNITY SAFETY PARTNERSHIP UPDATE

Partnership Plan

The Carlisle and Eden Community Safety Partnership (CSP) is progressing its Partnership Plan 2013/14. The plan outlines the priorities for 2013-14 and will be supported by a series of actions plans being developed and delivered by the task groups of the CSP.

The priorities for the CSP in 2013/ 14 are:

- Anti-Social Behaviour
- Reduce harm caused by drugs
- Reduce Re-offending
- Violent Crime
- Impact of alcohol misuse
- Domestic abuse and Sexual violence

Funding

In 2012/13, £32,762 was made available from Cumbria County Council in order to support the work of the Carlisle and Eden CSP. The Partnership was also successful in drawing down funding from the NHS and Riverside Housing. In addition to the funds, both Carlisle City Council and Eden District Council have made available significant officer time in assisting the Task Groups and the Leadership Board with project delivery, administration and financial accounting.

Following a bid to the Police and Crime Commissioner £49,143.60 has been secured to enable the partnership to continue to support the work of the task groups and assist the partnership in its aspirations in 2013/14.

Local crime information and statistics can be obtained through Cumbria Constabulary's website <http://www.cumbria.police.uk/neighbourhood-overview> to compare crime levels in your local area with other similar areas and see how crime levels have changed over time.

Problem Solving Groups

Problem Solving Groups across the District continue to work well and provide early interventions to ensure a quick response to community issues.

Noise nuisance still remains one of the key priorities across the west of the City. The City Councils Environmental Health Team is working closely with partners (Police and Housing Providers) to tackle the problems and develop longer term solutions.

PSG Performance Monitoring	City West (March 2011 -)	Carlisle East (March 2012 -)
Total number of actions dealt with	153	61

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Culture, Health, Leisure & Young People Portfolio Holder's Report**
– Councillor Anne Quilter

SUBWAY

The subway transformation project was completed on the 10th June 2013 with work at the Sands Centre, Bitts Park and Georgian Way. Community Pay Back Teams spent 9 days blanking out the old murals and over 90 volunteers worked tirelessly to install the new designs.

The project total cost was £18,000, £11,820 of which was covered by a grant award from the Dulux Lets Colour Campaign. Additionally Dulux also provided over 500 litres of paint and 60 litres of anti graffiti paint. The Bell Group UK kindly agreed to coat all of the subways with a specialist anti-graffiti coating free of charge.

EVENTS

Carlisle Music City

May 25th – June 2nd

In Music City's second year we engaged with 119 bands & performers (in the first year it was 60). There were 42 individual events throughout the City using local pubs and clubs. We also used The Lanes, The Old County Court Room, Tullie House, The Sands, the Crown & Mitre & Platform 4 of Carlisle Station

BBC Introducing recorded the whole of our Main Stage on the Bank Holiday Monday

CFM radio linked up with a singing competition in The Lanes and ran Music City promotions throughout the week. Including links with a number of promoters, such as Classical Carlisle, the programme ranged Classical to Punk. The festival has gone from strength to strength and plans are underway to 'grow' the 2014 festival and attract more visitors.

Carlisle Pageant/Chester Midsummer Watch

In preparation for Carlisle Pageant in August, an Arts Council England grant supported artists from Chester to hold a week of workshops in the Rickergate Fire Station. They shared skills and artistic methods with local artists and community groups. Three giant puppets were produced that will take part in the Pageant. Representatives from the City Council, the Heathlands Project and the Impecunious arts collective went to Chester to take part in the Chester Midsummer Watch on June 22nd & 23rd. This was a great opportunity to witness the Chester event and have a 'dry run' with our giants and puppets.

Throughout June, July and August community workshops are taking place to build more puppets, flags, banners and costume. The workshops will take place in the Old Fire Station and at various community venues.

The Pageant day will begin at 10am on August 17th and last until 4pm with street entertainment and music. The Parade will start at 11am, touring through the city centre until it stops in front of the Old Town Hall where a short piece of 'historical drama' will take place. Throughout the following week there will be market stalls and local businesses are also planning to be involved through window displays and various promotions. The festivities will conclude with the annual proclamation of the Great Fair on Saturday 24th August.

Youth Exchange

During 21st – 27th July, Carlisle will play host to the 2013 Youth Exchange when students from both Slupsk and Flensburg will visit Carlisle. Plans are well underway to celebrate the 25th anniversary of the Exchange Programme.

Tour of Britain

The Tour of Britain will start from the city centre on Monday 16 September. We have offered 16 Carlisle schools the opportunity to start the race, before the professional cyclists. Adding excitement and a 'buzz' within the city centre.

SPORTS DEVELOPMENT

Various activities relating to sport and physical activity continue to be developed across Carlisle and include:

- A £183,000 grant from Sport England from the Community Activation Fund. The total value of the project is worth £270,000 and will seek to engage young people age 14+, people with disabilities, young Mums groups and males age 25+.
- Club Development Projects supporting cycling, angling, badminton and trampoline
- Coach Development Projects supporting Netball, Gymnastics and canoeing.
- A successful student volunteer conference in partnership with the University of Cumbria. 60 Students attended from Carlisle College, Trinity School Sixth Form and the University.
- Volunteers signing up to the new volunteering scheme and actively volunteering. 22 young people have signed up to the scheme, one of whom came as a referral from the homeless team.
- Tennis development - Coaching taking place in local primary schools. Junior programme with Carlisle Leisure Limited going well.
- Athletics development - working with England Athletics to put a north Cumbria plan together. As part of this the Carlisle Parkrun goes from strength to strength. Weekly average so far is 119 runners with 15 volunteers helping to stage the event.

TOURISM

Cumbria Tourism Awards

Over 100 delegates from a wide variety of backgrounds attended the Carlisle Tourism conference. Feedback from the event will be advanced via the Carlisle Tourism Partnership.

Congratulations to Walby Farm Park who won Best Large Visitor Attraction and to Hall Hills, for winning the award for Best Self Catering Accommodation.

Cumbria Tourism AGM - 27 June at Rheged

A presentation was given by Laura Thompson, TIC Manager on behalf of the Cumbria TIC network.

Food City Development

Carlisle had been shortlisted from over 50 cities to become one of 12 to receive direct support and assistance from the Soil Association to develop the concept, following the positive work that has taken place so far. The next step will see us compete to become one of six Cities to receive funding to advance this work further. A steering group meeting has been held to advance the work of Carlisle as a Sustainable Food City, exploring key themes of Economy, Health and Wellbeing, Learning and Skills, Sustainability and Communities in a partnership approach. A draft Charter is currently being developed by a task and finish group. The concept links into the Carlisle Pageant offer, which looks to promote local food businesses, suppliers and producers. A replica cake of the Old Town Hall, to celebrate its restoration, will be one of the features as part of the Pageant celebrations.

Old Town Hall – Physical Refurbishment

Councillors will be aware that the Old Town Hall, a two storey Grade 1 listed building, has been undergoing some major repair and restoration works to ensure that it is fit for continued use. Work started on site in January 2013 with Cubby Construction working with local architects Johnston and Wright to undertake the restoration which completed in June 2013.

The scheme has included a complete re-roof of the building including work to external walls, refurbishment of windows, fire alarm, lightning protection and boiler replacement, an insulation upgrade as well as some internal work to the Tourist Information Centre including plaster and timber repairs, a modified reception counter for customers with disabilities, new carpets, decoration and lighting.

The Tourist Information Centre relocated from their temporary home in the Cathedral Lodge as at the end of June with the re-opening at the Old Town Hall from the beginning of July 2013.

There is an opportunity for Members to see the refurbished Old Town Hall tomorrow morning, which I hope you will attend. However, this is not the end of the project, so we have now started putting plans together for the internal development

TULLIE HOUSE

Kids in Museums

Tullie House was long-listed in May for the Telegraph Family Friendly Museum Award 2013 for the second year in a row. This is excellent news as it is voted for by families visiting Tullie House and ranks us as one of the top twenty family friendly museums in the UK. The shortlist of six venues will be announced in July.

Outside In

The Outside In exhibition (May-June 2013) featured a selection of works by artists living in North West England. All the artists face barriers to the art world for health and disability reasons. A number of workshops were run alongside the exhibition exploring how participatory arts can improve wellbeing.

Community and Adult Engagement

Tullie House has recently developed a partnership with Cumbria County Council and the Alzheimer Society to deliver an internal programme of activity to support people living with dementia. This complements the existing outreach provision and working in partnership with the Alzheimer Society, it organised two activity sessions in support of Dementia Awareness Week.

Working with the Living Well Trust

Inspired by the exhibition Transmitter/Receiver young people who were part of a local pre-exclusion group took part in a day of urban music, physical theatre and visual arts activities to explore and record ideas on what gives them hope and how, as a community, we can raise each other's expectations to achieve.

Percy Kelly Collection

Tullie House has recently acquired a collection of over 100 works by Percy Kelly (1918-1993), a Workington born artist who trained at Carlisle School of Art. Kelly is an important

20th century Cumbrian artist who was not represented in the collection prior to this donation.

Report to:

Council

Agenda
Item

11(i)(b)

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Community Overview and Scrutiny Panel – Chairman’s Report**
Councillor Mrs Luckley

Meeting Dates – 30 May 2013 and 20 June 2013

Since the beginning of the new civic year the Panel has met twice. The first meeting in May centred mainly around two important subjects.

Firstly, the Panel continued its oversight of the development of the Shaddongate Resource Centre. The report of the Centre’s first year of operation, outlining the financial outcomes, the service developments, together with the plans for the future led to a wide ranging discussion. The questioning was aided by the attendance of the YMCA Manager of the Centre. Emphasis in the questioning was laid on the use of the Centre by outside agencies, the development of services, particularly relating to employment, youth services and health and essentially, the Centre’s ability to retain financial sustainability.

These are difficult times for such a new facility to open, but the panel was impressed with the progress that has been made in the Centre’s first year and the Portfolio Holder commented that she was confident that the Centre would be successful. The Panel believes that the Centre could provide important opportunities to contribute to the aims of the Carlisle Plan and intend to monitor the activities of the Centre in its second year of operation.

The Panel received a report on the Scheme of Housing Assistance (Empty Properties/Disabled Facilities Grants). The Panel found the session devoted to this subject illuminating and the officers most diligent in the depth of information they provided. Concern was expressed in relation to the Council’s overseeing of the quality of work carried out on empty properties, there being three reasons in the main for this.

The first being the part a decent home can play in relation to tenants' health, well being and satisfaction with the accommodation. The productive use of public funding and thirdly in regard to the Council's policy of providing valuable assistance in housing renewal. These concerns were noted and the report that went to the Executive outlined the steps that will be taken to address them.

I should add that the Panel was impressed that this was an area of housing regeneration in which the housing department had been very successful in obtaining funding from government, therefore increasing the Council's ability to contribute to bringing about the occupancy of empty properties that can be rescued through the scheme.

The final item on the agenda of the May meeting was the 2012/13 Summary of Service Standards in which the only service standard within the Summary that came under the Panel's remit was the processing of new benefit claims.

It's the Council's aim to process claims within 28 days. It's a shared service that had difficulties regarding computer systems in its early days which caused delays. But since the Spring of last year, there has been a steady rise in performance which the Panel has been pleased to see. The Panel however did request that with the objectives of the Carlisle Plan in mind, that there should be in future reports a narrative as to how the service's results support the aims of the Plan.

Our second meeting in June was held due to a Call-in by three members of the Panel of the report GD/28/13 concerning Representatives on Outside Bodies.

The meeting produced an examination by members of the role of Council nominated representatives on outside bodies, looking at experience needed, the importance of regular attendance and the appropriateness of the nominees. The members who made the Call-in itemised their concerns about nominations, around which they had questions to ask, questions which linked with the points above.

The Acting Leader who attended on behalf of the Executive confirmed that a further report on representation would be going to the Executive and the Panel asked that the Executive should take into consideration the observations and comments made by members of the Panel.

Councillor Olwyn Luckley

Report to:

Council

Agenda
Item

11(ii)(b)

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Resources Overview and Scrutiny Chairman's Report –
Councillor Watson**

Because of the never ending reduction in government grants and the effect that will have on the Benefits Advice Services in Carlisle, the Panel is keeping a close eye on all areas of welfare reform as that will be critical to the long term financial viability of services to the people of Carlisle.

The panel also hope to have a close look at the Asset Management Plan when it becomes available.

The panel was pleased that our concerns regarding the Carlisle Leisure contract have been acted upon and that the Audit Committee have recommended some very significant changes that have been endorsed by the Executive this will reduce the future risks to this Council.

Members expressed concerns that control of commissioning services could be lost to other partners and felt the Council needs to be in control of its services.

The panel sought the assurance that Carlisle Leisure were providing the necessary financial information to allow the Council to carry out its performance monitoring responsibilities. The officers gave that assurance.

Panel members asked questions regarding missed waste collection in January. The Policy and Performance Officer reported that there had been 26 missed collections mainly due to severe weather. The number of missed collections was lower than the industry standard of 40 per 100,000. The proposed changes to the waste services would make a minor improvement on performance figures.

Members would still like to see an increase in successful prosecutions with regard to dog fouling and littering.

The panel was also informed that the welfare reform reserve costs would be shared by Allerdale and Copeland Councils.

Report to: Council

Agenda
Item

11(iii)(b)

Meeting Date: 8th May, 2013

Public/Private*: Public

Title: **Environment & Economy Overview and Scrutiny Panel - Chairman's Report –
Councillor Layden**

In compiling this report on the final meeting of the Panel in the last council year and my final meeting as Chairman, I am following three strands of information and comment: to mention some resolutions that came out of recent past work of the Panel; to mention discussion on two ongoing main issues and to reflect on the past year.

It had been a concern to the Panel that, despite the financial assistance given to the University of Cumbria and its importance to the city, the City Council had no representation on the University of Cumbria Board. It was resolved that the Deputy Chief Executive follow up the contact with the University and feed the information back to the Panel

Two significant Task and Finish Groups had been set up in the past year. It was resolved that the Tourist Information Task Group meet on a six monthly basis to monitor the work of the TIC, The second group had undertaken a wide-ranging review of Talkin Tarn. It was resolved that implementation of the recommendations, which had been submitted to the Executive, be monitored over the coming year.

A main item on the Agenda was the Purple Sacks Review. The Director of Local Environment submitted a report setting out proposals to change the 'purple sack' service and minimise the litter currently associated with it. Purple sacks were often split open by seagulls, other animals, vandals and sometimes identity thieves. It was important to strike the right balance between use of 'wheelie bins', the newly proposed 'gull sacks' and the possibility of 'Euro bins'

The Bring Sites Review was discussed. It was noted that when the Bring Sites were introduced, there were no green bag, kerbside recycling collections. Therefore, there was a surplus of Bring Sites, with many being underused. Whilst the Panel was pleased to be consulted at the start of the

process, it was felt that more information about the criteria for Bring Site removal would have been helpful. However, a consultation period would give members a chance to raise issues prior to the issue being discussed by the Executive.

Finally, I would like to thank the members of the Panel for the way they approached the challenges of the Scrutiny process over the last Council year, especially to commend them on the time spent on researching issues, exploring them in a detailed way, engaging in full, frank and often lively discussion, before coming to a genuine consensus that was able to present an informed view and move it forward in a positive way.

There was an effective group dynamic on the panel which allowed it to look at issues rather than entrenched positions, ultimately for the good of the people we represent, in a proactive way. I thank the members and officers for their contributions to a year I found challenging, exciting and effective. It was a privilege to be the Chair and I wish the Panel well for the coming year.

Stephen Layden

June 2013

Report to: Council

Agenda Item

11(iii)(b)

Meeting Date: 16 July 2013

Public/Private*: Public

Title: **Environment & Economy Overview and Scrutiny Panel - Chairman's Report**
– Councillor Mrs Bowman

The Panel met on the 13th June 2013 with the focus of the meeting being the Local Plan - Preferred Options, and on 25th June 2013 to consider the Site Allocations for Development in the Carlisle District. Details of both meetings are included within the minute book.

A Call-In on Executive Decision EX54/13 Bring Sites Review resulted in the matter not being referred back to the Executive; therefore the Decision took effect on the 20th June 2013.

1. Reduce the number of bring sites from 151 to 90, the details of which to be delegated to the Director of Local Environment in consultation with the Portfolio Holder for Environment and Transport.
2. Cease the adopt-a-site payments as of 1st July 2013.
3. Provide an in-house service for the collection of bring site materials as from 1st April 2014, pending the wider procurement exercise in 2015.
4. Consider further the provision of an in-house skip service for April 2014.
5. Recommend that the City Council make an invest to save bid for the new vehicles required to provide an in-house service and place orders for machinery with immediate effect (should the service be outsourced in 2015, the vehicle would be included within the specification for the contract).

The panel discussed their work programme for the forthcoming year and will focus on;

Botchergate Conservation Area Action Plan.

Carlisle Enterprise Partnership.

Tourism Service and Review.

Parking Income and Strategy.

Consider a Task and Finish Group on Identity Theft.

Cllr. Marilyn Bowman.

Chairman

Report to Carlisle City Council

Agenda
Item:

20(i)

Meeting Date: 16th July 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref:KD.09/13
Within Policy and Budget Framework YES
Public / Private Public

Title: PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13
Report of: DIRECTOR OF RESOURCES
Report Number: RD12/13

Purpose / Summary: This report summarises the 2012/13 provisional outturn for the General Fund Revenue Services, which was considered by the Executive on 31st May, by the Resources Overview and Scrutiny Panel (ROSP) on 6th June and to be considered by the Audit Committee on 22nd July 2013.

Recommendations:

Council is asked to;

- (i) approve the carry forward requests totalling £696,400 (£677,400 to be met in 2013/14, and £19,000 in 2014/15), as set out in the report;
- (ii) approve the release of £1,878 balance from the Sheepmount Reserve into the General Fund Reserve, as detailed in paragraph 4.1;
- (iii) approve the release of £29,670 balance from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
- (iv) approve the write-off to the General Fund Reserve of the accrued deficit of £190,000 on the On Street Parking Reserve, outlined in paragraph 4.3;
- (v) approve the transfer of £200,000 into the Transformation Reserve, as detailed in paragraph 4.4;
- (vi) approve the £175,000 to be set aside for the Municipal Mutual Insurance provision, as outlined in paragraph 4.5; and
- (vii) approve the establishment of the Welfare Reform Reserve and transfer of £200,000 into the reserve, as detailed in paragraph 4.6.

Tracking

Executive:	31st May 2013
Overview and Scrutiny:	6th June 2013
Council:	16th July 2013
Audit:	22nd July 2013

Report to Executive

Agenda
Item:

Meeting Date: 31st May 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref:KD
Within Policy and
Budget Framework YES
Public / Private Public

Title: PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13
Report of: DIRECTOR OF RESOURCES
Report Number: RD12/13

Purpose / Summary: This report summarises the 2012/13 provisional outturn for the General Fund revenue budget and gives reasons for the variances.

The outturn position shows a net underspend of £75,247 for Council services as at 31 March 2013, once committed expenditure totalling £696,400 and £312,697 transfers to/from earmarked reserves are taken into account.

It should be noted that the information contained in this report is provisional, subject to the formal audit process. The Statement of Accounts for 2012/13 will be presented to the Audit Committee on 22 July, followed by a three month audit process.

Recommendations:

The Executive is asked to:

- (i) Note the net underspend as at 31 March 2013 of £75,247 after carry forwards as in (ii) below, and net transfers to/from earmarked reserves as noted in (iii),(iv), (v) and (vi) below;
- (ii) Note the committed expenditure totalling £696,400 to be met in 2013/14 which has been approved by the Director of Resources and under delegated powers, and the release of £677,400 in 2013/14 and £19,000 in 2014/15 from the General Fund Reserve, for recommendation to Council;
- (iii) Make recommendations to Council to release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve, as detailed in paragraph 4.1,
- (iv) Make recommendations to Council to release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;

- (v) Make recommendations to Council to write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances as outlined in paragraph 4.3;
- (vi) Make recommendations to Council to top up the Transformation Reserve with £200,000 from the underspend position, as set out in paragraph 4.4;
- (vii) Make recommendations to Council to approve the establishment of the Municipal Mutual Insurance provision for £175,000 as outlined in paragraph 4.5; and
- (viii) Make recommendations to Council to approve the establishment of the Welfare Reform Reserve, as detailed in paragraph 4.6, noting that £200,000 will be transferred to the reserve as part of the year end process.

Tracking

Executive:	31st May 2013
Overview and Scrutiny:	6th June 2013
Council:	16th July 2013

1. BACKGROUND

- 1.1 This report shows the provisional outturn position for the General Fund Revenue budgets for 2012/13.
- 1.2 A summary of the overall position is shown in paragraph 2. Further details for each directorate are included in **Appendices A1 - A6** 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 Director.
 - (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 and Portfolio holder, and the Director of Resources.
- 1.3 Members should note that the information contained in this report is provisional and subject to the formal audit process. The formal Statement of Accounts for 2012/13 will be presented to the Audit Committee on 22 July, followed by a three month audit period. Any significant changes required following the approval of the 2012/13 accounts will, if necessary, be reported to a future Executive meeting.
- 1.4 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 2012/13

2.1 The following table shows the revised 2012/13 budget for the General Fund:

2012/13 Revenue Budget	£
Approved Budget (Council resolution – February 2012)	13,987,100
Carry forward requests (2011/12 out-turn)	357,500
Council Resolution 2012/13	14,344,600
Non-Recurring Expenditure	
Transformation Savings (RD35/12)	(218,500)
Transformation Costs (Transformation Reserve) ^{note 1}	431,600
Clean up Carlisle	20,000
Updated Budget 2012/13	14,577,700
Note 1 – the use of earmarked reserves to fund 2012/13 expenditure	

2.2 The provisional outturn position for the General Fund is summarised below and explanations for the main variances are provided in the appendices. The key issues are highlighted in paragraph 4:

Directorate / Appendix		Annual Net Budget	Total Spend	Net Variance at 31/03/11	Carry Forwards Committed	Adjusted Variance
		(£)	(£)	(£)	(£)	(£)
Chief Executive's Team	A1	105,900	108,449	2,549	0	2,549
Community Engagement	A2	8,003,200	7,889,225	(113,975)	(69,000)	(44,975)
Economic Development	A3	1,929,800	1,823,502	(106,298)	(176,700)	70,402
Governance	A4	1,828,100	1,743,509	(84,591)	(53,000)	(31,591)
Local Environment	A5	5,711,400	5,710,752	(648)	(144,300)	143,652
Resources ^{Note 1}	A6	(3,000,700)	(3,719,087)	(718,387)	(253,400)	(464,987)
Sub Total		14,577,700	13,556,350	(1,021,350)	(696,400)	(324,950)
Transfers^{Note 2}						312,697
Costs of Disposal^{Note 3}						(62,994)
Total						(75,247)

Note (1): Corporate underspends are included in the Resources total, e.g. Salary Turnover Savings

Note (2): See Paragraphs 4.1, 4.2 & 4.3.

Note (3): To be funded by Capital Receipts, see paragraph 7.6

- 2.3 The above table details the net Council budget. The Council's original gross budget for 2012/13 was £68.02m and although there are many individual variances as detailed by directorates in **Appendices A1 – A6**, the net underspend equates to 0.11% of this budget.

3. EXPLANATION OF MAJOR VARIANCES

- 3.1 The provisional outturn position for 2012/13 is an underspend of £75,247 after taking into account carry forward requests of £696,400 as set out in paragraph 6, and transfers to/from earmarked reserves totalling £312,697, as set out in paragraphs 4.1 to 4.4.
- 3.2 The reallocation of central departments' balances to service areas still has to be carried out, which explains many of the balances held on some management and support service centres. This reallocation will be completed before the Statement of Accounts is prepared.
- 3.3 Currently included in the Revenue Outturn is £238,300 of Highways Claimed Rights expenditure and £238,300 Highways Claimed Rights income that relates to capital schemes. In accordance with Capital Finance Regulations this expenditure and income should be included in the Council's Capital Programme for Statement of Accounts purposes. There will be no impact on the overall bottom line in the Revenue and Capital Outturn as the expenditure is fully funded, however this needs to be reflected correctly in the accounts.
- 3.4 Members are regularly updated on the budget position throughout the year, with quarterly reports being considered by the Executive and scrutinised by Resources Overview and 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 2013/14 budget. However, some pressures have an ongoing impact which must be addressed during the forthcoming 2014/15 budget process. These include income shortfalls in respect of parking, the Lanes, development and building control fees.
- 3.5 Some of the main 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.

Additional Costs/Shortfall in Income	Recurring £	Non Recurring £	Total £	Appendix
Enterprise Centre lettings & NNDR costs		68,000	68,000	A3
Tourist Information Centres Ticket Sales		41,000	41,000	A3
Development Control - Inquiry costs and fees		(15,500)	(15,500)	A3
Bereavement Services income		(52,600)	(52,600)	A5
Highways Maintenance & Claimed Rights		235,000	235,000	A5
Off Street Parking	50,000	98,300	148,300	A5
Countywide Parking Contracts		70,100	70,100	A5
ICT Printing Recharges	150,000	0	150,000	A6
Investment Income		37,500	37,500	A6
Minimum Revenue Provision		29,200	29,200	A6
Legal Fees for Resource Centre		43,700	43,700	A2
Bousteads Grassing [Joiners Shop] rent income	10,200	0	10,200	A6
Arts Centre costs		8,800	8,800	A2
VAT recovery Claims not paid in 2012/13 (Trade Waste)		236,200	236,200	A6
Insurance Excess		175,000	175,000	A6
Bad Debt Provision increase		43,300	43,300	A6
Total additional costs/income shortfalls	210,200	1,018,000	1,228,200	
Reduction in costs/Additional income				
CCTV Transmission and Maintenance Costs		(40,800)	(40,800)	A5
Revenues & Benefits including Shared Service		(81,100)	(81,100)	A2
ICT Connect Shared Service		(37,100)	(37,100)	A6
Transport Repairs & Hire Costs		(101,100)	(101,100)	
Travel Review & Leased Cars		(20,400)	(20,400)	
Salary Turnover Savings/Pay Award		(493,400)	(493,400)	A6
Overtime Reductions		(50,700)	(50,700)	
Pension Deficit Funding		(166,800)	(166,800)	A6
Direct Revenue Financing		(48,300)	(48,300)	A6
Lanes Income		(100,000)	(100,000)	A6
City Lighting - Energy and New Lighting Costs		(53,500)	(53,500)	A5
Industrial Estates rents		(76,900)	(76,900)	A6
Benefits Payments and Subsidies		(84,600)	(84,600)	A2
Budgeted Transformation Savings		(56,500)	(56,500)	
Inflation		(104,500)	(104,500)	
Other Miscellaneous underspends		(37,450)	(37,450)	
Total reduced costs/additional income	0	(1,553,150)	(1,553,150)	
Net saving to be returned to Reserves	210,200	(535,150)	(324,950)	

Combined Recurring/Non Recurring Net Saving		(324,950)		
Net transfers to earmarked Reserves ^{Note 1}		312,697		
Costs of Disposal funded by Capital Receipts		(62,994)		
Net Underspend		(75,247)		

Note 1: Paragraphs 4.1, 4.2, 4.3 & 4.4.

4. KEY ISSUES

- 4.1 There has been less than expected expenditure for Sheepmount drainage and the Executive is asked to recommend the release the balance of £1,878 on the Sheepmount Reserve to the General Fund Reserve.
- 4.2 There has been less take up than expected for the career development package and the Executive is asked to recommend the release of the Job Evaluation Reserve balance of £29,670 to the General Fund Reserve
- 4.3 The City has operated Carlisle's On Street Parking contract since 2001 on behalf of Cumbria County Council. The aim of the original service, set up using contributions from the Residents Parking Scheme and balance of income from Excess Charge Notices, was that it should be funded by income from the issue of Penalty Charge Notices and self financing. In recent years this account has run into a deficit position and in 2009, Cumbria transferred the parking spaces at the northern end of Lowther Street to the City, to operate as an off street parking area, with income from ticket sales to be offset against the On Street Parking account. It is proposed that the outstanding balance of £190,000 on the account at the year end should be written off. Dialogue will be held with the County Council to tackle this recurring deficit in future years.
- 4.4 There is a balance of £296,193 on the Transformation Reserve earmarked to fund any future one-off costs associated with the Transformation programme. This is the remainder at 31st March 2013 after providing for redundancy and compensatory payments in 2012/13. It is proposed that this fund should be replenished by transferring £200,000 from the underspent revenue balance, subject to Council agreement, and details of the Reserve are provided in the table below.

Transformation Reserve	£
Opening Balance	477,895
Transfer in (agreed RD11/12)	250,000
Balance at 1st April 2012	727,895
Spent	(431,702)
Balance at 31st March 2013	296,193
Transfer In	200,000
Balance to carry forward	496,193
Known Commitments in 2013/14	246,193
Balance to carry forward	250,000

- 4.5 A provision of £175,000 is required to be established in order to provide for the future costs associated with the insolvent runoff of Municipal Mutual Insurance, who were previously one of the Council's insurers. Due to a scheme of arrangement being triggered, MMI have issued a levy rate of 15% against claims they have paid out since 1993 in relation to the Council's cover. The Council's levy is therefore £175,000. It is likely that further provisions will be needed in the future to meet the ongoing solvency issues MMI faces.
- 4.6 The Government's Welfare Reform Agenda, once fully implemented will have a major impact on the benefit system, including a household benefit cap and the introduction of the Universal Credit system which subsumes housing benefit (by 2017). In the medium to longer term the Council will have to significantly reduce staff resources working on benefits administration. Whilst staff redeployment policies will reduce the impact of the changes, there is likely to be voluntary/compulsory redundancies in the section. It is proposed that a Welfare Reform Reserve be established and the unused balance of £200,000, accrued from underspends on staffing and other savings, is transferred to the Reserve to fund such costs. It is further recommended that management of the Reserve rests with the Director of Community Engagement with the use of the Reserve requiring Executive approval.
- 4.7 There are items of expenditure totalling £45,755 included in the outturn that are to be funded by the release from earmarked reserves, which have previously been approved by the Executive. These include £38,594 from the EEAC Reserve for Fuel Poverty (DS100/09), and £7,161 from the Job Evaluation Reserve for the Career Development Package (C.109/11).

5. RECESSION PLANNING

- 5.1 The Council's bad debt provision has been increased in respect of housing benefit overpayments and penalty charge notices but reduced for sundry debtors, and this has been allocated directly to the services. Further details can be found in report RD14/13 elsewhere on the agenda.

6. CARRY FORWARD REQUESTS

- 6.1 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 Director of 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 Director of 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 Director of Resources will report the extent of overspending carried forward to the Executive, Resources Overview and 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.

- 6.2 Details of the carry forward requests, which itemise committed expenditure, are contained within **Appendix B**. The requests have been subject to the scrutiny of the relevant Director and Portfolio Holder prior to formal consideration by SMT and the Director of Resources, who is satisfied that budgets of £677,400 should be carried forward to 2013/14 and £19,000 to 2014/15. Although some Directorates have expended in excess of their budgets, or have suffered reduced income as detailed in the individual appendices, once the committed expenditure is taken into account there is an overall underspend across the whole authority. These amounts have therefore been included in the carry forward. The relevant Director will be able to give further details of carry forward requests if required at the meeting.

- 6.3 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:

	2012/13 provisional £	2011/12 £	2010/11 £	2009/10 £	2008/09 £
Variance at 31 March	(1,021,350)	(618,959)	(2,004,397)	(2,367,534)	(3,577,380)
Carry forward requests	696,400	357,500	1,758,700	1,552,000	1,005,600
Final variance less in year budget initiatives	(324,950) <u>249,703</u>	(261,459)	(245,697)	(815,534)	(2,571,780) <u>2,326,192</u>
Service Expenditure variance	(75,247)				(245,588)
Percentage variance on service expenditure of original gross budget	(0.11)%	(0.41)%	(0.36)%	(1.23)%	(0.37)%

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 2013 forms part of the annual Statement of Accounts that will be considered by the Audit Committee on 22 July, followed by a three month process.
- 7.2 The VAT partial exemption calculation continues to be monitored and has still to be finalised for 2012/13; however the provisional outturn figure is 2.92%, well below the permitted 5% limit.
- 7.3 The 2012/13 Collection Fund projected surplus has increased from £443,395 to £492,315 (Council share increased from £58,513 to £64,929). The Council Tax and NNDR Provisional outturn report provides further details and is considered elsewhere on the agenda (RD14/13)
- 7.4 At 31st March 2013 balances totalling £1,372,541 are held in respect of Section 106 agreements and other commuted sums, with a further £5,031,585 expected, relating to agreements for sites yet to be developed. These sums are to be used for the provision and future maintenance of public open spaces, children's play areas, cycleways and transport facilities etc. The City Council acts as custodian only for £802,381 of the sums held, in respect of projects for which Cumbria County Council

is responsible, including the Caldew Cycleway and Public Realm. Should the County Council not progress these projects, or they remain incomplete before the agreed deadlines, the custodial sums must be repaid, along with a premium for interest, to the Developers. Further details of the balances retained are set out in the table below:

Commuted Sums 2012/2013	Opening Balance & Receipts	Spend	Retained Balance 31/03/13	Expected Sums
	(£)	(£)	(£)	(£)
Affordable Housing Contributions	15,000	0	15,000	254,373
Cycleway & Public Realm	756,000	23,159	732,841	0
Education	0	0	0	3,500,000
Play Areas & Facilities	287,488	49,483	238,005	94,500
Public Open Spaces Provision/Maintenance	448,874	131,718	317,156	406,546
Sports Provision/Maintenance	0	0	0	48,584
Transport & Pedestrianisation	69,540	0	69,540	727,582
Total	1,576,902	204,360	1,372,541	5,031,585

7.5 The level of Council reserves was approved by Council in February 2013 and showed that there will be pressure on reserves from 2013/14 onwards if ambitious transformation savings are not delivered to plan. Due to the level of underspend identified within this report after all carry forward requests are approved and transfers to/from earmarked reserves, approximately £75,200 will be returned to the General Fund Reserve. This will replenish the usable revenue balances by 31 March 2015 to the minimum required.

	31/03/2013 £'000s	31/03/2014 £'000s	31/03/2015 £'000s	31/03/2016 £'000s	31/03/2017 £'000s	31/03/2018 £'000s
Prudent Level of Reserves	(2,600)	(2,600)	(2,600)	(2,600)	(2,600)	(2,600)
Council Resolution General Fund Reserve	(1,846)	(2,092)	(2,534)	(3,402)	(3,355)	(2,515)
Underspend position returned to Reserves	(1,021)	0	0	0	0	0
Transfer (from)/to earmarked reserves:						
- Career Development (JE)	(7)					
- Fuel Poverty (EEAC)	(38)					
- Job Evaluation Reserve ⁽¹⁾	(30)					
- Sheepmount Reserve ⁽¹⁾	(2)					
- Transformation Reserve ⁽¹⁾	200					
- On Street Parking Reserve ⁽¹⁾	190					
Committed Carry Forwards		677	19	0	0	0
Cost of Disposal	(63)					
Revised Reserves Balance	(2,617)	(2,186)	(2,609)	(3,477)	(3,430)	(2,590)

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

- 7.6 In accordance with revised Capital Finance Regulations, costs associated with asset disposal totalling £62,994 that are included in the revenue outturn, can be funded from the capital receipt generated. This will result in an increase to revenue balances at 31st March 2013 and is reflected in the table above.

8. CONSULTATION

- 8.1 Consultation to date.
Portfolio Holders and SMT have considered the issues raised in this report.
- 8.2 Consultation Proposed.
Resources Overview and Scrutiny Panel will consider the report on 06 July 2013.

9. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 9.1 The Executive is asked to:
- (i) Note the net underspend as at 31 March 2013 of £75,247 after carry forwards as in (ii) below, and net transfers to/from earmarked reserves as noted in (iii), (iv), (v) and (vi) below;
 - (ii) Note the committed expenditure totalling £696,400 to be met in 2013/14 which has been approved by the Director of Resources and under delegated powers, and the release of £677,400 in 2013/14 and £19,000 in 2014/15 from the General Fund Reserve, for recommendation to Council;
 - (iii) Make recommendations to Council to release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve, as detailed in paragraph 4.1;
 - (iv) Make recommendations to Council to release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
 - (v) Make recommendations to Council to write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances as outlined in paragraph 4.3;
 - (vi) Make recommendations to Council to top up the Transformation Reserve with £200,000 from the underspend position, as set out in paragraph 4.4;
 - (vii) Make recommendations to Council to approve the establishment of the Municipal Mutual Insurance provision for £175,000 as outlined in paragraph 4.5; and
 - (viii) Make recommendations to Council to approve the establishment of the Welfare Reform Reserve, as detailed in paragraph 4.6, noting that £200,000 will be transferred to the reserve as part of the year end process.

10. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

10.1 The Council's budget is set in accordance with the priorities of the Carlisle Plan and the 2012/13 outturn shows the delivery of these priorities within budget.

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Appendices A1 to A6, B and C.
attached to report:

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

- **None**

CORPORATE IMPLICATIONS/RISKS: SMT and JMT have been involved in the preparation of this report. 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.

Chief Executive's – N/A

Community Engagement – N/A

Economic Development – N/A

Governance – 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 additional use of revenue reserves to fund expenditure commitments as set out in the report.

Local Environment – N/A

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

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

CHIEF EXECUTIVE'S TEAM	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013	£	£	£	£	£
Annual Budget	1,424,000	(25,800)	(1,292,300)		105,900
Budget to date	1,424,000	(25,800)	(1,292,300)		105,900
Total Actual	1,433,825	(33,982)	(1,291,394)		108,449
Variance	9,825	(8,182)	906		2,549
Carry Forwards				0	0
Adjusted Variance	9,825	(8,182)	906	0	2,549

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Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Policy and Communications	1	19,500	0	(769)		18,731
Miscellaneous	2	(9,675)	(8,182)	1,675	0	(16,182)
Total Variance to date		9,825	(8,182)	906	0	2,549

Note	Chief Executive's Comments
1.	Savings not achieved from subscriptions budget.
2.	Various net minor underspends across the service.

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

COMMUNITY ENGAGEMENT	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013	£	£	£	£	£
Annual Budget	14,170,000	(4,805,000)	(1,361,800)		8,003,200
Budget to date	14,170,000	(4,805,000)	(1,361,800)		8,003,200
Total Actual	14,060,086	(4,809,082)	(1,361,779)		7,889,225
Variance	(109,914)	(4,082)	21		(113,975)
Carry Forwards				69,000	69,000
Adjusted Variance	(109,914)	(4,082)	21	69,000	(44,975)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Hostels and Homeshares	1	38,215	(936)	0		37,279
Housing Regeneration	2	(73,399)	11,966	21	69,000	7,587
Revenues & Benefits Shared Services	3	(94,919)	13,806	0		(81,112)
Miscellaneous	4	20,189	(28,918)	0	0	(8,729)
Total Variance to date		(109,914)	(4,082)	21	69,000	(44,975)

Note	Community Engagement - Director's Comments
1.	Overspends due to legal costs of adjudication notices.
2.	Underspends on grant funded schemes to be rolled forward.
3.	Underspends on staffing due to vacant posts and income shortfall for court costs recoveries.
4.	Net underspend relates to miscellaneous variances and grant income allocations across services.

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

ECONOMIC DEVELOPMENT	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013	£	£	£	£	£
Annual Budget	3,847,900	(1,282,200)	(635,900)		1,929,800
Budget to date	3,847,900	(1,282,200)	(635,900)		1,929,800
Total Actual	3,681,311	(1,221,909)	(635,900)		1,823,502
Variance	(166,589)	60,291	0		(106,298)
Carry Forwards				176,700	176,700
Adjusted Variance	(166,589)	60,291	0	176,700	70,402

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Business & Employment Development	1	(33,091)	0	0	5,000	(28,091)
Enterprise Centre	2	13,979	53,996	0		67,976
Carlisle TIC	3	25,195	16,050	0		41,245
Business Support & Regeneration Projects	4	(148,669)	0	0	148,500	(169)
Miscellaneous	5	(24,002)	(9,756)	0	23,200	(10,558)
Total Variance to date		(166,589)	60,291	0	176,700	70,402

Note	Economic Development - Director's Comments
1.	Underspends on projects due to reduced capacity.
2.	NNDR costs for units vacant for more than six months and income shortfall from lettings.
3.	Overspend on ticket purchases and income shortfall on commission and sales.
4.	Underspent support funds and project expenses to be carried forward.
5.	Net minor underspends and surplus income across the services.

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

GOVERNANCE	Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013	£	£	£	£	£
Annual Budget	3,300,900	(643,800)	(829,000)		1,828,100
Budget to date	3,300,900	(643,800)	(829,000)		1,828,100
Total Actual	3,229,439	(656,947)	(828,984)		1,743,509
Variance	(71,461)	(13,147)	16		(84,591)
Carry Forwards				53,000	53,000
Adjusted Variance	(71,461)	(13,147)	16	53,000	(31,591)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Town Twinning	1	(53,831)	(39)	0	53,000	(870)
Miscellaneous	2	(17,629)	(13,108)	16	0	(30,721)
Total Variance to date		(71,461)	(13,147)	16	53,000	(31,591)

Note	Governance - Director's Comments
1.	This is a 3 years programme budget and will be used to fund the Council's Town Twinning activities agreed at the Annual 3 Way meeting.
2.	Various underspends and surplus income across the services

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

LOCAL ENVIRONMENT		Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013		£	£	£	£	£
Annual Budget		18,047,400	(8,377,400)	(3,958,600)		5,711,400
Budget to date		18,047,400	(8,377,400)	(3,958,600)		5,711,400
Total Actual		16,842,695	(7,182,955)	(3,948,989)		5,710,752
Variance		(1,204,705)	1,194,445	9,611		(648)
Carry Forwards					144,300	144,300
Adjusted Variance		(1,204,705)	1,194,445	9,611	144,300	143,652
Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Bereavement Services	1	(42,149)	(11,812)	48	50,000	(3,913)
CCTV	2	(41,003)	176	0	30,000	(10,827)
Clean Up Carlisle	3	(53,837)	(1,050)	(0)	50,800	(4,087)
LE Management & Administration	4	(22,440)	0	(0)	6,500	(15,940)
Neighbourhoods & Green Spaces	5	(37,000)	5,813	(0)		(31,187)
Parking	6	(62,741)	291,048	(9,864)		218,443
Highways Maintenance	7	(684,860)	923,470	19,416		258,025
Highways Claimed Rights	8	(96,394)	(408)	0		(96,802)
Misc Highways & Environment Expenses	9	(18,397)	0	0	7,000	(11,397)
City Lighting	10	(53,501)	(24)	0		(53,524)
Recycling & Waste Management	11	(24,850)	(18,089)	(0)		(42,939)
Miscellaneous	12	(67,534)	5,321	12	0	(62,201)
Total Variance to date		(1,204,705)	1,194,445	9,611	144,300	143,652

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

Note	Local Environment - Director's Comments
21	<ol style="list-style-type: none"> 1. Savings on staff and other costs and cremation fees performed better than expected. To be carried forward for additional costs of replacing Cremator Chimney Linings. 2. Transmission and maintenance savings to be rolled forward to fund costs of decommissioning and delay in implementing reduced service. 3. Late start to scheme; underspent budgets to be rolled forward to fund 2 years programme, scheduled for completion in 2014. 4. Underspends on IT, postages and office supplies, statutory systems training programmed for later in the year. 5. Savings on insurance excesses and claims. 6. Off Street Parking: Savings on management and staffing, (£129,600) taken into Salary Turnover Savings, set aside to offset anticipated contracts and ticket sales shortfall, totalling £146,337. On Street Parking: £5,987 net includes administration savings accrued to offset £43,076 income shortfall from PCN's etc. Other Contracts £64,158 net overspend: £71,632 Eden DC, £8,536 William Street (CCC), £7,248 Marks & Spencer, (£23,258) South Lakes includes management fee for Back Office support contract, still to complete, . 7. Savings on sub-contractors and other operational expenses offset by income shortfall. The year on year decrease in Claimed Rights budgets and capital projects has put the Highways' Team's ability to achieve the level of income fixed in the budgets at high risk and this function transfers to the County Council from 1st April 2013. 8. Underspend on insurance claims and reduced provision for bad debts. 9. Underspent allocations for Councillors' small scale projects, committed funds to be carried forward. 10. Savings on maintenance costs and energy due to efficiencies and reduced lighting levels. 11. Savings realised from efficiencies on transport, repairs, hire and fuel costs - although repairs costs are increasing as vehicle fleet ages. 12. Various minor underspends more than offset the income shortfalls across the services.

PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

RESOURCES		Gross Expenditure	Gross Income	Recharges	Carry Forwards Awaiting Approval	Adjusted Total
Position as at 31st March 2013		£	£	£	£	£
Annual Budget		49,999,400	(46,294,700)	(6,705,400)		(3,000,700)
Budget to date		49,999,400	(46,294,700)	(6,705,400)		(3,000,700)
Total Actual		49,077,489	(45,979,952)	(6,816,624)		(3,719,087)
Variance		(921,911)	314,748	(111,224)		(718,387)
Carry Forwards					253,400	253,400
Adjusted Variance		(921,911)	314,748	(111,224)	253,400	(464,987)

Analysis of Variances		Expenditure Variance	Income Variance	Recharges Variance	Carry Forwards Awaiting Approval	Adjusted Variance
Service	Note	£	£	£	£	£
Transport	1	(61,311)	355,597	(303,152)		(8,866)
Building Maintenance	2	3,298	(9,890)	41,582		34,990
Stores & Stock Account	3	164,024	(154,293)	0		9,731
Direct Revenue Financing	4	(48,291)	0	0	39,100	(9,191)
Treasury & Debt Management	5	29,962	38,481	2,627		71,070
Non Distributed Costs	6	(173,418)	0	0		(173,418)
Other Financial Costs	7	(654,908)	243,744	0	9,800	(401,365)
ICT Services	8	(22,634)	(3,226)	138,753		112,893
The Lanes	9	50	(99,987)	0		(99,937)
Miscellaneous	10	(158,683)	(55,678)	8,967	204,500	(894)
Total Variance to date		(921,911)	314,748	(111,224)	253,400	(464,987)

Note	Resources - Director's Comments
	<ol style="list-style-type: none"> 1. Underspend on repairs partly offset by net shortfall on income and recharges 2. Underspent expenses and premises maintenance recharges shortfall. 3. Includes net residual value of stores to be written off following transfer of Highways service to Cumbria County Council. 4. Carry forward to fund capital schemes. 5. Overspend on MRP and reduced investment income 6. Savings on shared service pension costs 7. Improved savings: Salary Turnover Savings (£544,100), 0% Pay Award (£108,000), and net income shortfall includes £236,224 on VAT Recovery claims not paid (Trade Waste). 8. Shortfall in income from ICT Connect printing and copying service, dedicated staff are no longer provided at the facility in Carlisle, consequently printing has been diverted to new printers recently installed throughout the Civic Centre. 9. Windfall on previous years' income 10. Various minor underspends and surplus income, carry forwards to fund loss of property income and asset disposal costs.

2012/13 REVENUE CARRY FORWARD REQUESTS

APPENDIX B

Directorate/Section	Description	Requests into			Total
		2013/14 £	2014/15 £	2015/16 £	
Community Engagement					
Housing - Empty Homes	Committed funding for Empty Homes Initiatives. Approved as part of 2012/13 Budget process, not spent due to delays in agreeing conditions with a Third Sector organisation provider.	50,000			50,000
Housing - Empty Homes	Empty Homes Officer - fixed term contract that overlaps financial years due to delay in recruiting. Carry forward would enable officer to complete existing projects and initiatives, and undertake new ones. Will also help maximise income from New Homes Bonus.		19,000		19,000
					0
		50,000	19,000	0	69,000
Economic Development					
Business & Employment	To fund sponsorship of Pirelli Rally as promised by the Leader of Carlisle City Council.	5,000			5,000
Tourism Support	To support various elements of the Tourism Support service including hosting a local Tourism Conference, Winter Lights within the city centre, and support for Hadrian's Wall Trust.	16,400			16,400
Support for Employment Projects	LABGI funding that because of limited capacity has not been utilised thus far for the BSUS programme and there is also a desire to work alongside existing employers and training organisations.	30,000			30,000
City Centre Capacity	Project is to build on the work done for the Business Improvement District. The result of the ballot was needed before further projects could be developed to enhance the City centre offer as the outcome would impact on partnership arrangements.	48,600			48,600
Discover Carlisle & Marketing	The Discover Carlisle website and brand development has not been able to advance as far as originally envisaged in 2012/13 and requires further development into one of the main marketing tools for Carlisle during 2013/14 to allow it to be able to generate significant income streams through sponsorship and advertising revenues to be self sustaining.	6,800			6,800
Business Start Ups	The City Council are committed to a 2 year programme covering 2012/13 and 2013/14 of working with the Cumbria Chamber of Commerce to deliver local business start up support (BSUS), the annual commitment is £30,000 (SLA). This will also attract substantial external funding from ERDF and the New Enterprise Allowance scheme.	49,600			49,600
Regeneration Project Support	The identification of a number of Regeneration and Strategic Property projects has been ongoing through the year but the actual development of such projects has been slower than anticipated due to a lack of a full time Regeneration Projects Officer. Carry forward will enable development of projects such as Public Realm to continue.	20,300			20,300
		176,700	0	0	176,700
Governance					
Town Twinning	The budget is a 3 year rolling programme to fund the Council's Town Twinning activities.	53,000	0	0	53,000
					0
		53,000	0	0	53,000

2012/13 REVENUE CARRY FORWARD REQUESTS

APPENDIX B

Directorate/Section	Description	Requests into			Total
		2013/14 £	2014/15 £	2015/16 £	
Local Environment					
Performance Improvement	Implementation of Waste Management module to FLARE. Phase 1 (Service requests) is complete, carry forward allows phase 2 (Rounds Management) to complete, Project is complex and has taken longer than anticipated.	6,500	0	0	6,500
CCTV	£9,000 for commitment to British Telecom fibre optic contract to allow £180,000 savings to be achieved on recurring basis from 2013/14. £13,000 to cover costs of fixed term CCTV Supervisor post. £8,000 for decommissioning costs.	30,000	0	0	30,000
Small Scale Community Projects	To fund commitments to various small scale projects waiting to be invoiced or recharged. Uncommitted unspent money has not been requested for carry forward	7,000	0	0	7,000
Clean Up Carlisle	To ensure a full 2 year programme of works for Clean Up Carlisle Campaign can be completed.	50,800	0	0	50,800
Crematorium	Cremator chimney lining replacement at an expected cost £50,000. Executive approved the release of up to £35,000 from Cremator Reserve to fund these works (LE06/13). Due to the level of underspend on the Crematorium, it is proposed to carry forward underspends to fund this work to ensure maximum funds can be retained in the reserve to accommodate full cremator replacements in future years.	50,000	0	0	50,000
		144,300	0	0	144,300
Resources					
Property	This budget is to offset the loss of rental income arising from the sale of properties as part of the Asset Review Programme. The programme has experienced delays and postponements on the sale of some properties resulting in the budget being underspent. The carry forward is required to offset the loss of rental income which will occur before other income generating assets are identified for purchase and acquired as part of the re-investment programme.	41,500			41,500
Property	The costs of disposal of the Asset Review Disposal Programme have been temporarily funded from this Property revenue budget which was originally earmarked for asset re-investment initiatives and consultant advice. These costs can be funded from capital receipts (up to 4% of the value of the receipt). It is requested that the revenue budget is replenished by the level of the costs of disposal funded from capital.	163,000			163,000
Direct Revenue Financing - Clean Up Carlisle	To provide funding to allow capital scheme to complete.	8,500			8,500
Direct Revenue Financing - PCIDSS Capital Finance	To provide funding to allow capital scheme to complete.	30,600			30,600
	Budget to provide Contractor plus replacement	9,800			9,800
		253,400	0	0	253,400
Total General Fund Carry Forward Requests		677,400	19,000	0	696,400

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

EX.48/13 PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.12/13 summarising the provisional outturn for the 2012/13 General Fund Revenue Budget. He informed Members that the outturn position showed that the net underspend for Council services as at 31 March 2013, once committed expenditure totalling £696,400 and £312,697 transfers to / from earmarked reserves were taken into account, was £75,247.

The table at Section 2.1 of the report showed that the Council's revised budget for 2012/13 was a total of £14,577,700. A summary of the expenditure for individual Directorates and an explanation of the major variances in those budgets were provided. Also itemised were the budget headings which had achieved savings and provided increased income.

Turning to the key issues, the Finance, Governance and Resources Portfolio Holder reported that the Government's Welfare Reform Agenda, once fully implemented would have a major impact on the benefit system, including a household benefit cap and the introduction of the Universal Credit system which would subsume housing benefit (by 2017). In the medium to longer term the Council would have to significantly reduce staff resources working on benefits administration. Whilst staff redeployment policies would reduce the impact of the changes, there were likely to be voluntary / compulsory redundancies in the Section. He proposed therefore that a Welfare Reform Reserve be established and the unused balance of £200,000 (accrued from underspends on staffing and other savings) be transferred to the Reserve to fund such costs. It was further recommended that management of the Reserve should rest with the Director of Community Engagement with the use of the Reserve requiring Executive approval.

It was also proposed that the Executive make recommendations to Council:

- to release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve (as detailed in paragraph 4.1);
- to release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve (as detailed in paragraph 4.2);

- to write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances (as outlined in paragraph 4.3);
- to top up the Transformation Reserve with £200,000 from the underspend position (as set out in paragraph 4.4); and
- to approve the establishment of the Municipal Mutual Insurance provision for £175,000 (as outlined in paragraph 4.5)

In terms of recession planning, the Finance, Governance and Resources Portfolio Holder explained that the Council's bad debt provision had been increased in respect of housing benefit overpayments and penalty charge notices, but reduced for sundry debtors which had been allocated directly to the services. Further details could be found in Report RD.14/13 elsewhere on the Agenda.

He also circulated details of the carry forward requests which had been submitted by Directorates adding that, if Members were minded to approve the carry forward requests, a recommendation would need to be submitted to the City Council.

The Finance, Governance and Resources Portfolio Holder advised that, due to the level of underspend identified within the report after all carry forward requests were approved and transfers to / from earmarked reserves, approximately £75,200 would be returned to the General Fund Reserve. That would replenish the usable revenue balances by 31 March 2015 to the minimum required.

In accordance with revised Capital Finance Regulations, costs associated with asset disposal totalling £62,994 which were included in the revenue outturn, could be funded from the capital receipt generated. That would result in an increase to revenue balances at 31 March 2013.

The Finance, Governance and Resources Portfolio Holder pointed out that the information contained within the report was provisional and subject to the formal audit process.

He also wished to place on record thanks to Financial Services Officers for keeping a tight reign on the Council's finances.

In conclusion, the Finance, Governance and Resources Portfolio Holder formally moved the recommendations, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted the net underspend as at 31 March 2013 of £75,247 after carry forwards as in (ii) below, and net transfers to/from earmarked reserves as noted in (iii), (iv), (v) and (vi) below;

- (ii) Noted the committed expenditure totalling £696,400 to be met in 2013/14 which had been approved by the Director of Resources and under delegated powers, and the release of £677,400 in 2013/14 and £19,000 in 2014/15 from the General Fund Reserve, for recommendation to Council;
- (iii) Recommended that the City Council release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve, as detailed in paragraph 4.1,
- (iv) Recommended that the City Council release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
- (v) Recommended that the City Council write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances as outlined in paragraph 4.3;
- (vi) Recommended that the City Council top up the Transformation Reserve with £200,000 from the underspend position, as set out in paragraph 4.4;
- (vii) Recommended that the City Council approve the establishment of the Municipal Mutual Insurance provision for £175,000 as outlined in paragraph 4.5; and
- (viii) Recommended that the City Council approve the establishment of the Welfare Reform Reserve, as detailed in paragraph 4.6, noting that £200,000 would be transferred to the reserve as part of the year end process.

Reasons for Decision

To receive the Report on the Provisional General Fund Revenue Outturn and make recommendations to the City Council

EXCERPT FROM THE MINUTES OF THE RESOURCES OVERVIEW AND SCRUTINY PANEL HELD ON 6 JUNE 2013

ROSP.39/13 PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13

The Director of Resources presented report RD.12/13 summarising the provisional outturn for the 2012/13 General Fund Revenue Budget. He informed Members that the outturn position showed that the net underspend for Council services as at 31 March 2013, once committed expenditure totalling £696,400 and £312,697 transfers to / from earmarked reserves were taken into account, was £75,247.

The table at Section 2.1 of the report showed that the Council's revised budget for 2012/13 was a total of £14,577,700. A summary of the expenditure for individual Directorates and an explanation of the major variances in those budgets were provided. Also itemised were the budget headings which had achieved savings and provided increased income.

Turning to the key issues, the Director of Resources reported that the Government's Welfare Reform Agenda, once fully implemented would have a major impact on the benefit system, including a household benefit cap and the introduction of the Universal Credit system which would subsume housing benefit (by 2017). In the medium to longer term the Council would have to significantly reduce staff resources working on benefits administration. Whilst staff redeployment policies would reduce the impact of the changes, there were likely to be voluntary / compulsory redundancies in the Section. He proposed therefore that a Welfare Reform Reserve be established and the unused balance of £200,000 (accrued from underspends on staffing and other savings) be transferred to the Reserve to fund such costs. It was further recommended that management of the Reserve should rest with the Director of Community Engagement with the use of the Reserve requiring Executive approval. The Executive had been asked to make a number of recommendations to Council as set out in the report.

The Director of Resources circulated details of the carry forward requests which had been submitted by Directorates, he advised that, due to the level of underspend identified within the report after all carry forward requests were approved and transfers to / from earmarked reserves, approximately £75,200 would be returned to the General Fund Reserve. That would replenish the usable revenue balances by 31 March 2015 to the minimum required.

In accordance with revised Capital Finance Regulations, costs associated with asset disposal totalling £62,994 which were included in the revenue outturn, could be funded from the capital receipt generated. That would result in an increase to revenue balances at 31 March 2013.

The Director of Resources pointed out that the information contained within the report was provisional and subject to the formal audit process.

The Executive had on 31 May 2013 (EX.48/13) considered the report and decided:

“That the Executive:

- (i) Noted the net underspend as at 31 March 2013 of £75,247 after carry forwards as in (ii) below, and net transfers to/from earmarked reserves as noted in (iii), (iv), (v) and (vi) below;
- (ii) Noted the committed expenditure totalling £696,400 to be met in 2013/14 which had been approved by the Director of Resources and under delegated powers, and the release of £677,400 in 2013/14 and £19,000 in 2014/15 from the General Fund Reserve, for recommendation to Council;
- (iii) Recommended that the City Council release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve, as detailed in paragraph 4.1,
- (iv) Recommended that the City Council release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
- (v) Recommended that the City Council write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances as outlined in paragraph 4.3;
- (vi) Recommended that the City Council top up the Transformation Reserve with £200,000 from the underspend position, as set out in paragraph 4.4;
- (vii) Recommended that the City Council approve the establishment of the Municipal Mutual Insurance provision for £175,000 as outlined in paragraph 4.5; and
- (viii) Recommended that the City Council approve the establishment of the Welfare Reform Reserve, as detailed in paragraph 4.6, noting that £200,000 would be transferred to the reserve as part of the year end process.”

In considering the report Member raised the following comments and concerns:

- A Member asked for an explanation of the expected sum of £3.5m next to Education in the Commuted Sums 2012/13 table.

The Director of Resources agreed to submit a written response to the Panel.

- Would Allerdale and Copeland Borough Councils be contributing to the Welfare Reform Reserve?

The Director of Resources confirmed that both Councils would share the cost of redundancies due to welfare reform.

- Why was the outstanding balance on the On Street Parking account being written off?

The Director of Resources explained that the deficit belonged to the City Council and the County Council was not obliged to pay it, as a result it would be written off.

RESOLVED - That the recommendations as set out in the Provisional General Fund Revenue Outturn 2012/13 Report (RD12/13) be agreed.

Report to Council

Agenda
Item:

20(ii)

Meeting Date: 16th July 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref:KD09/13
Within Policy and Budget Framework YES
Public / Private Public

Title: PROVISIONAL CAPITAL OUTTURN 2012/13 AND REVISED CAPITAL PROGRAMME 2013/14
Report of: DIRECTOR OF RESOURCES
Report Number: RD 11/13

Purpose / Summary:

This report provides details of the 2012/13 provisional outturn for the Council's Capital Programme and provides details of the revised Capital programme for 2013/14. The report was considered by the Executive on 31st May, by the Resources Overview and Scrutiny Panel (ROSP) on 6th June and to be considered by the Audit Committee on 22nd July 2013.

Recommendations:

Council is asked to:

- (i) approve the carry forward requests totalling £1,822,500 (£1,822,500 to be met in 2013/14) as set out in the report;
- (ii) approve the requests to carry forward £6,200 for new items of expenditure to be met in 2013/14;
- (iii) approve the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by Executive when revenue generating opportunities for land and property acquisitions become available;
- (iv) approve the revised Capital Programme for 2013/14 onwards should the carry forwards and Asset Management Plan budget revisions be approved.

Tracking

Executive:	31 May 2013
Overview and Scrutiny:	6 June 2013
Council:	16 July 2013
Audit Committee:	22 July 2013

Report to Executive

Agenda
Item:

Meeting Date: 31st May 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref:KD09/13
Within Policy and Budget Framework YES
Public / Private Public

Title: PROVISIONAL CAPITAL OUTTURN 2012/13 AND REVISED CAPITAL PROGRAMME 2013/14
Report of: DIRECTOR OF RESOURCES
Report Number: RD 11/13

Purpose / Summary:

This report summarises the 2012/13 provisional out-turn for the capital budget and provides details of the revised capital programme for 2013/14. The out-turn shows that the net underspend for Council Services as at 31 March 2013 once committed expenditure totalling £1,822,500 is taken into account is £1,596,953. Requests for carry forwards for new items of expenditure totalling £6,200 have been made, and also the removal of the Asset Management Plan expenditure budgets of £1,546,800 from the capital programme, which results in a net underspend to £43,953.

It should be noted that the information contained in this report is provisional subject to the formal audit process. The Statement of Accounts for 2012/13 will be presented to the Audit Committee on 22 July, followed by a three-month audit process.

Recommendations:

The Executive is asked to:

- (i) Note that subject to all recommendations below being approved, the net underspend will be £43,953.
- (ii) Note the net underspend as at 31 March 2013 of £1,596,953 **includes** committed expenditure to be met totalling £1,822,500 in 2013/14, which have been approved under delegated powers by the Director of Resources;
- (iii) Make recommendations to Council on 16 July on the carry forward requests of £6,200 for new items of expenditure for furniture and equipment at Play Areas as detailed in paragraph 2.5;
- (iv) Make recommendations to Council on 16 July on the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13,

£6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by the Executive when revenue generating opportunities for land and property acquisitions become available.

- (v) Note the use of the Conservation Fund to fund expenditure on Central Plaza and the Asset Management Reserve to fund expenditure on Industrial Estates, Asset Management Plan and Community Resource and Training Centre in 2012/13;
- (vi) Consider the revised programme for 2013/14 together with the proposed methods of financing, as detailed at para 5.2 and Appendix B, for recommendation to Council on 16 July;

Tracking

Executive:	31 May 2013
Overview and Scrutiny:	6 June 2013
Council:	16 July 2013

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 2012/13, summarised in **Appendix A**
 - (ii) the revised programme for 2013/14, and the provisional programme for 2014/15 to 2017/18, 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 2013/14. 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 2012/13 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. SUMMARY CAPITAL OUTTURN 2012/13

- 2.1 The original capital programme of £10,940,500 for 2012/13 was approved in February 2012. 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 2012/13 of £7,979,200 is a result of the following funding streams:

	£
Original 2012/13 Programme (approved February 2012)	10,940,500
Agreed Carry Forwards from 2011/12 (RD10/12 Council 17/07/12)	1,692,800
Agreed Carry forwards into 2013/14 (RD46/12)	(3,000,000)
Agreed Savings from 2012/13 Programme (RD46/12)	(2,080,300)
Additional Funding: Castle Way Cycle Ramp (RD01/12 Exec 05/04/12)	370,000
Additional Funding: Public Realm (RD34/12 Exec 03/09/12)	40,000
Reduced funding for Old Town Hall (ED30/12 Council 13/11/12)	(89,800)
Removal of funding from other projects to fund Old Town Hall (ED30/12 Council 13/11/12)	(85,600)
Use of Conservation Fund (ED29/11 Exec 30/08/11)	8,900
External contributions/grants	6,400
Schemes funded by Revenue budgets	176,300
Revised 2012/13 Capital Programme	7,979,200

2.2 The provisional out-turn position for the 2012/13 capital programme is shown below:

Directorate	Revised Annual Budget	Total Expenditure	Carry Forwards (Committed)	Variance	New Items	Return to Reserves	Final Variance
	£	£	£	£	£	£	£
Resources	3,615,700	1,527,740	463,400	(1,624,560)	0	1,546,800	(77,760)
Community Engagement	2,758,700	2,151,252	610,700	3,252	0	0	3,252
Local Environment	1,099,700	674,180	449,900	24,380	6,200	0	30,580
Economic Development	505,100	206,575	298,500	(25)	0	0	(25)
Total	7,979,200	4,559,747	1,822,500	(1,596,953)	6,200	1,546,800	(43,953)

2.3 The position for 2012/13 after committed carry forwards have been taken into account is an underspend of £1,596,953.

2.4 The remaining budget provided in 2012/13 for land and property acquisitions that will generate increased revenue income within the Asset Management Plan (£1,546,800) is requested to be returned to reserves to be released by the Executive when such acquisitions become available. A summary of the receipts and expenditure within the Asset Management Plan is shown below:

	2011/12 £	2012/13 £
Opening Balance	0	(1,885,884)
Funds provided from Asset Management Reserve	(1,000,000)	0
Capital Receipts Generated	(1,348,400)	(4,111,210)
Expenditure incurred	445,295	162,704
Costs of Disposal funded from capital receipts	17,221	62,994
Receipts replenished from Invest to Save scheme	0	(18,069)
Balance of funds held in reserve for Asset Management Plan expenditure	(1,885,884)	(5,789,465)

- 2.5 Additional budget for new and continuing schemes is requested for 2013/14 to be funded from the remaining budget in 2012/13. These are detailed below:

Scheme	Variance (£)	Comments
Play Areas	6,200	To fund additional equipment and furniture at St James Park and Richmond Green play areas included within the 2012/13 capital programme (carried forward from 2011/12).
Total	6,200	

- 2.6 Currently included in the Revenue Outturn is £238,300 of Highways Claimed Rights Expenditure and £238,300 Highways Claimed Rights income that relates to capital schemes. In accordance with Capital Finance Regulations, this expenditure and income should be included in the Council's Capital Programme for Statement of Account purposes. There will be no impact on the overall bottom line in the Revenue and Capital Outturn as the expenditure is fully funded, however, this needs to be reflected correctly in the accounts. This is not currently reflected in the figures presented in this report and the amounts are reported in RD12/13 considered elsewhere on the agenda.
- 2.7 The main overspends after carry forwards are summarised below:
- Crematorium Extension (£21,844 overspend) in relation to cabling and IT works in excess of the building works originally budgeted for.
 - Castle Street Public Realm Improvements (£21,770 overspend) in relation to construction work and traffic management. Included in the overspend is a request to carry forward £10,000 to complete the traffic management work now that the traffic orders have been granted.
- 2.8 Some schemes resulted in underspends (after carry forward requests) in the year and the main ones are summarised below:

- ICT Shared Service (£76,092 underspend). Remaining budget for Enterprise Licences is no longer required as alternative in house arrangements have been made.
- Talkin Tarn (£9,249 underspend). The cost of improvements to the car park were less than originally anticipated.

2.9 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.

2.10 Further details for each directorate are included in **Appendices A1-A4**.

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 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 Director of 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 Director of 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 Director of Resources will report the extent of overspending carried forward to the Executive, Resources Overview and 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.

3.2 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 £1,822,500 (net) will be spent in 2013/14.

- 3.3 The carry forwards in relation to new items of expenditure (£6,200) as detailed in para 2.5 are estimated to be spent in 2013/14.

4. FINANCING OF CAPITAL PROGRAMME 2012/13

- 4.1 Utilisation of resources to fund the 2012/13 Capital Programme in light of the out-turn is provisionally estimated as follows:

	Revised Budget £	Provisional Out-turn £
Capital Programme expenditure in year	7,979,200	4,559,747
<u>Financed by:</u>		
Capital Receipts (including PRTB receipts) (note 1)	5,067,300	2,554,285
Capital Grants		
• Disabled Facilities Grant	663,000	663,000
• General	79,600	28,494
Reserves & Balances (note 2)		
• Earmarked Reserves	1,026,900	606,637
• Direct Revenue Financing	666,200	617,909
Contributions from other bodies incl S106 (note 3)	476,200	89,422
Total Financing	7,979,200	4,559,747

Notes:

- Usable capital receipts carried forward from 2011/12 and those generated during the year amount to £9,296,053 compared to the revised estimate figure of £9,179,061, a decrease of £116,992. This is due to there being no general asset sales in year. Of the total sum available, £2,554,285 has been used to fund the Capital Programme in 2012/13, with the balance (£6,741,768) being carried forward to 2013/14 and held within the Capital Adjustment Account in order to reduce the Council's MRP liability as per the Treasury Management budget agreed in February 2013. In accordance with revised Capital Finance Regulations, costs associated with asset disposal totalling £62,994 that are included in the revenue outturn, can be funded from the capital receipt generated. This will result in a decrease to the capital receipts balance reported above at 31st March 2013.
- The use of capital receipts has been optimised in order to fund 2012/13 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 2012/13. Capital receipts are

the last source of funding applied to finance the capital programme, external funding is always applied first. The use of the Asset Management Reserve was lower than expected in 2012/13 due to slippage on Asset Management Plan expenditure into future years. Internal borrowing in 2012/13 was not required. The implementation of PCIDSS and slippage on the Old Town Hall means £39,100 direct revenue funding for the schemes has also slipped into 2013/14.

3. The use of Section 106 receipts towards Castle Way Cycle Ramp and Public Realm (S106) was less than budgeted. £386,800 has been carried forward into 2013/14 to allow the schemes to complete.

5. FIVE YEAR CAPITAL PROGRAMME

- 5.1 A five-year Capital Programme for 2013/14 to 2017/18 is detailed in **Appendices B1-B2**.
- 5.2 The programme for **2013/14** totalling £4,760,200 is based upon the programme as agreed by Council in February 2013 of £9,280,000, the commitments brought forward from 2012/13 as identified above of £1,822,500, additional budget of £6,200 for continuing/new schemes subject to approval by Council as detailed above in paragraph 2.5, less budget provided of £76,000 in ICT Shared Service for Enterprise Licences, and less land and property acquisitions within the Asset Management Plan to be held in reserves until suitable revenue generating acquisitions become available (£6,272,500).
- 5.3 The 2013/14 programme will be continually reviewed to ensure the Council has the capacity to deliver this level of programme. The main challenge for future years is the vehicle replacement programme (currently planned to be funded by internal borrowing).
- 5.4 It is suggested that the revised programme for 2013/14 as detailed in Appendix B1 is financed as follows:

	<u>Original Budget</u> £	<u>Revised Budget</u> £
Original Programme	9,280,000	9,280,000
Add: Carried forward from 2012/13	0	1,828,700
Less: Enterprise Licences	0	(76,000)
Less: Asset Review Expenditure (to be released from Reserve as and when required)	0	(6,272,500)
Total Expenditure to be financed	9,280,000	4,760,200
<u>Financed by:</u>		
Capital Grants		
• DFG	663,000	663,000
• General	0	37,900
Capital Receipts *	7,932,100	3,141,100
Contributions from other bodies	330,000	716,800
Direct Revenue Financing	83,900	123,000
Reserves	0	32,900
Internal Borrowing	271,000	45,500
Total Financing	9,280,000	4,760,200

* Balance of capital receipts will reduce by £62,994 for costs of disposal as described in Note 1 para 4.1.

- 5.6 The proposed programme for **2014/15** to **2017/18** as detailed in Appendix B2 is based on the programme agreed by Council in February 2013 and the recommendations made in this report.

6 CONSULTATION

6.1 Consultation to Date.

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

6.2 Consultation Proposed.

Resources Overview and Scrutiny Panel will consider the report on 6 June 2013.

7 CONCLUSION AND REASONS FOR RECOMMENDATIONS

7.1 The Executive is asked to:

- (i) Note that subject to all recommendations below being approved, the net underspend will be £43,953.
- (ii) Note the net underspend as at 31 March 2013 of £1,596,953 which includes committed expenditure to be met totalling £1,822,500 in 2013/14, which have been approved under delegated powers by the Director of Resources;
- (iii) Make recommendations to Council on 16 July on the carry forward requests of £6,200 for new items of expenditure for furniture and equipment at Play Areas as detailed in paragraph 2.5;

- (iv) Make recommendations to Council on 16 July on the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by the Executive when revenue generating opportunities for land and property acquisitions become available.
- (v) Note the use of the Conservation Fund to fund expenditure on Central Plaza and the Asset Management Reserve to fund expenditure on Industrial Estates, Asset Management Plan and Community Resource and Training Centre in 2012/13;
- (vi) Consider the revised programme for 2013/14 together with the proposed methods of financing, as detailed at para 5.2 and Appendix B, for recommendation to Council on 16 July;

8 CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

8.1 The Council's capital programme reflects the current priorities in the Carlisle Plan e.g. Arts Centre and Leisure facilities.

Contact Officer: Emma Gillespie

Ext: 7289

Appendices A1 to A4 and B1 to B2.
attached to report:

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

- None

CORPORATE IMPLICATIONS/RISKS: SMT and JMT have been involved in the preparation of this report. Individual capital schemes have different risks attached.

Chief Executive's – Not applicable

Community Engagement – Not applicable

Economic Development – Not applicable

Governance – 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 additional use of capital reserves to fund expenditure commitments as set out in the report.

Local Environment – Not applicable

Resources – Financial implications are contained in the main body of the report.

RESOURCES**Position as at 31 March 2013**

Scheme	Revised Annual Budget 2012/13 £	Expenditure to date 2012/13 £	Total Variance 2012/13 £	Carry Forwards (Committed) £	Carry Forwards (New items) £	Return to Reserves £	Adjusted Variance £	Category of Carry Forward (Note 1)	Details of major variances
ICT Shared Service	331,800	147,408	(184,392)	108,300	0	0	(76,092)	A	Part of Shared Service Business Case. Underspend in relation to Enterprise Licences which are no longer required as alternative in house arrangements have been made.
Franking Machine	0	7,697	7,697	0	0	0	7,697	-	A necessary purchase to accommodate changes introduced by the Postal Service.
Planned Enhancements to Council Property	322,000	305,803	(16,197)	0	0	0	(16,197)	-	A strategic underspend to accommodate the Town Clocks Invest to Save project.
Town Clocks Invest to Save	0	7,575	7,575	0	0	0	7,575	-	To fit auto-winding and regulation of town clocks and is accommodated from within the Planned Enhancements to Council Property budget. Revenue savings will be generated to repay the capital investment.
Enhancements to Enterprise Centre	25,000	24,705	(295)	0	0	0	(295)	-	A revision to the original Planned Enhancements to Council Property to allow improvements to the Enterprise Centre due to the transfer of management to the Civic Centre.
Vehicles and Plant	1,173,400	862,396	(311,004)	311,000	0	0	(4)	A	Revised replacement plan. Carry forward relates to vehicles currently on order.
Bousteads Grassing Demolition	0	(452)	(452)	0	0	0	(452)	-	Project complete.
PCIDSS Capital	32,000	1,437	(30,563)	30,600	0	0	37	A	Implementation costs for a new security Standard in line with the Payment Card Industry (RD26/12 Executive 6/8/12). Project commencing and will complete in 2013/14.
Asset Management Plan	1,709,500	154,305	(1,555,195)	0	0	1,546,800	(8,395)	-	A five year Development and Investment Plan for the City Council's property portfolio with the aim of delivering additional income or reduced costs in the revenue costs in the revenue account on a recurring basis. It is proposed that the budgets are returned to reserves and earmarked for asset purchases to be released back into the programme by Executive when such acquisition opportunities become available.
Sustainable Energy Projects	0	8,400	8,400	0	0	0	8,400	-	Solar scheme approved during 2011/12 and funded from Asset Management Plan receipt.
Document Image Processing	22,000	8,466	(13,534)	13,500	0	0	(34)	A	Phased implementation in progress. Will complete in 2013/14.
TOTAL	3,615,700	1,527,740	(2,087,960)	463,400	0	1,546,800	(77,760)		

Note 1

A - Committed expenditure (to be used for original purpose/externally funded)

B - New items of Expenditure

A/B - Combination of committed expenditure and new items of expenditure

COMMUNITY ENGAGEMENT**Position as at 31 March 2013**

Scheme	Revised Annual Budget 2012/13 £	Expenditure to date 2012/13 £	Total Variance 2012/13 £	Carry Forwards (Committed) £	Carry Forwards (New items) £	Return to Reserves £	Adjusted Variance £	Category of Carry Forward (Note 1)	Details of major variances
Customer Services	10,000	8,125	(1,875)	0	0	0	(1,875)	-	Improvements to the entrance of the Contact Centre including the purchase of self serve terminals.
Disabled Facilities Grants	863,000	863,136	136	0	0	0	136	-	Mandatory grants. A new Framework Agreement for procurement commenced early April 2012 which has improved the efficiency and effectiveness of systems.
Disabled Facilities Grants - Pilot	0	4,800	4,800	0	0	0	4,800	-	Expenditure fully funded by grant.
Community Resource & Training Centre	261,100	261,002	(98)	0	0	0	(98)	-	Project complete. Adjudication notice served by Contractor with substantial claim has been settled.
Families Accommodation Replacement	1,616,900	1,008,250	(608,650)	608,600	0	0	(50)	A	Project commencing as expected. Completion due Spring 2013.
Trinity Church Multi Use Games Area	7,700	5,606	(2,094)	2,100	0	0	6	A	Underspend due to successful agreement on final account. Balance required to allow replacement of existing seat and grass resurfacing.
Roman Frontier	0	333	333	0	0	0	333	-	Project complete.
TOTAL	2,758,700	2,151,252	(607,448)	610,700	0	0	3,252		

Note 1

A - Committed expenditure (to be used for original purpose/externally funded)

B - New items of Expenditure

A/B - Combination of committed expenditure and new items of expenditure

LOCAL ENVIRONMENT**Position as at 31 March 2013**

Scheme	Revised Annual Budget 2012/13 £	Expenditure to date 2012/13 £	Total Variance 2012/13 £	Carry Forwards (Committed) £	Carry Forwards (New items) £	Return to Reserves £	Adjusted Variance £	Category of Carry Forward (Note 1)	Details of major variances
ODPM - Making Space for Water	4,500	0	(4,500)	0	0	0	(4,500)	-	Funding towards flood work to parts of Crosby-on-Eden
Crematorium Extension	60,000	81,844	21,844	0	0	0	21,844	-	Improvements to Crematorium building to generate revenue savings. Overspend in relation to additional IT and cabling work in excess of original tender.
Talkin Tarn	95,000	85,751	(9,249)	0	0	0	(9,249)	-	Improvements to Talkin Tarn car park funded from surplus revenue income.
Play Area Developments	66,900	62,182	(4,718)	0	6,200	0	1,482	B	Non-committed carry forwards requested for additional furniture/equipment at St James Park and Richmond Green play areas.
Environmental Improvements	46,400	45,774	(626)	0	0	0	(626)	-	Budget carried forward from 2011/12 to complete work at Cenotaph, Verge Improvements and Back Lanes. All projects complete.
Kingstown Industrial Estate Roads	317,900	284,961	(32,939)	32,900	0	0	(39)	A	Refurbishment of Kingstown Broadway North carriageway to 10 year design life. Carry forward to complete works currently tendered and also allow additional works to a number of access crossings.
Castle Street Public Realm	70,000	81,770	11,770	10,000	0	0	21,770	A	Anticipated final overspend on project of £22,000. The carry forward of £10,000 will allow scheduled works to complete in 2013/14.
Connect 2 Cycleway	15,000	3,235	(11,765)	11,700	0	0	(65)	A	Contribution towards length of cycleway. Carry forward required to ensure works required to ensure adoption of the cycleway can be completed.
Castle Way Cycle Ramp	370,000	23,159	(346,841)	346,800	0	0	(41)	A	Approved by Executive 11/04/12 (RD01/12). Funded by Section 106 monies. Revised planning application submitted which has delayed expenditure in 2012/13. Carry forward required to ensure project can be completed in line with Section 106 agreement.
Public Realm Works S106	40,000	0	(40,000)	40,000	0	0	0	A	Approved by Executive 3/09/12 (RD34/12). Funded by Section 106 monies. Carry forward required to ensure project can be completed in line with Section 106 agreement.
Clean Up Carlisle	14,000	5,504	(8,496)	8,500	0	0	4	A	Approved by Council 17/07/12 (LE22/12). Carry forward required to ensure the 2 year Clean Up Carlisle Campaign can be completed and full benefits received.
TOTAL	1,099,700	674,180	(425,520)	449,900	6,200	0	30,580		

Note 1

A - Committed expenditure (to be used for original purpose/externally funded)

B - New items of Expenditure

A/B - Combination of committed expenditure and new items of expenditure

PROVISIONAL GENERAL FUND CAPITAL OUTTURN 2012/13

APPENDIX A4

ECONOMIC DEVELOPMENT

Position as at 31 March 2013

Scheme	Revised Annual Budget 2012/13 £	Expenditure to date 2012/13 £	Total Variance 2012/13 £	Carry Forwards (Committed) £	Carry Forwards (New items) £	Return to Reserves £	Adjusted Variance £	Category of Carry Forward (Note 1)	Details of major variances
EA Central Plaza	8,900	8,871	(29)	0	0	0	(29)	-	Implementation of an Urgent Works Notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to be funded from Conservation Fund approved by Executive 30.08.11 (ED29/11).
Old Town Hall Strategic TIC	496,200	197,704	(298,496)	298,500	0	0	4	A	Revised project approved by Council 13/11/13. Works started on site in January 2013 and will continue until the end of June 2013.
TOTAL	505,100	206,575	(298,525)	298,500	0	0	(25)		

Note 1

A - Committed expenditure (to be used for original purpose/externally funded)

B - New items of Expenditure

A/B - Combination of committed expenditure and new items of expenditure

Scheme	Original Capital Programme 2013/14 £	Carry Forwards from 2012/13 £	New Projects to be added £	Other Adjustments £	Revised Capital Programme 2012/13 £
Current non-recurring commitments					
Public Realm S106	330,000	40,000			370,000
Clean Up Carlisle	12,000	8,500			20,500
	342,000	48,500	0	0	390,500
Recurring commitments					
Asset Review Purchases	6,272,500			(6,272,500)	0
Planned Enhancements to Council Property	300,000				300,000
Vehicles, Plant & Equipment	259,500	311,000			570,500
ICT Shared Service	114,000	108,300			222,300
IT Equipment	79,000			(76,000)	3,000
	7,025,000	419,300	0	(6,348,500)	1,095,800
New non-recurring commitments					
Arts Centre	250,000				250,000
Public Realm Work	100,000				100,000
Paternoster Row	100,000				100,000
Harraby School and Community Campus contribution	600,000				600,000
	1,050,000	0	0	0	1,050,000
Disabled Facilities Grants					
Private Sector Grants	863,000				863,000
	863,000	0	0	0	863,000
Continuing Schemes					
Play Area Developments			6,200		6,200
Old Town Hall		298,500			298,500
Trinity Church MUGA		2,100			2,100
Castle Street Public Realm		10,000			10,000
Female & Families Accommodation		608,600			608,600
Kingstown Industrial Estate		32,900			32,900
PCIDSS Capital		30,600			30,600
Document Image Processing		13,500			13,500
Connect 2 Cycleway		11,700			11,700
Castle Way Cycle Ramp (S106)		346,800			346,800
	0	1,354,700	6,200	0	1,360,900
TOTAL	9,280,000	1,822,500	6,200	(6,348,500)	4,760,200

2014/15 to 2017/18 PROPOSED CAPITAL PROGRAMME**APPENDIX B2**

Scheme	Original Capital Programme 2014/15 £	Original Capital Programme 2015/16 £	Original Capital Programme 2016/17 £	Original Capital Programme 2017/18 £
Private Sector Grants	863,000	863,000	863,000	663,000
Planned Enhancements to Council Property	300,000	300,000	300,000	300,000
Vehicles, Plant & Equipment	279,000	1,901,000	200,000	200,000
Asset Review Purchases	0	0	0	0
Arts Centre	161,000	175,000	0	0
Harraby School and Community Campus Contribution	500,000	500,000	0	0
Old Town Hall/Greenmarket	1,500,000	0	0	0
Leisure Facilities	0	5,000,000	0	0
TOTAL	3,603,000	8,739,000	1,363,000	1,163,000

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

**EX.49/13 PROVISIONAL CAPITAL OUTTURN 2012/13 AND REVISED CAPITAL
PROGRAMME 2013/14**
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.11/13 summarising the Provisional Outturn for the Council's Capital Budget, together with details of the revised Capital Programme for 2013/14. He informed Members that the outturn showed that the net underspend for Council services as at 31 March 2013 once committed expenditure totalling £1,822,500 was taken into account was £1,596,953. He added that requests had been made for carry forwards for new items of expenditure totalling £6,200, and also the removal of the Asset Management Plan expenditure budgets of £1,546,800 from the capital programme, which would result in a net underspend of £43,953.

The Finance, Governance and Resources Portfolio Holder set out the position with regard to carry forward requests on the Capital Programme. He also identified for Members the resources which had been used to fund the 2012/13 Capital Programme and detailed the 5 year Capital Programme for the period 2013/14 to 2017/18. He reported that the programme for 2013/14 totalled £4,760,200 based upon the programme agreed by Council in February 2013 of £9,280,000; the commitments brought forward from 2012/13 of £1,822,500; an additional budget of £6,200 for continuing / new schemes subject to approval by Council, less budget provided of £76,000 in ICT Shared Service for Enterprise Licences, and less land and property acquisitions within the Asset Management Plan to be held in reserves until suitable revenue generating acquisitions became available (£6,272,500).

The 2013/14 programme would be continually reviewed to ensure the Council had the capacity to deliver that level of programme. The main challenge for future years related to the vehicle replacement programme (currently planned to be funded by internal borrowing).

The proposed funding arrangements for the revised 2013/14 programme were also outlined within the report.

The Finance, Governance and Resources Portfolio Holder expressed well deserved thanks to the Officers involved.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved the recommendations set out in the report, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted that, subject to all recommendations below being approved, the net underspend would be £43,953.
- (ii) Noted the net underspend as at 31 March 2013 of £1,596,953 included committed expenditure to be met totalling £1,822,500 in 2013/14, which had been approved under delegated powers by the Director of Resources;
- (iii) Recommended that the City Council on 16 July 2013 approves the carry forward requests of £6,200 for new items of expenditure for furniture and equipment at Play Areas as detailed in paragraph 2.5;
- (iv) Recommended that the City Council on 16 July 2013 approves the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by the Executive when revenue generating opportunities for land and property acquisitions became available.
- (v) Noted the use of the Conservation Fund to fund expenditure on Central Plaza and the Asset Management Reserve to fund expenditure on Industrial Estates, Asset Management Plan and Community Resource and Training Centre in 2012/13;
- (vi) Had considered the revised programme for 2013/14 together with the proposed methods of financing, as detailed at paragraph 5.2 and Appendix B, for recommendation to Council on 16 July 2013.

Reasons for Decision

To receive the report on the Provisional Capital Outturn for 2012/13 and make recommendations to the City Council on the 2013/14 Capital Programme

EXCERPT FROM THE MINUTES OF THE RESOURCES OVERVIEW AND SCRUTINY PANEL HELD ON 6 JUNE 2013

ROSP.40/13 PROVISIONAL CAPITAL OUTTURN 2012/13 AND REVISED CAPITAL PROGRAMME 2013/14

The Director of Resources presented report RD.11/13 summarising the Provisional Outturn for the Council's Capital Budget, together with details of the revised Capital Programme for 2013/14. He informed Members that the outturn showed that the net underspend for Council services as at 31 March 2013 once committed expenditure totalling £1,822,500 was taken into account was £1,596,953. He added that requests had been made for carry forwards for new items of expenditure totalling £6,200, and also the removal of the Asset Management Plan expenditure budgets of £1,546,800 from the capital programme, which would result in a net underspend of £43,953.

The Director of Resources set out the position with regard to carry forward requests on the Capital Programme. He also identified for Members the resources which had been used to fund the 2012/13 Capital Programme and detailed the 5 year Capital Programme for the period 2013/14 to 2017/18. He reported that the programme for 2013/14 totalled £4,760,200 based upon the programme agreed by Council in February 2013 of £9,280,000; the commitments brought forward from 2012/13 of £1,822,500; an additional budget of £6,200 for continuing / new schemes subject to approval by Council, less budget provided of £76,000 in ICT Shared Service for Enterprise Licences, and less land and property acquisitions within the Asset Management Plan to be held in reserves until suitable revenue generating acquisitions became available (£6,272,500).

The 2013/14 programme would be continually reviewed to ensure the Council had the capacity to deliver that level of programme. The main challenge for future years related to the vehicle replacement programme (currently planned to be funded by internal borrowing).

The proposed funding arrangements for the revised 2013/14 programme were also outlined within the report.

The Executive had on 31 May 2013 (EX.49/13) considered the report and decided:

That the Executive:

- (i) Noted that, subject to all recommendations below being approved, the net underspend would be £43,953.
- (ii) Noted the net underspend as at 31 March 2013 of £1,596,953 included committed expenditure to be met totalling £1,822,500 in 2013/14, which had been approved under delegated powers by the Director of Resources;

- (iii) Recommended that the City Council on 16 July 2013 approves the carry forward requests of £6,200 for new items of expenditure for furniture and equipment at Play Areas as detailed in paragraph 2.5;
- (iv) Recommended that the City Council on 16 July 2013 approves the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by the Executive when revenue generating opportunities for land and property acquisitions became available.
- (v) Noted the use of the Conservation Fund to fund expenditure on Central Plaza and the Asset Management Reserve to fund expenditure on Industrial Estates, Asset Management Plan and Community Resource and Training Centre in 2012/13;
- (vi) Had considered the revised programme for 2013/14 together with the proposed methods of financing, as detailed at paragraph 5.2 and Appendix B, for recommendation to Council on 16 July 2013.

In response to a question the Director of Resources confirmed that the Town Hall project was on target.

RESOLVED – That the Provisional Capital Outturn 2012/13 and Revised Capital Programme 2013/14 (RD.11/13) be noted.

Report to Council

Agenda
Item:

20(iii)

Meeting Date: 16 July 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD09/13
Within Policy and Budget Framework YES
Public / Private Public

Title: TREASURY MANAGEMENT OUTTURN 2012/13
Report of: DIRECTOR OF RESOURCES
Report Number: RD13/13

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:

- 1 That this report be approved.

Tracking

Executive:	31 May 2013
Overview and Scrutiny:	6 June 2013
Council:	16 July 2013

Report to Executive

Agenda
Item:

Meeting Date: 31 May 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Recorded in the Notice Ref: KD09/13
Within Policy and Budget Framework YES
Public / Private Public

Title: TREASURY MANAGEMENT OUTTURN 2012/13
Report of: DIRECTOR OF RESOURCES
Report Number: RD13/13

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:

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

Tracking

Executive:	31 May 2013
Overview and Scrutiny:	6 June 2013
Council:	16 July 2013

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 2012/13 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 2012/13.
- 1.3 Appendices B1-B3 details the schedule of Treasury Transactions for the period 1 January 2013 – 31 March 2013.

2. CONSULTATION

- 2.1 Resources Overview and Scrutiny Panel will consider the report on 6 June 2013 and the Audit Committee will do so on 22 July 2013.

3. CONCLUSION AND REASONS FOR RECOMMENDATIONS

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

4. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

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

Contact Officer: Steven Tickner **Ext:** 7280

Appendices attached to report:

- Appendix A1 – Treasury Management 2012/13**
- 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/RISKS:

Chief Executive's – n/a

Community Engagement – n/a

Economic Development – n/a

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

Local Environment – n/a

Resources – Included in the report

TREASURY MANAGEMENT 2012/13

1. INTRODUCTION

- 1.1 The CIPFA Code of Practice on Treasury Management (2011) now 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 2012/13, 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 2012/13 was presented in November 2012 (RD47/12). 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 will be detailed and placed in the context of money market conditions in 2012/13 while the City Council's investment activities will also be discussed. Separate papers (A2 and A3) provide information on performance in 2012/13 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 2012/13

	%	
1 April 2012	0.50	Average = 0.50%
31 March 2013	0.50	(2011/12 = 0.50%)

- 2.2 The financial year began with bank rate remaining at 0.50% and this rate, remained constant for the whole of 2012/13.
- 2.3 The pattern of long term borrowing rates in 2012/13 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 2012	1.31	3.28	4.39
31 March 2013	1.13	2.84	4.07
Highest Rate in 2012/13	1.33	3.30	4.44
Lowest Rate in 2012/13	1.00	2.52	3.81
Span of Rates	0.33	0.78	0.63

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 revenue support grant system still provides for an element of support towards each authority's estimated borrowing needs. It may be noted that the Council does still receive an element of revenue grant support for the costs of its borrowing in previous years.
- 3.3 The City Council did not, therefore, draw down any external long term loans in 2012/13. The capital programme was funded internally by drawing from the authority's own resources, principally its stock of capital receipts, and from external grants and contributions.

4. DEBT RESCHEDULING

- 4.1 The City Council's long-term loans portfolio now consists entirely of the £15m stock issue, placed in 1995 and not due to mature until 2020. While there is a possibility that these funds could be repaid prior to that date, this is unlikely to be in the near future although the issue is regularly reviewed in conjunction with our treasury advisers. In the current financial climate, the cost of the premium that would be required to effect the early repayment remains prohibitive.

5. LOANS OUTSTANDING

5.1 Set out below is a schedule of outstanding external loans as at 31 March 2013.

	£
Public Works Loans Board	NIL
Secured Loan Stock	15,000,000
Short Term Loans	<u>13,300</u>
Total Loans Outstanding	<u>£15,013,300</u>

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 2013 is set out in Appendix B3. It should be noted that the Council's level of short term investment reaches its lowest point each year on 31 March when any benefits accruing from positive annual cash flow are, by definition, extinguished.

6.2 The total at that date (£18.7) can be compared with an average figure in 2012/13 of over £25.3m and a peak amount of over £31.8m. The closing balance in 2011/12 was £16.8m. The increase is due to additional capital receipts being generated from the asset review.

6.3 The Investment Strategy for 2012/13 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. Investment limits with both Lloyds Group and RBS Group banks were kept at £8million as these institutions are currently Government backed and therefore seen as a safer investment opportunity.

6.4 Investment income in 2012/13 at £393,000 was below the original estimate of £431,000. Actual investment rates obtained in 2012/13 were generally below expectations when the budget was framed although this factor was mitigated to some extent by the outturn on cash flow being slightly better than expected. The average yield on the Council's investments in 2012/13 was 1.39%. This good performance was assisted by a significant proportion of investments being placed for longer terms of up to a year and the use of Money Market Funds for shorter dated cash requirements.

7 INVESTMENT STRATEGY 2013/14

7.1 The Investment Strategy must be agreed before the start of each financial year and the 2013/14 Strategy was approved by Council on 5 February 2013. 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. In the case of the City Council, this is particularly the case with the £15m stock issue which will affect our average borrowing rate until 2020. Equally, 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 2012/13 and 2011/12.

9. TREASURY CONSULTANCY SERVICE (TCS)

- 9.1 The City Council continues to employ Sector Treasury Services as its treasury management consultants. Sector provide daily bulletins on both borrowing and investment issues and these help advise both the investment and funding decisions that are taken by the Council.

10 CONCLUSIONS

- 10.1 The City Council has only one substantial long term loan i.e. the £15m stock issue, which is likely to remain on the books for some time yet as the cost of making a premature repayment would be very prohibitive in the present climate, particularly with interest rates being at such depressed levels. In addition, there are no plans to undertake any prudential or other borrowing in this financial year. The focus of the authority's treasury management activities therefore remains very much on the investment aspect of the function.
- 10.2 Investment conditions were, in one sense, as exceptional in 2012/13 as they were the previous year. But they were also very different as investors coped with some of the lowest interest rates ever seen in the world economy. Although the effect on the City Council's investment interest was slightly down on the previous year, the performance achieved was significantly better than bank base rate levels. For this authority, as indeed for most others, the reduction in investment income poses a very significant financial challenge.
- 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 well into 2015. The Council was able to benefit from some significantly high investment rates offered through 2011/12 and 2012/13 where 3% was achievable on 1-year money. However, the Bank of England liquidity schemes that enabled banks to borrow direct from the Bank of England and very low levels has had the effect of these high rates falling significantly. Similar rates on offer now are only 1.1% and going forward the Council is going to face further

challenges in generating investment income on similar levels to those achieved in the previous two years. The one mitigating factor that will help the Council counteract this dip will be the receipts receivable from the asset review that will enhance average balances until they are spent and therefore take up some of the slack from falling rates.

CITY OF CARLISLEPERFORMANCE MEASUREMENT STATISTICS1. LOANS MANAGEMENT

	2012/13 %	2011/12 %
Average External Debt Rate - Carlisle	8.78	8.74

Comment

Average loan debt statistics tend to reflect borrowing decisions taken over a period of many years. The City Council's only substantial remaining external debt is the £15m stock issue which carries a high coupon (8.75%).

2. INVESTMENT MANAGEMENT

	2012/13 %	2011/12 %
Average Return in Year - Carlisle	1.39	1.55
Average Bank Base Rate in Year	0.50	0.50
Average 7 Day LIBID Rate	0.40	0.48

Comment

The City Council's return in 2012/13 on its investments was slightly below that obtained in 2011/12 and was lower than anticipated when the budget was originally set. This is due to falling rates throughout the year and some capital receipts not being received that were originally anticipated.

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.

	2012/13 Provisional Outturn £	2011/12 Outturn £
(i) Capital Expenditure	4,798,025	5,317,353
(ii) Financing Costs		
Interest Payable - Re Borrowing	1,318,000	1,322,100
Minimum Revenue Provision	304,400	278,100
Investment Income	(393,000)	(377,000)
Total Financing Costs	1,229,400	1,223,200
(iii) Net Revenue Stream		
Funding from Govt Grants/Local Taxpayers	13,535,000	13,904,000
(iv) Ratio of Financing Costs to Net Revenue Stream	9.08%	8.80%
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	8.74	8.15
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	37,600,000	37,600,000
Maximum Level of Borrowing and Other Long term Liabilities	15,013,300	15,013,300
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.		

	2012/13 Provisional Outturn £	2011/12 Outturn £
(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.	32,600,000 15,013,300	32,600,000 150,133
(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.	still to be calculated	7,421,000

(a) Prudence and Sustainability

	2012/13 £
(i) Target New Borrowing to Date No Long Term Borrowing has been taken in 2012/13	0 0
(ii) Target Percentage of Fixed Rate Long Term Borrowing Actual as at 31 March 2013	100% 100%
(iii) Target Percentage of Variable Rate Long Term Borrowing Actual as at 31 March 2013 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 2013 As part of the Investment Strategy for 2012/13, 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% 89.00%

TREASURY TRANSACTIONS
1 JANUARY 2013 TO 31 MARCH 2013

1. LOANS (DEBT)

1.1 Transactions 1 January 2013 to 31 March 2013

	Raised		Repaid	
	£	%	£	%
P.W.L.B	0	0	0	0
Local Bonds	0	0	0	0
Short Term Loans	0	0	0	0
Overnight Borrowing	0	0	0	0
	0		0	

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 2013

	£
City of Carlisle Stock Issue	15,000,000
Short Term Loans	13,300
	15,013,300

1.3 Loans Due for Repayment

	PWLB £	Overnight £	Total £
Short Term Debt at 31 March 2013	0	0	0
			0

Shown here is a calendar of future loan repayments which can be a useful aid to cash flow management. Following the repayment of the City Council's remaining PWLB debt in July 2004, no major debt repayments are anticipated.

1.4 Interest Rates

Date	PWLB Maturity		
	1 Year %	10 Years %	25 Years %
04 January 2013	1.32	3.13	4.27
11 January 2013	1.27	3.08	4.23
18 January 2013	1.27	3.06	4.23
25 January 2013	1.26	3.08	4.26
01 February 2013	1.26	3.13	4.27
08 February 2013	1.22	3.14	4.31
15 February 2013	1.2	3.23	4.37
22 February 2013	1.19	3.21	4.36
01 March 2013	1.14	2.97	4.16
08 March 2013	1.12	3.09	4.29
15 March 2013	1.12	3.05	4.27
22 March 2013	1.12	2.92	4.13
28 March 2013	1.13	2.84	4.07

2. INVESTMENTS

	Made		Repaid	
	£	%	£	%
Short Term Investments	33,846,000	0.39 - 1.25	38,190,000	0.39 - 3.10
	33,846,000		38,190,000	

A full schedule of investment transactions is set out in appendix B2. Appendix B3 shows outstanding investments at 31 March 2013.

3. REVENUES COLLECTED

To: 31 March 2013		Collected £	% of Amount Collectable %
2012/13	Council Tax NNDR	46,497,239 39,697,034	97.78 98.58
Total		86,194,273	98.14
2011/12	Council Tax NNDR	46,058,618 37,380,206	97.61 97.78
Total		83,438,824	97.68
2010/11	Council Tax NNDR	46,059,538 35,109,986	97.60 98.06
Total		81,169,524	97.80

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

4. BANK BALANCE

5. At 31 March 2013 £373,300.91 in hand

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

6. OUTTURN ON TREASURY MANAGEMENT IN 2012/13

	Revised Estimate £000	Actual £000	Variance £000
Interest Receivable	(431)	(393)	38
Interest Payable	1,319	1,318	(1)
Less Rechargeable	(22)	(19)	3
	1,297	1,299	2
Principal Repaid	275	304	29
Debt Management	12	14	2
NET BALANCE	1,153	1,224	71

APPENDIX B2

INVESTMENT TRANSACTIONS 1 JANUARY 2013 TO 31 MARCH 2013

[illegible]

OUTSTANDING INVESTMENTS AS AT 31ST MARCH 2013

DATE	BORROWER	AMOUNT	TERMS	RATE %	INTEREST
02/04/2012	Bank of Scotland (inc HBOS)	£1,000,000	11 April 2013	3.0000	£30,739.73
31/05/2012	Bank of Scotland (inc HBOS)	£1,000,000	30 May 2013	2.8500	£28,421.92
02/08/2012	Bank of Scotland (inc HBOS)	£1,000,000	02 August 2013	2.8500	£28,500.00
05/10/2012	Royal Bank of Scotland	£1,000,000	04 October 2013	1.7500	£17,452.05
02/01/2013	Nationwide	£1,000,000	04 April 2013	0.4400	£1,109.04
03/01/2013	Royal Bank of Scotland	£1,000,000	26 April 2013	1.2000	£3,715.07
04/01/2013	Bank of Scotland (inc HBOS)	£1,000,000	03 January 2014	1.1000	£10,969.86
28/01/2013	Royal Bank of Scotland	£2,000,000	13 May 2013	1.2000	£6,904.11
13/02/2013	Bank of Scotland (inc HBOS)	£1,000,000	14 February 2014	1.1000	£11,030.14
15/02/2013	Royal Bank of Scotland	£1,000,000	30 May 2013	1.2500	£3,561.64
07/03/2013	Royal Bank of Scotland	£1,000,000	17 June 2013	1.2500	£3,493.15
25/03/2013	Bank of Scotland (inc HBOS)	£1,000,000	28 March 2014	1.1000	£11,090.41
27/03/2013	Royal Bank of Scotland	£2,000,000	08 July 2013	1.2500	£7,054.79
27/03/2013	Bank of Scotland (inc HBOS)	£1,000,000	28 March 2014	1.1000	£11,030.14
28/03/2013	Bank of Scotland (inc HBOS)	£1,000,000	28 March 2014	1.1000	£11,000.00
28/03/2013	HSBC Bank	£1,740,000	02 April 2013	0.5000	£119.18
	Total	£18,740,000	Weighted Average	1.3799	186,191.23

Outstanding Investments as at 31 March 2013

Category	Borrower	Principal (£)	Start Date	Maturity Date	Current Days to Maturity	Days to maturity at execution	Total Interest Expected (£)
O	HSBC Bank Plc	1,740,000		Call			0
R	Nationwide building Society	1,000,000	02/01/2013	04/04/2013	4	92	1,109
B	Bank of Scotland	1,000,000	02/04/2012	11/04/2013	11	374	30,740
B	Bank of Scotland	1,000,000	31/05/2012	30/05/2013	60	364	28,422
B	Royal Bank of Scotland	1,000,000		Call95			0
B	Royal Bank of Scotland	2,000,000		Call95			0
B	Royal Bank of Scotland	1,000,000		Call95			0
B	Royal Bank of Scotland	1,000,000		Call95			0
B	Royal Bank of Scotland	2,000,000		Call95			0
B	Bank of Scotland	1,000,000	02/08/2012	02/08/2013	124	365	28,500
B	Royal Bank of Scotland	1,000,000	05/10/2012	04/10/2013	187	364	17,452
B	Bank of Scotland	1,000,000	04/01/2013	03/01/2014	278	364	10,970
B	Bank of Scotland	1,000,000	13/02/2013	14/02/2014	90	90	2,712
B	Bank of Scotland	1,000,000	25/03/2013	28/03/2014	95	95	2,863
B	Bank of Scotland	1,000,000	27/03/2013	28/03/2014	362	366	11,030
B	Bank of Scotland	1,000,000	28/03/2013	28/03/2014	362	365	11,000
Total Investments		£18,740,000			157	284	£144,798

N.B Interest is recognised in the appropriate financial year in which it is due.

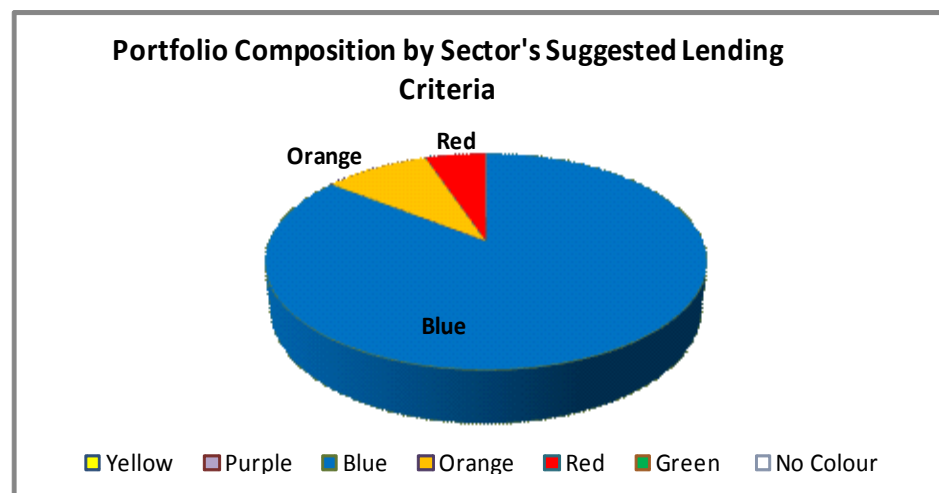
The category colour represents the duration of investment recommended by Sector, the Council's Treasury Advisors. Those investments with No colour, are still within the Council's investment Strategy and are therefore deemed suitable for investing.

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 Dats 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	85.38%	16,000,000	43.75%	7,000,000	37.35%	1.54%	171	248
Orange	9.28%	1,740,000	100.00%	1,740,000	9.28%	0.50%	0	0
Red	5.34%	1,000,000	0.00%	-	0.00%	0.44%	4	92
Green	0.00%	-	0.00%	-	0.00%	0.00%	0	0
No Colour	0.00%	-	0.00%	-	0.00%	0.00%	0	0
	100.00%	18,740,000	30.63%	8,740,000	46.64%	1.39%	146	216

Weighted Average Risk				
Risk Score for Colour (1 = Low, 7 = High)	Mar 2013	Dec 2012	Sep 2012	June 2012
1	0	0.0	0.0	0.1
2	0	0.0	0.0	0.0
3	3	2.1	2.1	2.3
4	0	0.0	0.0	0.0
5	0	0.0	0.0	0.0
6	0	1.0	1.0	0.6
7	0	0.6	0.6	0.3
	3.2	3.7	3.8	3.3

	Sector'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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EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

EX.50/13 TREASURY MANAGEMENT OUTTURN 2012/13
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.13/13 providing the annual report on Treasury Management, as required under both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management. He also submitted the regular report on Treasury Transactions for the period 1 January 2013 to 31 March 2013. Members' attention was further drawn to developments in the Money Markets over the previous twelve months and their effect on the Council's investments, together with the various performance statistics included within the report.

The City Council had only one substantial long term loan (the £15m stock issue) which was likely to remain on the books for some time yet as the cost of making a premature repayment would be very prohibitive in the present climate, particularly with interest rates being at such depressed levels. There were no plans to undertake any prudential or other borrowing during the current financial year. The focus of the authority's treasury management activities remained therefore very much on the investment aspect of the function.

He added that although investment conditions were, in one sense, as exceptional in 2012/13 as had been the case during the previous year, they were very different as investors coped with some of the lowest interest rates ever seen in the world economy. Although the effect on the City Council's investment interest was slightly down on the previous year, the performance achieved was significantly better than bank base rate levels. For this authority, as indeed for most others, the reduction in investment income posed a very significant financial challenge.

Although the outlook for interest rates in the UK remained uncertain, there was a general expectation that rates would not start to rise again until well into 2015.

The Finance, Governance and Resources Portfolio Holder commented that Officers were managing particularly well. He then moved the recommendation, which was duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That Report RD.13/13 providing the Annual Report on Treasury Management be received and recommended to the City Council for approval.

Reasons for Decision

To receive the annual report on Treasury Management

EXCERPT FROM THE MINUTES OF THE RESOURCES OVERVIEW AND SCRUTINY PANEL HELD ON 6 JUNE 2013

ROSP.41/13 TREASURY MANAGEMENT OUTTURN 2012/13

The Director of Resources presented report RD.13/13 providing the annual report on Treasury Management, as required under both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management. He also submitted the regular report on Treasury Transactions for the period 1 January 2013 to 31 March 2013. Members' attention was further drawn to developments in the Money Markets over the previous twelve months and their effect on the Council's investments, together with the various performance statistics included within the report.

He added that although investment conditions were, in one sense, as exceptional in 2012/13 as had been the case during the previous year, they were very different as investors coped with some of the lowest interest rates ever seen in the world economy. Although the effect on the City Council's investment interest was slightly down on the previous year, the performance achieved was significantly better than bank base rate levels. For this authority, as indeed for most others, the reduction in investment income posed a very significant financial challenge.

Although the outlook for interest rates in the UK remained uncertain, there was a general expectation that rates would not start to rise again until well into 2015.

The Executive had on 31 May 2013 (EX.50/13) received the report and recommended it to the City Council for approval.

The Director of Resources explained that the Council made short term investments as longer term investments would tie money up for 4 years and the Council planned to use some money for the capital programme within that time.

RESOLVED – That the Treasury Management Outturn 2012/13 report (RD.13/13) be noted.

Report to Council

Agenda
Item:

20(iv)

Meeting Date: 16th July 2013
Portfolio: Environment and Transport
Key Decision: Yes: Recorded in the Notice Ref:KD.04/13
Within Policy and Budget Framework YES
Public / Private Public

Title: FOOD LAW ENFORCEMENT SERVICE PLAN
Report of: The Director of Local Environment
Report Number: LE 20/13

Purpose / Summary: The Environmental Health Service Plan and the Food Safety Enforcement Policy comprise the Food law Enforcement Plan and set out how the Environmental Health Service will deploy its resources in 2013 to 2014 to prevent food borne diseases and help people live healthier lives. It seeks to target intervention to tackle local issues whilst ensuring Carlisle City Council achieves its national responsibilities.

Recommendations:

That Council:

- i. Approve the Environmental Health Service Food Law Enforcement Plan and the General Plan 2013 to 2014, in accordance with the Council's Budget & Policy Framework.

Tracking

Executive:	7 th May 2013, 1 st July 2013
Overview and Scrutiny:	30 th May 2013
Council:	16 th July 2013

1. BACKGROUND

- 1.1 The Food Law Enforcement Plan (the Plan) sets out how the Environmental Health Service will protect food safety in Carlisle during 2013 to 2014. As part of the Food Law Enforcement Plan the “Food Safety Service Plan” (Appendix.1- pages 9 to 12) sits within the full Environmental Health Service Plan and links to the key priority actions of the Carlisle Plan (page.3.). The Service Plan seeks to direct resources into achieving 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). The second part of the Food Law Enforcement Plan is the “Food Safety Enforcement Policy” (Appendix.2.) which outlines the decision process the Environmental Health Officers will go through when breaches of Food Safety Legislation are found. The Food Safety Enforcement Policy is written with regard to the Food Standard Agency’s Framework Agreement with local authorities, the Enforcement Concordant and the Regulator’s Compliance Code.
- 1.2 In improving food standards the Environmental Health Service is 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 Food Standards Agency’s (FSA) Food Law Codes of Practice (2012) details national food policy 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. 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.

- 1.4 In 2012 the Food Standard's Agency carried out a review on the delivery of "Official Controls for Food Safety." The FSA have concluded that although under pressure the Local Authorities are able to deliver a food safety service. The FSA Board confirmed the strategic importance of the delivery of official controls and the relationship between the FSA and local authorities. The Government is presently consulting on amending the Regulators Compliance Code making it explicit that in carrying out its duties as a regulator the local authority's role is both to ensure compliance and assist businesses to grow.
- 1.5 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 Plan is in Carlisle City Council's Policy Framework in Article 4 of the Constitution.
- 1.6 The Plan covers the period 1st April 2013 to the 31st March 2014 and includes targeted educational and promotional work under taken by the section along with the required food premise inspections.

2. PROPOSALS

- 2.1 That Council:
Approve the Environmental Health Service Food Law Enforcement Plan and the General Plan 2013 to 2014, in accordance with the Council's Budget & Policy Framework.

3. CONSULTATION

- 3.1 Consultation to Date. - The Plan has been drafted in consultation with Officers in the Environmental Health Service.
- 3.2 Consultation proposed. - The Plan was considered by the Community Overview and Scrutiny Committee on the 30th May 2013.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1 The recommended key actions have been identified following consultation and reflect the resources available to the Environmental Health Service in the financial year 2013 to 2014.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

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

- A key requirement of the regulators compliance code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance. Through its Service Plan and Enforcement Policy the Environmental Health Service provides free and impartial advice to business on both legal and technical matters relevant to their trade.

Priority 3: Working more effectively through partnerships

- In delivering its food safety responsibilities the Environmental Health Service operates within guidelines and national agreements with partner organisations including: the Food Standards Agency; the Department for Environment and Rural Affairs (Defra); and Public Health England.
- The Food Safety Team work in partnership in delivering projects with organisations such as: Public Health England; Trading Standards; Defra and other Local Authorities.

Priority 5: Making Carlisle Clean and tidy together

- The Environmental Health Service tackles the safe storage of waste. The Food Safety team ensures commercial food waste is stored and disposed of correctly.

Contact Officer: Angela Culleton

Ext: Ex 7325

Appendices **Appendix.1. – Environmental Health Service Plan 2013 to 2014**
attached to report: **Appendix.2. – Food Safety Enforcement Policy**

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

- None

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's –

Community Engagement –

Economic Development –

Governance – 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 related enforcement. As stated in the report, the Service Plan forms part of the Council's revised Policy Framework and, as such, requires consideration by the relevant Overview & Scrutiny Panel before being referred for approval to Council by the Executive.

Local Environment –

Resources – The implementation of the Food Law Enforcement Service Plan can be met from within existing base budgets for 2013/14.

Environmental Health

Service Plan

2013 to 2014

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Scope of Service

The Environmental Health 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.

Link to the Carlisle Plan

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

- A key requirement of the regulators compliance code is to use the regulators unique contact with local businesses as a means of ensuring growth as well as compliance. The Environmental Health Service provides free and impartial advice to business on both legal and technical matters relevant to their trade.

Priority 3: Working more effectively through partnerships

- We operate within guidelines and national agreements with partner organisations which include: The Food Standards Agency; the Health and Safety Executive; the Department for Environment and Rural Affairs (Defra); and Public Health England.
- We work in partnership in delivering projects with organisations such as: Cumbria Constabulary; the Environment Agency; Trading Standards; the Dogs Trust; Keep Britain Tidy

Priority 5: Making Carlisle Clean and tidy together

- The Environmental Health teams tackle the safe storage of waste. The Environmental Quality and Food Safety teams ensure domestic and commercial waste is not a public health concern; the Education and Enforcement team tackles illegal practices such as fly tipping, dog fouling and littering.

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 Compliance Code**” applies to all the activities delivered by the Environmental Health Service. A consultation document on amending the Regulators Compliance Code giving greater emphasis to business support is presently taking place (March 2013). We will implement the requirements of the revised Compliance Code.

Key Facts from 2012/2013

Key Services	Key Facts	Key Actions
Food Premises registration	1175 food businesses in Carlisle	
Food and Health and Safety Business Inspections (and follow-up visits)	2079 Carlisle premises regulated under local Authority Health and Safety legislation. 497 Food inspections 4 Health, Safety and Welfare inspections	5 Hygiene Improvement Notices on food businesses. 0 Food detention Notices 2 Health and Safety Improvement Notices
Investigations into cases and outbreaks of infectious diseases	Total of 120 cases	
Respond to Food Alerts issued by the Food Standards Agency	114 food alerts	
Food Sampling	200 samples of local food checked.	
Pest Control	55 contracts 534 notifications of rats 187 wasp notifications	
Workplace accident investigations	94 workplace accidents reported 56 investigated.	
Response to incidents affecting public health	3978 service requests ranging from complaints about noisy neighbours to requests for pest control treatments.	16 Abatement Notices issued protecting the public's health and welfare. 40 PFN issued for littering, 11 for waste receptacle offences and 24 for Fly Posting.
Drinking Water Safety	407 Private water supplies. 11 Supplies risk assessed 113 samples taken 54 parameter failure, 40 wholesomeness failures.	17 notices – re boil water and for improvement of supply
Undertaking of promotional and educational campaigns		Noise Action Week – May Food Safety Week Love Parks Week - July Healthy Cities Week – Sept

Environmental Health Service Plan 2013 to 2014

Inspection for and remediation of 'Contaminated Land'(Part IIA definition) with reference to the Strategy	1214 sites with previous industrial use to be risk rated.	Approximately 5 sites risk rated this year (totalling 500 to date) leaving 750 to rate.
To assess and manage local Air Quality	50 Carlisle sites monitored monthly for Nitrogen dioxide and two sites continually monitored. 1 site monitored continually for Benzene 1 site monitored continually for particulate matter (PM10 and PM 2.5) 6 Air Quality Management Areas	2011 Progress report completed and accepted by DEFRA Updating and screening assessment submitted to DEFRA April 2012 Action Plan submitted to Defra September 2012
To ensure all Prescribed Processes are properly permitted and monitored	68 permitted industrial processes 52 inspections to ensure safe emissions to air.	5 Notices served
To arrange for the funeral of deceased persons where no other arrangements have been made		Advised on 3 funerals 8 funerals organised and deaths registered.
Enforce all relevant dog control legislation and provide a stray dog collection service.	437 stray dogs collected 17 fixed penalty notices for dogs off leads	10 prosecutions for stray dog offences. 37 FPN issued for dog fouling 2 prosecutions
Provision of expert advice to the Development Control Section	226 consultations	
Statutory consultee to the Licensing Section for public nuisance and health and safety	13 consultations and applications for Premises Licences	
Licensed Premises	22 caravan sites registered 2 camping sites registered (tents only) 13 Pet Shops licensed 4 Dog Breeding Establishments 21 Animal Boarding Establishments	
Statistical reporting		Statutory returns for Defra (LAPPC); Drinking Water Inspectorate (Private Water Supplies); Food Standards Agency (LAEMs - food inspections); Health and Safety Executive. Returns for noise complaints also made to the Chartered Institute of Environmental Health.

General Service Plan

Outcome	Key Action	2012/13 Performance:	Target 2013/14	Progress:
<ul style="list-style-type: none"> Support Economic Growth 	Use the Department's face to face contact with Carlisle Businesses to promote business information.	Not recorded	80 % Satisfaction of businesses with Regulatory service Progress recording of business satisfaction in line with former indicator 182.	
	Improve communication between the County's Regulatory Services and the Local Enterprise Partnerships through working through Cumbria's Public Protection Group.	Full representation at Public Protection Group Meetings.	Full representation and contribution at Public Protection Group Meetings. Through the Public Protection Group engage with the LEP.	
	Review the Council's Web Site 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.	Front pages reviewed. Work progressed on other pages	December 2013 All pages reviewed and refreshed.	

Environmental Health Service Plan 2013 to 2014

<ul style="list-style-type: none"> • Healthier Lives 	Work with the Healthy Communities Working Group on actions in delivering the Healthy Cities Improvement Action Plan.	Contributions to Healthy Cities Week and Food Safety training	At least one coordinated campaign	
<ul style="list-style-type: none"> • Support Economic Growth • Clean and Safe Neighbourhoods • Healthier lives • Sustainable food change 	To respond to all service requests within 5 working days	92%	100%	
	Respond to consultations from Licensing and Planning within 28 days.	99%	100%	
	Contribute to the Multi Agency "Problem Solving Groups"	Attendance at meetings and contributions made	Active assistance to the Licensing Best Bar None Scheme	
	Provide an informal public health out of hour's service where circumstances necessitate.			Arrangements made for food hygiene inspections and special events Environmental Health Manager on the Emergency contact lists: Public Health England: Fire; Emergency Planning

Food Law Enforcement Service Plan

The City Council operates its food law enforcement following the “Framework Agreement” with the Food Standard Agency who is the lead national authority on Food Law. The Council also operates within the “Codes of Practice” issued by the Food Standards Agency.

The Council has partnership agreements with Public Health England regarding response to infectious disease incidents.

Outcome	Key Actions	2012/13 Performance:	Target 2013/14	Progress:
Sustainable Food Chain Healthier lives	Inspect 100% food businesses at intervals in accordance with the Food Standard’s Agencies Code of Practice and educate and enforce where necessary.	97%	100%	
	Work toward increasing the number of “broadly compliant” food businesses	93.5%	95%	Corporate Indicator LE050
	Continue to work with and promote the National Food Hygiene Rating System.	Successful transfer 99% of local authorities in England are in the National Food Hygiene	Continued compliance with the Food Standard Agencies branding agreement	Ongoing – food.gov.uk/ratings

Environmental Health Service Plan 2013 to 2014

		Rating System.		
Sustainable Food Chain Healthier lives	To sample foodstuffs for microbiological safety in accordance with local and national need	100%	100%	
	To actively take part in Cumbria Food Liaison Group plan of work	Full Contribution and Attendance at meetings and development of Action Plan	Full Contribution and Attendance at meetings and development of Action Plan Ensure link to Health and Well being Board obesity agenda – Healthy Eating Award progress	
	Undertake basic food hygiene training for hard to reach groups	2 training events completed with 100% pass rate	2 training events for hard to reach groups	
	Participate in “public health” related activity as requested by partners such as the County Council, Public Health	Food Safety Week and Healthy Cities initiatives	At least one campaign per year. Food Safety Week 17 June 2013	

Environmental Health Service Plan 2013 to 2014

	England and the Food Standards Agency.			
	Review and refresh the Food Enforcement Policy		Draft to May Executive New Policy Adopted	

Health and Safety Service Plan

Carlisle City Council has responsibility for health, safety and well being regulation at most retail, leisure and storage businesses. 2012 saw the Health and Safety Executive given the authority to direct Carlisle City Council on how it undertakes its responsibilities.

Outcome	Key Action	2012/13 Performance:	Target 2013/14	Progress:
Healthier lives	To review & implement an Alternative Intervention Strategy for those businesses that do not require inspection (in accordance with LAC 67/2 Rev 3 & Cumbria H&SLG)	H&S Intervention Plan complete	Jan 13 - Strategy Produced Monitor progress of Intervention strategy generally and by complaints, accidents, injuries etc.	
	Inspect premises and investigate accidents in compliance with legal responsibilities, and educate, encourage and only enforce in line with the Enforcement Policy			

Environmental Health Service Plan 2013 to 2014

	To contribute & work in partnership by carrying out work as per the Cumbria Health and Safety Liaison Group work plan	<p>Carlisle priorities agreed:</p> <ul style="list-style-type: none"> • Animal contact • Underground LPG storage • Asbestos • Workplace temperatures • Noise at work • Smoking • Warehousing (esp falls and manual handling) 	Progression of action plan – number of initiatives.	
	Work with the Public Health England to improve the safety of skin piercers in Carlisle.	Joint publicity and leaflet produced for the April North Lakes Tattoo show.	Deliver project highlighting risks associated with (non-registered) tattooists.	

Environmental Quality Service Plan

Most of the work undertaken by the Environmental Quality Section is directed by the Department of Environment and Rural Affairs (Defra).

Activity	Key Action	2012/13 Performance:	Target 2013/14	Progress
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<ul style="list-style-type: none"> • Healthier lives • Clean and safe Neighbourhoods 	Air Quality			
	Review Carlisle's Local Air Quality and prepare an Update and Screening Assessment for submission to DEFRA.	Update and Screening Assessment accepted by Defra June 2012	Progress Report completed May 2013 Assess the effectiveness of the Northern Development Route July 2013 Liaise with County Council on promoting alternatives to vehicle use.	
	Progress the Air Quality Action Plan for the 7 Air Quality Management Areas.	Action Plan agreed by Defra	Produce a summary of actions progressed in 2013.	
	Promoting campaign encouraging reducing		Produce a summary of actions progressed in	

Environmental Health Service Plan 2013 to 2014

<ul style="list-style-type: none"> • Healthier lives • Clean and safe Neighbourhoods 	transport pollutants		2013.	
	Local Air Pollution Prevention and Control			
	Inspect 100% of permitted processes in accordance with DEFRA's inspection strategy.	100 % inspection achieved	100% inspection target Review permits to comply with the Industrial Emissions Directive view charges due to the implied permit structure	
	Contaminated Land			
	Address and prioritise contaminated land	5 sites assessed and prioritised. Strategy Updated.	50 potential sites per year assessed and prioritised. work with the Planning Department to ensure housing and other developments only take place on land suitable for use Respond to enquiries regarding possible land contamination	
	Noise and Nuisance			

Environmental Health Service Plan 2013 to 2014

<ul style="list-style-type: none"> • Healthier lives • Clean and safe Neighbourhoods 	Revise strategies for dealing with noise nuisances	<p>Attendance at Landlords Forum</p> <p>Advice sheets forwarded for distribution to the Housing Team.</p>	<p>Continue to work with landlords via liaison with the housing team.</p> <p>Raise public awareness regarding noise from dogs etc</p> <p>Attend the Carlisle and Eden crime and disorder partnership meetings</p> <p>Review the procedure for domestic noise investigations.</p>	
	Private Water Supplies			
	Sample and assess 100% of private water supplies in accordance with the DWI Technical Manual.	100%	100%	
	Pest Control	<p>Produced a targeted sewer baiting strategy</p> <p>Identified areas generating greatest rat</p>	Raise awareness of the service and encourage new contracts	

Environmental Health Service Plan 2013 to 2014

		complaints		
	Seagull Control	<ol style="list-style-type: none"> 1. Leaflet Produced 2. Premises where roosting was a concern identified and written to 3. Press releases 	<ul style="list-style-type: none"> • Follow up visits to premises written to in 2012.(April / May2013) • Assessment of controls (June) • Review follow up actions (June) 	Directorate Action
	Fees and Charges Review		<ul style="list-style-type: none"> • Review the pest control fees and charges making recommendations for implementation in 2014/15. 	Directorate Action August
	Licensed Premises			
	Review the web information on application for licences.	100% of Caravan sites had a fire risk assessment		

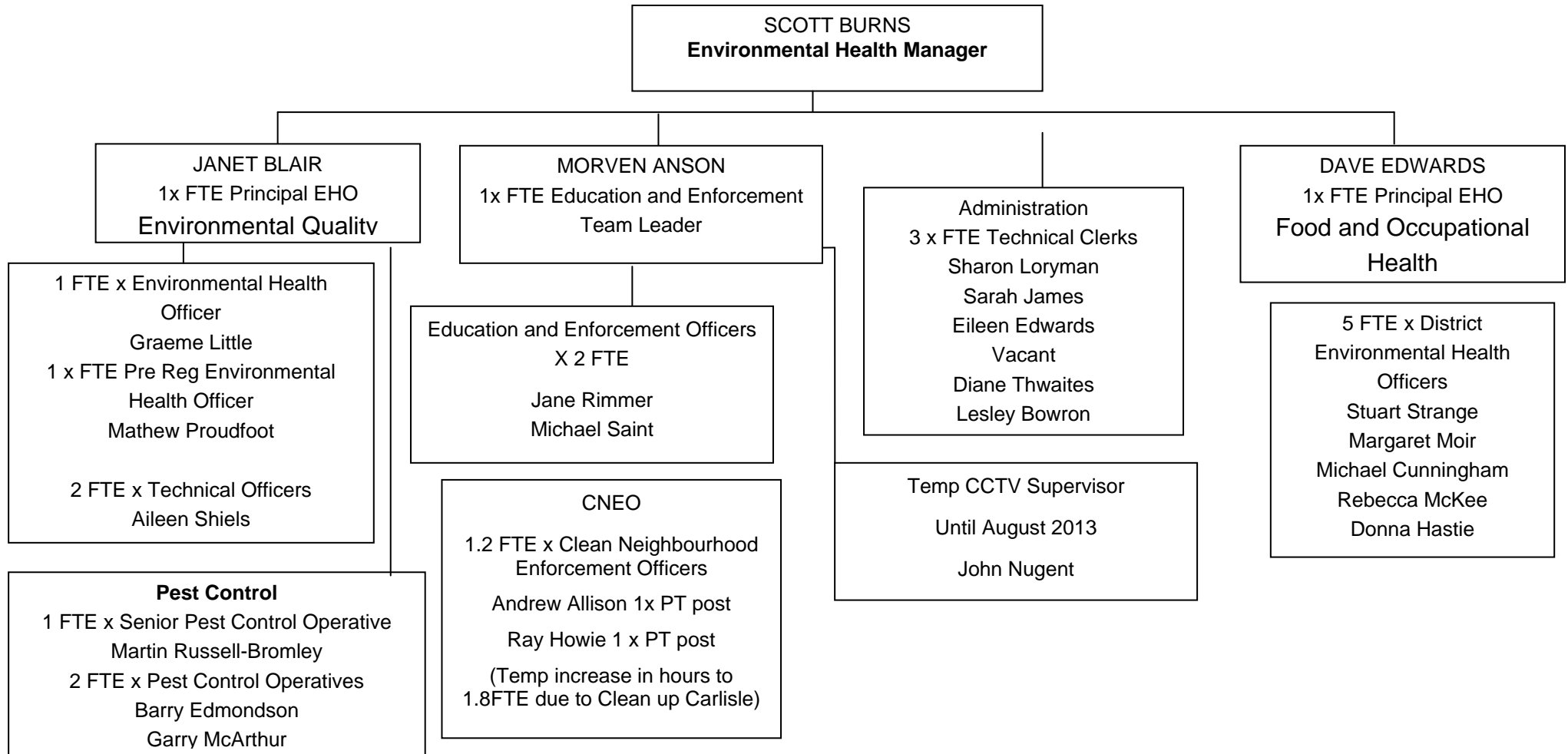
Education and Enforcement Teams Enforcement Plan

Activity	Key Action	2012/13 Performance:	Target 2013/14	Progress:
<ul style="list-style-type: none"> • Clean and safe Neighbourhoods • Healthier lives 	Progress the Clean Neighbourhood Enforcement Plan	2012/13 Enforcement Plan produced and followed. 37 FPN issued for dog fouling and 2 prosecutions 40 PFN issued for littering, 11 for waste receptacle offences and 24 for Fly Posting	Reduction in dog fouling incidents and complaints compared to 2011/12 benchmark.	
	Deliver a Educational Campaign for dog fouling and littering	1400 delivered educational message on dog fouling and littering	Deliver message to all year 7's	
	Review and update policies.	Fly posting, Fly tipping and litter procedures reviewed.	Introduce orders for abandoned shopping trolleys and illegal distribution of free material Review the procedures for dealing	Directorate Action

Environmental Health Service Plan 2013 to 2014

			with Graffiti offences.	
	Develop a strategy with partner organisations to tackle environmental crimes.	Riverside and PCSO trained for the issuing of FPN.	Attend PSG East and West and CD&ASB – continue to develop partnership working with Riverside and Impact	
	Produce a Strategy and Action Plan for continuing the work of “Clean Up Carlisle and Love Where You Live”			Directorate Action
	Produce working procedures for the revised CCTV System			Directorate Action

ENVIRONMENTAL HEALTH



FOOD SAFETY ENFORCEMENT POLICY

Carlisle City Council

Environmental Health Service

Local Environment

1.0 POLICY STATEMENT

- 1.1 Carlisle City Council aims to ensure that food and drink intended for human consumption, that is produced, stored, distributed, handled or sold within the Council's area, is without risk to the health or safety of the consumer. In carrying out its Food Law enforcement the City Council will encourage food businesses and regulated bodies to comply with their food safety obligations and grow as businesses.
- 1.2 This Policy has been written having regard to the Food Standards Agency's Framework Agreement, the Enforcement Concordat and the Regulator's Compliance Code (April 2008). Officers will therefore have regard to and implement the principles of proportionality, consistency, transparency and targeting.
- 1.3 Inspections of food businesses and other food safety activities will be in accordance with legislation, statutory Codes of Practice and guidance issued by the Food Standards Agency and the Better Regulation Delivery Office.
- 1.4 The Council fully acknowledges and endorses the rights of individuals and will ensure that all enforcement action is in strict accordance with the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000 and the Police and Criminal Evidence Act 1984 (as amended).
- 1.5 The Council recognises that the particular interests of different consumers within its area will need to be taken account of to ensure that legislation is enforced fairly and consistently. Interpreters will be used where there is difficulty in understanding the English language. Where possible, translated advisory leaflets will be made available. Any visits that are required out of hours will be undertaken as necessary.
- 1.6 We are fully committed to the Home Authority Principle and the Primary Authority Scheme and will utilise the principle whenever enforcement activity is considered, especially where the issue has national implications. We will use inspection plans created under Primary Authority when inspecting relevant businesses.

*The Home Authority Principle and the Primary Authority Scheme are supported by food and trading standards services throughout the UK. The Primary Authority Scheme has been made under The Regulatory Enforcement & Sanctions Act 2008. A local authority acting as a home or originating authority will place special emphasis on the legality of goods and services originating within its area. It aims to prevent infringements by offering advice and guidance at source in order to maintain high standards of public protection at minimum cost. The Home Authority is the authority where the relevant decision making base of an enterprise is located. The Originating Authority is an authority in whose decentralized enterprise produces goods and services.

- 1.7 All enforcement action will be based on the risk to health and in accordance with this policy. Any departure from this policy must be justified to the appropriate line manager with delegated authority under the Council's constitution. The reasons for any departure will be fully documented and a copy retained on the premises file.
- 1.8 This Policy supports service delivery and intervention plans and procedures, and it will be actively brought to the attention of all relevant staff. The policy is supported in certain areas by additional procedural guidance. A copy of this policy will be made available at Council offices and to any person that requests one. The Policy will also be made available on the Council's website.
- 1.9 This Policy has been drawn up following consultation with stakeholder representatives and has been approved by the Food safety Team, and Members.
- 1.10 This Policy will be reviewed at least every 3 years or when there are changes in legislation or guidance, which make this necessary.

2.0 ENFORCEMENT OPTIONS

2.1 Authorised officers will consider the most appropriate course of action, which should be taken following inspection or investigation. These include:

- No action
- Informal action and advice
- Formal letter known as informal written notice
- Statutory Notices – Hygiene Improvement Notices, Detention of Food Notices, Remedial Action Notices and Hygiene Emergency Prohibition Notices.
- Issuing and revoking approvals including suspensions and conditional approvals
- Prohibiting operations and processes
- Simple caution (commonly known as formal cautions)
- Prosecution

2.2 No Action

There will be occasions when it is appropriate to take no further action on completion of the inspection or investigation. This will be the case where the risk to health is insignificant and /or the premises, is low risk in nature i.e. no food preparation. A report of inspection should be left on-site or sent soon after the inspection highlighting that the standards of compliance are satisfactory.

2.3 Informal Action

Informal action includes verbal advice, requesting others to act, letters containing recommendations of good hygienic practice, accepting the voluntary surrender of food and the issuing of reports of inspection in accordance with the Food Standards Agency Food Law Code of Practice (England) 2008 (FLCOP), issued under Section 40 of the Food Safety Act 1990.

Informal action will be appropriate in the following circumstances:

- (i) The act or omission is not serious enough to warrant formal action.
- (ii) From the past history, it can be reasonably expected that informal action will achieve compliance.
- (iii) The consequences of non-compliance will not pose a significant threat to food safety. Or
- (iv) The food business is operated by a voluntary organization and information is likely to be more helpful and effective than a formal approach.

Verbal advice will be offered where practices do not constitute a breach of the legislation or where advice on good practice, for example within industry guides, good manufacturing practice (GMP) or trade association guidance, has not been followed. Officers providing verbal advice will ensure that they clearly differentiate between those items that are legal requirements and those that are recommendations of good practice.

Verbal advice will be confirmed in writing. This may form part of the Report of Inspection, which is normally left at the end of the visit or sent afterwards.

2.4 Formal letters

Formal letters will be considered appropriate in the following circumstances:

- Where the act or omission is not serious enough to warrant the service of a statutory notice;
- The history or track record of the individual or company means that it can be reasonably expected that a formal letter will achieve compliance;
- The consequences of non-compliance will not pose a significant threat to food safety; or
- The food business is operated by a voluntary organization and a formal letter is likely to be more helpful and effective than statutory notices or legal proceedings.
- If the food business is compliant

Any letters shall be written in accordance with FLCOP and practical guidance issued by the Food Standards Agency and other government agencies. They will contain all the information necessary to understand what work is required and why it is necessary. They will indicate the Regulations contravened and the measures, which will enable compliance.

Letters will clearly differentiate between matters, which are necessary to meet statutory requirements and those which are recommendations.

The opportunity to discuss the contents of the letter with the officer and/or the PEHO will be made available and both contact details will be clearly visible in the letter.

Letters should be sent to the food business operator within a target date maximum of 10 working days from the inspection/visit.

2.5 Statutory Notices

In certain circumstances, the service of a statutory notice will be appropriate. A range of notices may be used:

- Hygiene Improvement Notices
- Hygiene Emergency Prohibition Notices
- Detention and Condemnation of Food Notices
- Remedial Action Notices
- Warrants to enter premises
- PACE Code B Notices
- Other relevant notices under current Official Food and Feed Regulations, and the Products of Animal Origin Regulations.

(i) Hygiene Improvement Notices

The following factors determine the use of Hygiene Improvement Notices in accordance with the FLCOP.

- a. There are significant contraventions of legislation
- b. There is a lack of confidence that the food business operator or company will respond to an informal approach
- c. There is a history of non-compliance with informal action or formal letters, history of poor risk scores and award scheme ratings
- d. Standards are generally poor with little management awareness of statutory requirements

- e. The consequences of non-compliance could be potentially serious to public health
- f. Effective action needs to be taken as quickly as possible to remedy conditions, which are serious, or deteriorating, even though it is intended to prosecute.

The use of Hygiene Improvement Notices will be related to risk to health and they will not be used for minor contraventions of the legislation. They will not be used where the contraventions might be a continuing one or in transient situations i.e. cleaning and record keeping.

Officers issuing Hygiene Improvement Notices will discuss with the food business operator the works to be undertaken and realistic time limits for the completion of the works. The officer will consider alternative solutions of equal effect put forward by the food business operator.

An authorised officer will check compliance on the date of expiry of the notice or at the latest, the following day as there may be a challenge if there is any delay i.e. the operator may claim that they complied within the timescale for instance, the provision of hot water.

Failure to comply with a Hygiene Improvement Notice will result in the instigation of legal proceedings in the majority of cases.

The officer will consider all reasonable written requests for an extension of time of the notice where these are made within the existing time scale.

For notices relating to Article 5 and training requirements, a minimum of 12 weeks timescale will be given to the operator. The timescale for all other legal requirements will be at the discretion of the authorised officer.

The officer will advise the Primary Authority and Home/Lead Authority where relevant, of any actions intended and seek written agreement. Officers should refer to the Local Better Regulation Office (LBRO) website for details of Primary Authority arrangements, <http://www.lbro.org.uk/pa-becoming-a-primary-authority.html>

(ii) Hygiene Emergency Prohibition Notices

The use of Hygiene Emergency Prohibition Notices will be deemed appropriate where there is an imminent risk of injury to health and where for example, the circumstances outlined in the FLCOP (England) and practical guidance are fulfilled. Examples are as follows:

- The failure of a process within premises;
- The premises contravene food safety legislation and have been or are involved with an outbreak of food poisoning or present an imminent risk of food poisoning; or
- There is a serious infestation by rats, mice, cockroaches or other vermin (including birds) or a combination of these infestations resulting in actual food contamination or an imminent risk of food contamination; or
- There are poor structural conditions or poor equipment and/or poor maintenance of routine cleaning and/or serious accumulations of refuse, filth or other extraneous matter resulting in actual food contamination; or
- There are serious drainage defects or flooding of the premises leading to actual food contamination or an imminent risk of food contamination; or

Any combination of the above or the cumulative effect of contravention, which together represent an imminent risk of injury to health.

In addition, the following matters will warrant the service of a Hygiene Emergency Prohibition Notice:

- a. The consequences of not taking immediate and decisive action to protect the public health would be unacceptable;
- b. There is a demonstrable imminent risk of injury to health
- c. There is no confidence that an unprompted offer by a food business operator to voluntarily close the premises or cease the use of any equipment, process or treatment will be carried out;
- d. The food business operator is unwilling to confirm in writing his/her unprompted offer of voluntary closure.

(iii) Detention and Condemnation of Food Notices

Authorised officers will use powers to inspect, detain, seize and arrange for the condemnation of food if they have reasonable grounds that the food does not comply with the food safety requirements in the Food Safety Act 1990 and Article 14 of EC Regulation 178/2002. This is an offence under Regulation 27 of the Food Hygiene (England) Regulations 2006.

The procedure for detaining, seizing and arranging for the condemnation of food will be in accordance with FLCOP (England) and Practical Guidance.

A person in charge of food that has been detained or seized for the purposes of condemnation by a Magistrate may be eligible for compensation if:

- The detention of food notice is withdrawn; or
- The magistrate fails to condemn the food; and
- The food has deteriorated in value resulting from the action.

(iv) Remedial Action Notices (RANS)

It is only appropriate to use these notices for requiring works in food premises approved under EC Regulation 853/2004. A documented procedure covers use of these notices and this must be followed.

(v) Warrants to Enter Premises

The Council will apply to the Magistrates Court for a warrant to enter premises if:

- Necessary entry is required at an unreasonable time; and/or
- Entry to a premises is refused; and/or
- Entry is expected to be refused; and/or
- The premises are vacant and entry is required.

(vi) PACE Code B Notices

Notices will be served where it is necessary to search premises to investigate an alleged offence. This is only appropriate in circumstances where Officers have serious grounds for suspecting an offence has already been committed before they visit the premises or act on information provided by another agency. The procedure on service of Code B notices must be referred to by Officers and legal advice sought before use.

2.6 Legal Proceedings – Simple cautions and Prosecutions

Carlisle City Council will consider instigating legal proceedings where there is admissible, substantive and reliable evidence that an identifiable person or company has committed an offence and there is a realistic prospect of conviction. The following circumstances may warrant the institution of legal proceedings:

- The offence involves flagrant breaches of the law, such that public health, safety or well being is put at risk;
- The offence involves a failure to correct an identified potential risk to food safety arising from the processing, cooking, handling or storage of food, having given the offender a reasonable opportunity to comply with the lawful requirements of an authorised officer;
- The offence involves a failure to comply in full or in part with the requirements of a statutory notice;
- Offences have resulted in the service of a Hygiene Prohibition Notice;
- There is a history of similar offences related to risks to the safety of food.

In deciding whether formal action should be taken, Officers should complete the matrix in Appendix I (matrix to determine informal or formal action) and document their decision with the involvement of the appropriate line manager. Once the officer

is of the opinion that legal proceedings may be instigated, the case is considered in the light of the following factors:

- a. The seriousness of the offence:
 - The risk to public health
 - The number of identifiable victims
 - Failure to comply with a statutory notice served for a significant breach of legislation
 - Disregard for the public health for financial reward
- b. The previous history of the food business operator or company:
 - The offences follow a previous history of similar offences
 - Failure to respond positively to past written notices and warnings
 - Failure to comply with statutory notices
- c. The likelihood of the defendant being able to establish a due diligence defence:
 - Practical steps taken or due diligence defence available but there is doubt about its legal validity
 - Practical steps taken but there is doubt that the due diligence defence has been achieved
 - Practical steps have been taken that are not totally effective, therefore due diligence has not been proved
 - No practical step taken, therefore there is no possibility of proving due diligence
- d. The ability of witnesses and their willingness to co-operate:
 - Witnesses would rather not be involved in prosecution but might be willing if encouraged
 - Witness would require summons to attend
 - Witness would be willing to attend court but may not be effective under cross examination
 - Witness would be willing to attend and will be effective
- e. The willingness of the food business operator or company concerned to prevent a recurrence of the problem:
 - Steps have been taken to prevent a recurrence and there is confidence that these will be effective
 - Steps have been taken to prevent a recurrence but there are doubts that these will be effective
 - Steps to prevent a recurrence have been promised but confidence is low that the promises will be fulfilled

- The food business operator or company are not willing to prevent a recurrence and there is no confidence that the food business operator is capable of preventing a recurrence
- f. The public benefit and interest of a prosecution and the importance of the case for:
- The likely penalty upon conviction
 - The offender's age and state of health
 - The offender's attitude to the offence
 - Whether it might establish a legal precedent
- g. Any explanation offered by the food business operator or the company:
- Explanation is satisfactory, factors appear to be beyond the control of the defendant
 - Explanation shows that prevention was possible but necessary steps had not been taken
 - Explanation poor, blatant failure to control circumstances leading to offence
 - No explanation offered, willful disregard for public health

Authorised officers must complete the matrix in Appendix III (decision whether to prosecute or issue a simple caution) when any of the circumstances outlined in Appendix II are encountered.

Types of Legal Proceedings

On completion of the matrix in Appendix I, and II, and where formal action is considered to be necessary, legal proceedings may take the form of either a simple caution or a prosecution. The officer, the appropriate line manager, and a legal representative should agree the final decision. On completion of the determination matrix, the officer(s) should follow the standard forms to instruct legal to consider the case with a summary of the facts and initial information. If a PACE interview has occurred as part of the initial decision making process, a transcript should be given to legal along with the initial information. An update on legal opinion should be sought within 2 weeks of this instruction.

Simple Cautions

The Council will offer simple cautions as an alternative to prosecutions in order to:

- Deal quickly and simply with less serious offences
- To divert less serious offences away from the Courts and
- To reduce the chances of repeat offences

The Council will only make the offer of a simple caution where:

- There is sufficient evidence of the offender's guilt for a realistic prospect of conviction
- The offender admits the offence and
- The offender clearly understands the significance of a simple caution and gives informed consent to being cautioned.

Where a food business operator declines the offer of a simple caution, the Council will proceed with a prosecution.

3.0 DECISION MAKING AND AUTHORISATION

- 3.1** All Officers who undertake the enforcement options in this policy will have the necessary qualifications, training, experience and competence to do so. All actions will be in accordance with FLCOP (England) 2008.

All officers will be issued with a formal written record of their authorisation, signed by either the Director of Local Environment or the Environmental Health Manager. Officers will also be issued with an "Authority to Enter" card with a summary of their available powers of entry.

The enforcement options and levels of authorisation are outlined in Appendix IV.

4.0 WORKING WITH OTHERS TO SECURE COMPLIANCE

Officers will work closely with others to secure compliance with food safety legislation. Discussion and liaison may be necessary with the following:

➤ **Consumers and businesses**

The views of our stakeholders are essential in obtaining effective compliance with the legislation. The need to protect the health of the consumer whilst acknowledging the concerns of businesses are recognised and are implicit within this policy and the requirements of the Enforcement Concordat and the Regulators Compliance Code.

➤ **Food Standards Agency**

The FSA will be notified of all approvals or any variations issued under product-specific legislation. Under the Food Alert system, the FSA will be notified of any issues, which have a wider concern or where there is a serious localised incident.

➤ **Primary Authority Scheme/Home Authority**

If the premises under inspection or investigation are linked to a Primary, Home or Originating Authority, when officers are considering formal action, they will liaise with the identified authority. Where there is an imminent risk to health, action will be taken immediately and the relevant authority will be notified at the earliest available opportunity.

➤ **Public Health Information**

Infection control advice and epidemiological support will be requested as necessary.

➤ **Health Protection Agency (HPA) and County Analyst**

The expert advice of colleagues within the HPA and the County Analyst may be required in determining the relevant enforcement option. Other specialist organisations e.g. Campden and Chorleywood Food Research Association may assist in investigations.

5.0 Complaints

Carlisle City Council has an effective complaints procedure and will endeavor to resolve any complaint as quickly as possible. complaints about the service can either be made direct to the Environmental Health Manager by:

Email – environmentalhealth@carlisle.gov.uk or

Telephone – 01228 817559

Or through the City Council's official complaints procedure:

Telephone – 01228 817000

In writing – Free post YGCX – YEYB – Carlisle City Council, Civic Centre, Carlisle, CA3 8QG

Email – complaints@carlisle.gov.uk

MATRIX TO DETERMINE FORMAL OR INFORMAL ACTION

CRITERION	SCORE	WTG	TOTAL
Risk to health			
No risk to health	1	5	
Risk to health possible but unlikely	2	5	
Caused minor ill health, potential for more serious effect in more vulnerable groups	3	5	
Identified or potential serious medical effect	4	5	
Previous history			
Reacted to previous advice, change usually effective	1	4	
Reacts to advice, change not always effective, moderate confidence in management	2	4	
Compliance with previous advice patchy, low confidence in management	3	4	
Failure to respond to previous advice	4	4	
Likelihood of being able to prove due diligence			
Practical steps taken, due diligence possible, some doubt	1	5	
Practical steps taken, but doubt about due diligence	2	5	
Practical steps taken are not totally effective, no due diligence	3	5	
No possibility of proving due diligence	4	5	
Ability of witnesses			
Witness would require summons to attend	1	1	
Witness would rather not attend court but might be persuaded	2	1	
Witness willing to attend but may not be effective under cross examination	3	1	
Witness willing to attend and will be effective	4	1	
Willingness to prevent a recurrence			
Steps taken to prevent a recurrence, confidence that these will be effective	1	2	
Steps taken to prevent recurrence, doubts that	2	2	

these will be effective			
Steps promised to prevent recurrence, but confidence is low that promise will be fulfilled	3	2	
Not willing to prevent recurrence, no confidence that food business operator is capable of preventing recurrence	4	2	
Probable public benefit			
Publicity is likely to embarrass Council	1	1	
Penalty/publicity will have limited value	2	1	
Penalty/publicity will ensure improvement in the case in question	3	1	
Penalty/publicity will prevent other similar offences	4	1	
Explanation offered by defendant			
Explanation satisfactory, factors appear to have been beyond defendant's control	1	3	
Explanation shows that prevention was possible but that necessary steps had not been taken	2	3	
Explanation poor, blatant failure to control circumstances leading to offence	3	3	
No explanation offered, willful disregard for public health	4	3	

NOTES

The weighting is to be used as a multiplier. A separate assessment should be completed for each offence and each food business operator. In many cases the investigating officer may be the only witness and this section should be scored accordingly.

A decision of informal action will follow where the score is between 0 and 34. A decision of formal action will normally follow where the score is between 35 and 84

RECOMMENDATION OF INVESTIGATING OFFICER/PEHO

INFORMAL /FORMAL ACTION

Signed:

Date:

ENVIRONMENTAL HEALTH MANAGER

AGREE/DISAGREE

Signed:

Date:

DECISION OF LEGAL REPRESENTATIVE

Comments:

Signed:

Date:

Criteria leading to Formal Action

Where any one of the following circumstances apply, officers must complete the matrix in Appendix III, where a decision will be made as to whether a simple caution will be offered or the offender will be prosecuted.

1. Premises confirmed to be associated with an outbreak of food poisoning, which resulted in serious illness and/or death.
2. Repeated breaches giving rise to significant risk, or persistent and significant poor compliance.
3. Management of food safety is poor and gives rise to significant risk.
4. Following the service of a Hygiene Emergency Prohibition Notice/Order.
5. Following the voluntary closure of premises.
6. Repetition of breach that was subject to Simple Caution.
7. False information supplied wilfully, intent to deceive in relation to a matter giving rise to significant risk.
8. Obstruction of an officer.
9. Formal action is required as a means of drawing attention to the need for compliance with the law and to act as a deterrent to others.

DECISION WHETHER TO PROSECUTE OR ISSUE A SIMPLE CAUTION

CRITERION	PROSECUTE	OFFER CAUTION
Is the offence serious?	Yes	No
Is the offender an older or disabled person?	No	Yes
Has the offender a previous history of offending?	Yes	No/Unknown
Is the offender willing to prevent a recurrence of the problem?	No	Yes
Would a prosecution be in the public interest?	Yes	No
Is the case likely to establish a legal precedent?	Yes	No
Has the offender offered a reasonable explanation?	No	Yes
TOTAL		

Note

Ring the appropriate response to each criterion and then total the number of rings in each column.

The decision will be based on the total number of rings

RECOMMENDATION OF INVESTIGATING OFFICER/PEHO**INFORMAL /FORMAL ACTION**

Signed:

Date:

DECISION OF ENVIRONMENTAL HEALTH MANAGER**AGREE/DISAGREE**

Signed:

Date:

DECISION OF LEGAL REPRESENTATIVE

Comments:

Signed:

Date:.....

APPENDIX IV

DECISION MAKING AREA	OFFICERS AUTHORISED TO ACT	OFFICERS WHO MUST BE CONSULTED
Informal action and formal letters	Technical Assistants Environmental Health Officers Principal Environmental Health Officer – Environmental Health Manager Assistant Director – Local Environment	Principal Environmental Health Officer –to monitor and audit periodically
Hygiene Improvement Notices	Environmental Health Officers Principal Environmental Health Officer	Environmental Health Officers Principal Environmental Health Officer
Hygiene Emergency Prohibition Notices	Environmental Health Officers* Principal Environmental Health Officer * Environmental Health Manager*	Principal Environmental Health Officer – Environmental Health Manager Legal representative
Simple/ 'Formal' Caution	Environmental Health Officers Principal Environmental Health Officer Environmental Health Manager	Principal Environmental Health Officer Environmental Health Manager Legal representative
Prosecution	Environmental Health Officers Principal Environmental Health Officer Environmental Health Manager*	Principal Environmental Health Officer Environmental Health Manager Legal representative

* Minimum 2 years post qualification experience of food safety and currently involved in food safety enforcement.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 7 MAY 2013

EX.40/13 FOOD LAW ENFORCEMENT SERVICE PLAN
(Key Decision – KD.04/13)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Environment and Transport Portfolio Holder presented report LE.11/13 concerning the Food Law Enforcement Service Plan, which set out how the Environmental Health Service would deploy its resources in 2013 to 2014 to prevent food borne diseases and help people live healthier lives.

She explained that the Plan linked to the key priority actions of the Carlisle Plan and also sought to direct resources into achieving 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 Services” (November 2011). The second part of the Food Law Enforcement Plan was the “Food Safety Enforcement Policy” (Appendix 2) which outlined the decision process followed by Officers when breaches of Food Safety Legislation were found. The Food Safety Enforcement Policy was written with regard to the Food Standard Agency’s Framework Agreement with local authorities, the Enforcement Concordant and the Regulator’s Compliance Code.

In improving food standards the Environmental Health Service was contributing towards ensuring a safe, healthy and sustainable food chain for the benefit of consumers. Service Plans were an important part of the process to ensure that national priorities and standards were addressed and delivered locally.

The Environment and Transport Portfolio Holder informed Members that, although the Food Standards Agency’s Food Law Codes of Practice detailed national food policy, they did afford local authorities flexibility over how to deliver the national food controls. She added that the Plan set out how and at what level official food controls would be provided in accordance with the Codes of Practice.

The Framework Agreement on Official Feed and Food Controls by Local Authorities (2010)

set out what the Food Standard Agency (FSA) expected from Carlisle City Council in delivering official controls on feed and food law. In 2012 the FSA had carried out a review on the delivery of “Official Controls for Food Safety” concluding that, although

under pressure, the local authorities were able to deliver a food safety service. The FSA Board confirmed the strategic importance of the delivery of official controls and the relationship between the FSA and local authorities. The Government was presently consulting on amending the Regulators Compliance Code, making it explicit that in carrying out its duties as a regulator the local authority's role was to ensure compliance and assist businesses to grow.

To help ensure local transparency and accountability, and to show the Service's contribution to the authority's Carlisle Plan, the Framework Agreement recommended that food service plans were approved at the relevant level established for that local authority. The Food Law Enforcement Plan was included within the Council's Policy Framework at Article 4 of the Constitution.

The Environment and Transport Portfolio Holder also took the opportunity to commend the Environmental Health Manager and his team for the excellent work and prompt action taken in response to very poor hygiene conditions found following a visit to an unregistered food business. She asked that those sentiments be conveyed to the staff involved.

In conclusion, the Environment and Transport Portfolio Holder requested that the Executive agree the recommendations as detailed in the report, which course of action was seconded by the Culture, Health, Leisure and Young People Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

1. Agreed the key actions of the Environmental Health Service Plan with respect to Food Safety and approved the Food Law Enforcement Policy.
2. Referred the said Plans to Council for approval in accordance with the Council's Budget and Policy Framework.

Reasons for Decision

The recommended key actions had been identified following consultation and reflected the resources available to the Environmental Health Service in the financial year 2013 to 2014

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 1 JULY 2013

EX.65/13 **FOOD LAW ENFORCEMENT SERVICE PLAN
(Key Decision – KD.04/13)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor had agreed that call-in procedures should not be applied to this item)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Community

Subject Matter

Pursuant to Minute EX.40/13, the Environment and Transport Portfolio Holder presented report LE.16/13 concerning the Food Law Enforcement Service Plan, which set out how the Environmental Health Service would protect food safety in Carlisle during 2013 to 2014.

As part of the Food Law Enforcement Plan the “Food Safety Service Plan” (Appendix 1) sat within the full Environmental Health Service Plan and linked to the key priority actions of the Carlisle Plan. The Service Plan sought to direct resources into achieving 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). The second part of the Food Law Enforcement Plan was the “Food Safety Enforcement Policy” (Appendix.2) which outlined the decision process the Environmental Health Officers would go through when breaches of Food Safety Legislation were found. The Food Safety Enforcement Policy was written with regard to the Food Standard Agency’s Framework Agreement with local authorities, the Enforcement Concordant and the Regulator’s Compliance Code.

In improving food standards the Environmental Health Service was contributing to ensuring a safe, healthy and sustainable food chain for the benefit of consumers. Service Plans were an important part of the process to ensure that national priorities and standards were addressed and delivered locally

The Environment and Transport Portfolio Holder reminded Members that, although the Food Standards Agency’s Food Law Codes of Practice detailed national food policy, they did afford local authorities flexibility over how to deliver the national food controls. She added that the Plan set out how and at what level official food controls would be provided in accordance with the Codes of Practice.

The Framework Agreement on Official Feed and Food Controls by Local Authorities (2010)

set out what the Food Standard Agency (FSA) expected from Carlisle City Council in delivering official controls on feed and food law. In 2012 the FSA had carried out a review on the delivery of “Official Controls for Food Safety” concluding that, although under pressure, the local authorities were able to deliver a food safety service. The FSA Board confirmed the strategic importance of the delivery of official controls and the relationship between the FSA and local authorities. The Government was presently consulting on amending the Regulators Compliance Code, making it explicit that in carrying out its duties as a regulator the local authority’s role was to ensure compliance and assist businesses to grow.

To help ensure local transparency and accountability, and to show the Service’s contribution to the authority’s Carlisle Plan, the Framework Agreement recommended that food service plans were approved at the relevant level established for that local authority. The Food Law Enforcement Plan was included within the Council’s Policy Framework at Article 4 of the Constitution.

The Community Overview and Scrutiny Panel had received report LE.17/13 for information only.

The Environment and Transport Portfolio Holder expressed her thanks to the staff involved in the preparation of the report and for the work they undertook to ensure that food outlets were safe.

In conclusion, the Environment and Transport Portfolio Holder requested that the Executive agree the recommendations as detailed in the report, which were seconded by the Culture, Health, Leisure and Young People Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

1. Agreed the key actions of the Environmental Health Service Plan with respect to Food Safety and approved the Food Law Enforcement Policy,
2. Referred the said plans to Council for approval in accordance with the Council’s Budget and Policy Framework.

Reasons for Decision

The recommended key actions had been identified following consultation and reflected the resources available to the Environmental Health Service in the financial year 2013 to 2014

Report to Council

Agenda
Item:

20(v)

Meeting Date: 16th July 2013
Portfolio: Communities and Housing
Key Decision: Yes: Recorded in the Notice Ref: KD.06/13
Within Policy and Budget Framework YES
Public / Private Public

Title: CARLISLE AND EDEN COMMUNITY SAFETY PARTNERSHIP PLAN
Report of: The Director of Community Engagement
Report Number: CD 43/13

Purpose / Summary:

The Carlisle and Eden Community Safety Partnership (CSP) have developed their draft Partnership Plan for 2013/14 (attached as Appendix 1 of this report). This plan forms part of the City Councils Policy Framework and refreshes the existing plan. It has been developed by the CSP's Leadership Group with input from the City Council's Lead Officer (Director of Community Engagement) and Portfolio Holder for Communities and Housing.

The purpose of this plan is to present the CSP's work programme for the coming year in the form of their Partnership Plan. While this is presented as a developed document it represents a 'live' work programme - which develops throughout the year and can be influenced and shaped through the City Council's representation on the CSP's Leadership Group.

Recommendations:

It is recommended that Full Council approve and adopt the Carlisle and Eden Community Safety Partnership Plan for 2013/14.

Tracking

Executive:	31st May 2013
Overview and Scrutiny:	28th March 2013
Council:	16th July 2013

BACKGROUND

- 1.1** The Crime & Disorder Act 1998 placed statutory obligations on local authorities and the police to act in co-operation with the probation service, health authorities and other relevant agencies, and to work together to develop and implement a partnership plan for tackling crime and disorder in their area.

The legislation requires local Community Safety Partnerships to produce a plan setting out how it intends to tackle crime and disorder and allowing the development of strategies to tackle short, medium and long-term priorities. This also allows alignment to other planning cycles, most notably partners' individual corporate planning and Carlisle's Community Plan.

The attached plan outlines these priorities for 2013-14 and is supported by a series of actions plans being developed and delivered by the task groups of the CSP.

2. PROPOSALS

- 2.1** It is proposed that Full Council approve and adopt the Carlisle and Eden Community Safety Partnership Plan for 2013/14.

3. CONSULTATION

- 3.1** The Partnership Plan is a public document and has been made available for consultation and comment by the City Council's partners. It was considered by Executive on 8 April 2013 and 31 May 2013. Views and comments received from Community Overview and Scrutiny panel (on 28 March 2013) are recognised in the document.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1** It is recommended that Full Council approve and adopt the Carlisle and Eden Community Safety Partnership Plan for 2013/14.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1** This report contributes to the Carlisle Plan priority:
We will work more effectively with partners to achieve the City Council's priorities.

Contact Officer: Keith Gerrard

Ext: 7350

**Appendices Appendix 1 CSP Partnership Plan
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:

- **CD 28/13**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance – The CSP Partnership Plan contributes towards the Council's obligations under the Crime & Disorder Act 1998. The Crime & Disorder Reduction Strategy is reserved to Council as part of the Authority's policy framework (Article 4 of the Constitution). Therefore, following due process of consultation and recommendation by the Executive, the Plan will be referred to Council for consideration.

Local Environment –

Resources - There are no financial implications of adopting the CSP Partnership Plan for 2013/14. The City Council makes no direct financial contribution to the partnership and therefore any additional support required will need to be met from existing base budgets.

Carlisle and Eden CSP Partnership Plan 2013- 2014



Vision

By working in partnership, North Cumbria communities will remain safe and reassured

Key Priorities 2013

A strategic assessment has been completed and highlighted the following priorities

- **Anti-social behaviour**
- **Violent Crime**
- **Reduce harm caused by drugs**
- **Impact of Alcohol Misuse**
- **Domestic Abuse and Sexual Violence**
- **Reduce Re-offending**

Tackling the Priorities

Anti-Social Behaviour

- Maintain low levels of anti-social behaviour
- Improving the partnership approach to co-ordinating activities for young people
- Joining up the partnership approach for environmental aspects

Violent Crime

- Work with partners to reduce violent crime and assaults

Reduce harm caused by drugs

- Reducing harm to young people
- To support the Countywide Drug Strategy

Impact of alcohol misuse

- Continue to deliver Cumbria Alcohol Strategy through dedicated task & finish groups

Domestic Abuse and Sexual Violence

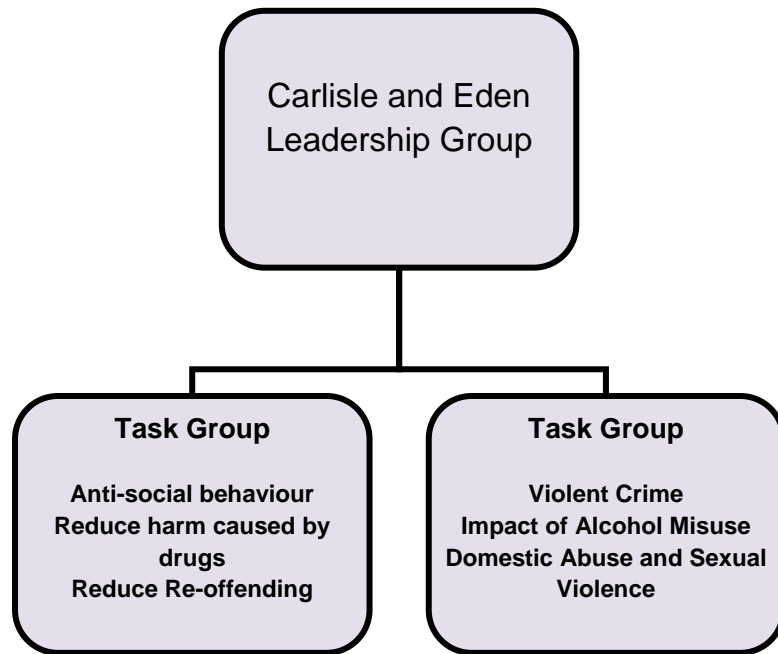
- Further develop & expand the Domestic Violence champions network
- Maintain monthly Multi-Agency Risk Assessment Conferences (MARAC)
- Improve the management of repeat missing vulnerable young people to reduce exploitation
- Development of preventative work with young people, targeting potential perpetrators and victims

Reduce Re-offending

- Continue the Integrated Offender Management programme using a wide range of partners to manage problem individuals effectively in communities
- Monitor effectiveness of North Cumbria IOM scheme using revised performance indicators
- Encourage the use of restorative justice through provision of training to a range of public, private and voluntary sector agencies

Carlisle and Eden CSP Partnership Plan 2013- 2014

Our Partnership Approach



Statistics 2012/ 2013

1100	Fewer victims of crime
21%	Reduction in ASB
4%	Reduction in Crime
9%	Reduction in Criminal Damage
25%	Reduction in Deliberate Fires

Carlisle and Eden Community Safety Partnership has and continues to be a successful partnership of multi agencies working together to address crime and disorder in North Cumbria. Since its inception, we have worked effectively to contribute to significant and sustained falls in crime and disorder. This plan sets out how, in partnership, we will address the priorities identified to ensure North Cumbria remains a safe place to live, work and study.

The partnership continues to have strong strategic leadership and dedicated and knowledgeable people in our task groups who are committed, prepared and focussed on the priorities for the year ahead. The Police and Crime Commissioner, who came into post in November 2012, is keen the existing partnership continues the good work already been delivered and has advised funding will continue for the coming year 2013/14.

Mary Robinson, CSP Chair

Successes

ASB and Criminal Damage

Operation Roman Candle

Comparisons of ASB fires throughout the operation period show a continually reduction in nuisance fires over the last 5 years. From 90 reports in 2007 to 8 in 2012.

Summer Splash

Over 1400 people attended the 6 events. ASB reduced in West Carlisle by 112 incidents (55% reduction) and only 10 reports of criminal damage (down by 77%).

Appleby Fair

The co-ordinated approach by partners to Appleby Fair has made it a far safer and more community oriented event. The Carlisle and Eden CSP has recently supported the introduction of a new website to improve communication across the event.

Successes

Violent Crime

Best Bar None Scheme

The scheme has been instrumental in raising standards in bars, pubs and clubs in North Cumbria and has contributed to significant reductions in violent crime.

Taxi Rank Marshals

Deployment of marshals at public ranks helps prevent escalation of serious disorder by early intervention which is reassuring to taxi operators and the public.

Domestic Violence Champions

The network has been developed to support victims and raise awareness/ knowledge of domestic and sexual violence with partner agencies.

EXCERPT FROM THE MINUTES OF THE COMMUNITY OVERVIEW AND SCRUTINY PANEL HELD ON 28 MARCH 2013

COSP.30/13 CDRP PARTNERSHIP PLAN

The Director of Community Engagement submitted the Carlisle and Eden Community Safety Partnership (CSP) draft Partnership Plan for 2013/14 (CD.20/13).

The Director of Community Engagement reminded the Panel of the Council's statutory obligations and reported that the draft Plan formed part of the City Councils Policy Framework and refreshed the existing Plan. The Plan had been developed by the CSP's Leadership Group with input from the City Council's Lead Officer and Portfolio Holder.

He added that the report presented the CSP's work programme for the coming year in the form of their Partnership Plan. The document represented a live work programme which developed throughout the year and could be influenced and shaped through the City Council's representation on the CSP's Leadership Group.

A Member commented that the CDRP had lost considerable funding as well as one full time equivalent post. How much funding did the CDRP receive and how was it used?

The Director of Community Engagement agreed that the funding had been reduced and informed the Panel that CDRP received £31,000. He agreed to give a more detailed response in writing on how the funding was used.

The Communities and Housing Portfolio Holder highlighted the additional emphasis that had been placed on the 'Reduce harm caused by drugs' and 'Impact of Alcohol Misuse' key priorities. She also highlighted that Sexual Violence had been added to the Key Priorities.

RESOLVED – That the Carlisle and Eden CSP Partnership Plan 2013-14 Refresh be welcomed.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 8 APRIL 2013

EX.35/13 CSP PARTNERSHIP PLAN
(Key Decision)

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules; and Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 this item was included on the Agenda as a Key Decision, although not in the Notice of Executive Key Decisions)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Communities and Housing Portfolio Holder reported (CD.28/13) that the Carlisle and Eden Community Safety Partnership (CSP) (formerly the CDRP) had developed their draft Partnership Plan for 2013/14, a copy of which was attached at Appendix 1 to the report.

The Plan, which formed part of the City Council's Policy Framework and refreshed the existing Plan had been developed by the CSP's Leadership Group, with input from the Director of Community Engagement and herself.

Referring to the Key Priorities 2013, the Communities and Housing Portfolio Holder advised that greater emphasis had been placed on reducing the harm caused by drugs, in addition to which sexual violence had been added to the domestic abuse priority.

Whilst the Partnership Plan was presented as a developed document, it represented a 'live' work programme which would develop throughout the year and could be influenced and shaped via the City Council's representation on the CSP's Leadership Group.

In conclusion, the Communities and Housing Portfolio Holder moved that the Executive consider and note the report, prior to recommending it for wider consultation.

The Leader seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive had considered and noted the content of Report CD.28/13; and recommended the CSP Partnership Plan for wider consultation.

Reasons for Decision

To enable the report to be considered and recommended for wider consultation

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

EX.53/13 CSP PARTNERSHIP PLAN
(Key Decision – KD.06/13)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

Pursuant to Minute EX.35/13, the Communities and Housing Portfolio Holder reported (CD.32/13) that the Carlisle and Eden Community Safety Partnership (CSP) (formerly the CDRP) had developed their draft Partnership Plan for 2013/14, a copy of which was attached at Appendix 1 to the report.

The Plan, which formed part of the City Council's Policy Framework and refreshed the existing Plan had been developed by the CSP's Leadership Group, with input from the Director of Community Engagement and herself.

The Communities and Housing Portfolio Holder indicated that the purpose of the report was to present the CSP's work programme for the coming year in the form of their Partnership Plan. Whilst it was presented as a developed document it represented a 'live' work programme – which would develop throughout the year and could be influenced and shaped through the City Council's representation on the CSP's Leadership Group.

The Community Overview and Scrutiny Panel had, on 28 March 2013, considered the matter and resolved that the Carlisle and Eden CSP Partnership Plan 2013-14 Refresh be welcomed.

A copy of Minute Excerpt COSP.30/13 had been circulated.

The Chairman of the Community Overview and Scrutiny Panel was in attendance at the meeting. She outlined the key points of discussion, together with the key priorities for 2013, commenting that there had been a continuing decrease in the incidence of crime. The Panel had in the past looked at the Strategic Assessment with a view to evaluating the previous year, but that had not come before them this time.

The report showed a lowering of crime figures which was good, and demonstrated the outcomes of successful partnership working.

On the issue of domestic abuse, the Chairman advised that a Domestic Champions Network had been established approximately three years ago. She was pleased to see that more victims were now coming forward.

With regard to substance abuse, the Panel was pleased to see that issues continued to be addressed by the two Partnership Task Groups.

In summary, the Chairman confirmed that the Panel had welcomed the report.

In conclusion, the Communities and Housing Portfolio Holder moved that the Executive approve the Partnership Plan and recommend it for consideration and adoption by Council.

The Deputy Leader and Economy and Enterprise Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive approved the CSP Partnership Plan and recommended it for approval and adoption by Council.

Reasons for Decision

The Report contributed to the Carlisle Plan priority: We will work more effectively with partners to achieve the City Council's priorities

Report to Council

Agenda
Item:

20(vi)

Meeting Date: 16th July 2013
Portfolio: Communities and Housing
Key Decision: Yes: Recorded in the Notice Ref:KD 08/13
Within Policy and Budget Framework YES
Public / Private Public

Title: SCHEME OF HOUSING ASSISTANCE (EMPTY PROPERTIES & DISABLED FACILITIES GRANTS)
Report of: The Director of Community Engagement
Report Number: CD 42/13

Purpose / Summary:

The current scheme of housing assistance has been updated to reflect new services that Carlisle City Council can offer to private sector landlords on the back of successful funding bids to bring empty properties back into use. A revised scheme of assistance including empty property grants and loans is attached to this report (Appendix 1). The updated policy re-states the position regarding Disabled Facilities Grants, which remain mandatory.

Recommendations:

It is recommended that Council:

- Approve the new Policy for Housing Assistance and the use of funds as described in Appendix 2 in accordance with the Council's Budget and Policy Framework.
- Note and accept the decision of the Executive to delegated responsibility for the use of funds as outlined at Appendix 2 and the granting of grants and loans to the Director of Community Engagement and Director of Resources.
- Note and accept the decision of the Executive to delegate decision making on proceeding with future Empty Property schemes to the Portfolio Holder

Tracking

Executive:	07/05/13 & 01/07/13
Overview and Scrutiny:	30/05/13
Council:	16/07/13

1. BACKGROUND

- 1.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) placed a duty on local authorities to publish a housing assistance policy for the private sector. The RRO was adopted by Carlisle City Council on 9th September 2003. The policy has been amended since its adoption to allow actions to be taken by officers relating to the Private Housing Sector.

2. HOUSING ASSISTANCE

- 2.1 Under the proposed Housing Assistance Policy, Disabled Facilities Grants will continue to be available. These grants are mandatory and funded via a separate funding stream. Any other grants and loans that the Council proposes to offer are discretionary and depend on the availability of resources.
- 2.2 Since April 2012 no housing assistance has been available in Carlisle for anything other than Disabled Facilities Grants. However successful bids for external funding in recent months have secured the finance necessary to enable assistance to be offered to the owners of empty homes to bring them back into use.
- 2.3 The funding must be used in accordance with the prescribed criteria but can be used to provide grants and loans. Most of the schemes currently being progressed have a finite lifespan with a cut-off date of March 2014. The conditions attached to the funding streams are included in the proposed housing assistance policy document in Appendix 1.
- 2.4 Approving the amended Housing Assistance Policy will enable the Council to offer financial incentives to empty property owners to bring those properties back into use and therefore increase the availability of much needed housing accommodation in the area. Appendix 2 summarises the sources of funding obtained and the match funding requirements for the current schemes.
- 2.5 Opportunities to bid for empty property funding often arise at short notice and delivery of such schemes is expected within a short timescale. It is therefore advantageous to build flexibility into the housing assistance policy.

2. PROPOSALS

- 2.1 To enable the provision of loans and grants to the owners of empty property to enable them to be brought back into use. To continue with the provision of Disabled Facilities Grants as described in the Housing Assistance Policy.

3. CONSULTATION

3.1 Consultation has taken place with primary stakeholders, including landlords and managing agents.

3.2 Community Overview and Scrutiny panel also received a report on the draft policy on 30 May. Their main concern was about the quality of work to potential properties. This will be addressed by:

- Having a clearly designated officer with responsibility for working proactively with owners and landlords to bring empty properties back into use. To date, over twenty applicants have confirmed their interest in the cluster bid scheme. The empty property officer provides technical advice and information and in doing so, incentivises participation and choice while minimising the risk of poor quality work.
- Establishing clear standards that the property must achieve on completion of the works. The draft policy proposes that properties must be free from significant defects and category 1 hazards and comply with the Housing Health and Safety Rating System where cluster bid grants are awarded; and meet the Decent Homes Standard, where a loan is required in addition to a cluster bid grant.
- Embedding a staged and targeted payment regime – where grant and loan finance, if required, is released on inspection and as a proportion of completed work. This will ensure that properties meet the required standard and public funding is used appropriately
- Establishing security over the property, where cluster bid loans are awarded to protect the Council's position.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

4.1 The revised housing assistance policy will enable the provision of loans and grants to be made to the owners of empty property and assist in bringing them back into use.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

5.1 The proposals will help support the Carlisle Plan priority to address Carlisle's current and future housing needs.

Contact Officer: Keith Gerrard

Ext: 7350

Appendices
attached to report:

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

- None

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance As stated in the Report, the ability of the Council to exercise its power to provide assistance for people to acquire, adapt or repair accommodation etc is dependent on the adoption of a relevant Policy pursuant to The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Such a policy was adopted by the Council and it forms part of the authority's budget and policy framework, therefore, any proposed amendment must be approved by full Council following the appropriate Overview & Scrutiny, Executive process.

Local Environment –

Resources - Disabled Facilities grants funding from the Government in 2013/14 is estimated at £663,000 with the Council contributing a further £200,000.

The assistance schemes outlined in the report, to enable empty properties to be brought back into use, are backed by funding from the Homes and Communities agency (HCA). The Cluster Bid totals £254,000 with the funding being used to provide various grants and loans to property owners and will be registered as a land charge against the property. The Director of Resources will have delegated authority to set an appropriate interest rate for the Cluster Bid loans.

HOUSING RENEWAL ASSISTANCE

POLICY DOCUMENT

2013

Private Sector Housing
Community Engagement Directorate
Carlisle City Council
The Civic Centre
Carlisle
CA3 8QG

Introduction

The Regulatory Reform (Housing Assistance) Order 2002 equipped local authorities with a new wide ranging power to provide assistance for housing renewal based on the principle that repairs are fundamentally the responsibility of the property owner, and grant assistance should only be given in particular circumstances.

Poor quality housing can have an adverse effect on the health and well being of the occupants in an area and the presence of long term empty properties can be a blight on the neighbourhood and a waste of a precious resource.

The Council recognises that assistance cannot be made available to all residents. Disabled Facilities Grants will continue to be offered to applicants who meet the eligibility criteria. All forms of assistance beyond Disabled Facilities Grants are dependent on the availability of external funding. Carlisle has been successful in obtaining funding from a variety of sources which will enable assistance in the form of grants, loans or a combination of both to be made available to the owners of long term empty properties to improve the existing built environment, provide good quality affordable housing and to increase housing choice.

Types of assistance

Disabled Facilities Grants

The provisions governing mandatory Disabled Facilities Grant (DFG) are contained in the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order extended mandatory DFG eligibility to those occupying park homes and houseboats.

Provided they meet the defined criteria, all owner-occupiers and tenants, licensees or occupiers are eligible for DFG. Landlords may also apply for a DFG on behalf of a disabled tenant but must also satisfy the relevant requirements. Housing Association tenants are eligible to apply for DFG and are assessed for needs on the same basis as private owners and tenants and under the same means testing arrangements.

Riverside (Carlisle) pay for DFG adaptations to their own properties where the cost of the work does not exceed £7,000. Where works exceed £7,000 limit, Riverside will refer the application to Carlisle City Council who will process through the usual DFG route. On completion the £7,000 contribution from Riverside will be recovered.

It is the Council's policy to place a Land Charge on every property which is subject to a Disabled Facilities Grant. If such a property is sold within a 10 year period, starting on the date of completion of the work, the Council will use its discretion to reclaim the funding that exceeds £5,000, but may not require a repayment exceeding £10,000. In applying its discretion, the following criteria will be considered:

- The extent to which the recipient would suffer financial hardship if the grant were reclaimed
- Whether the disposal of the property was to enable the recipient to take up employment, or change the location of their employment

- Whether the disposal of the property is made for reasons of the recipient's mental or physical health or well being
- Whether the disposal is made to enable the recipient to live with, or near, any person who will provide care for the recipient by reason of their disability

Any decision on repayment will be made by the Director of Community Engagement in consultation with the appropriate Portfolio Holder.

Discretionary payments may be made where the maximum grant level has already been reached and

- Unforeseen works have arisen once work has commenced on site. For example discovering drain or sewers on the site which could not have been foreseen, major works to foundations etc.
- A change in an applicants circumstances has arisen between grant approval being given and works being completed making it unreasonable to expect a contribution from the applicant. For example, relationship breakdown between the original joint applicants, the death of a joint applicant.

In ensuring that the funding available for Disabled Facility Grants can benefit the maximum number of recipients, a scheme of re-commissioning items of key equipment such as shower room pods, stairlifts etc., will be applied.

The Council will charge professional fees for providing services for owners or occupiers of dwellings which are subject to DFG applications. These fees will be assessed in relation to individual grant applications.

Other housing assistance

The following types of grant assistance may also be available, depending on the availability of external funding:

Empty Property Grants

Grants will be made available to allow the delivery of the Clusters of Empty Homes programme between £2,000 and £5,000 to owners of properties which have been empty for longer than 6 months and in areas where there are clusters of empty properties, as a 'quick fix' incentive for the owner to re-let the property.

The property, on completion of works, must be free from Category 1 Hazards under the Housing Health and Safety Rating System (HHSRS) and must be re-let, at an affordable rent, within 12 weeks of completion of the works, for a minimum period of 12 months. Repayment of the grant will be required if these conditions are contravened.

Empty Property Loans

These loans are available to eligible owners to assist with bringing empty properties, which have been vacant for more than 6 months, back into use for residential occupation. These will be made available to contribute towards the cost of carrying out an agreed package of works to properties. It will normally be expected that the property will be brought up to the Decent Homes Standard as defined in Schedule 1.

Contribution to the Community Grant Programme

The Community Grant programme managed by the YMCA, offers grants to property owners to assist them in bringing long term empty properties back in to use. In return for the grant, the applicant must agree to lease the property to the YMCA for a 5 or 10 year term.

The Council is supporting this programme by providing technical assistance with the grant process, identifying properties suitable for the scheme and carrying out initial negotiations with property owners.

Cluster Bid Loans

Alongside the Empty Homes grants described above, Carlisle in conjunction with Allerdale and Copeland, have secured Cluster Loan funding from the Homes and Communities Agency. This is available in areas where clusters of empty properties have been identified. The loans may be used for individual dwellings, to bring empty residential accommodation above commercial premises, (such as flats above shops) into use and to convert commercial property to residential accommodation. On completion of the works, the property must achieve the Decent Homes Standard.

Landlords must re-let their property within 4 months of the work being completed, otherwise immediate repayment of the loan will be required. The landlord will be required to set up a payment plan to repay the loan. It is expected that loans will be in the region of £8,000 to £10,000. The maximum loan payable will be £15,000. A variable rate of interest determined by the Director of Resources will be applied. A condition of the loan will be that the property is re-let for a minimum period of 5 years.

Under this scheme, the repaid loan money will be recycled and ring fenced for empty homes to ensure that long term empty property intervention measures continue to be delivered.

Conditions attached to grants and loans

All grants and loans which have been paid will be registered as a Local Land Charge. Immediate repayment of grant will be required if grant conditions are not met. Immediate repayment of loan will be required if loan conditions are not complied with.

Decent Homes Standard

For the purposes of awarding Decent Homes, the following failures shall be considered:

- Dwellings containing one or more hazards assessed as serious ('Category 1') under the HHSRS.
- Dwellings not in a reasonable state of repair due to **either** one or more of the key building components are old and, because of their condition, need replacing or major repair; **or** two or more of the other building components are old and, because of their condition, need replacing or major repair.
- Dwellings without reasonably modern facilities and services, by virtue of lacking three or more of the following:
 - ◆ a reasonably modern kitchen (20 years old or less);
 - ◆ a kitchen with adequate space and layout;
 - ◆ a reasonably modern bathroom (30 years old or less);
 - ◆ an appropriately located bathroom and WC;
 - ◆ adequate insulation against external noise (where external noise is a problem);
 - ◆ adequate size and layout of common areas for blocks of flats.
 - ◆ A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria;
- Dwellings that do not provide a reasonable degree of thermal comfort by virtue of not having both effective insulation and efficient heating;

More detailed definitions of the reasons for failure of the Decent Homes Standard can be found in the Department for Communities and Local Government publication *Decent Homes, definition and guidance for implementation: June 2006 update*.

Housing Assistance Policy – Financial Information

External Funding Source	Funding Bid	Match funding	Estimated number of empty homes made ready for occupation
Cluster Bid – awarded to Carlisle City Council by the HCA for designated streets within designated wards, including empty properties within the Settle to Carlisle Conservation Area	£254,000	Empty Homes Officer - Year 1 £36,800 Empty Homes Officer - Year 2 £37,200 Housing Apprentice - Year 1 £5,700 Housing Apprentice - Year 2 £9,600 From DFG Department of Health £109,400 Conservation Rolling fund £75,000 ----- Total £273,700	Up to 45 properties by March 2015

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 7 MAY 2013

**EX.41/13 SCHEME OF HOUSING ASSISTANCE (EMPTY PROPERTIES AND
DISABLED FACILITIES GRANTS)**
(Key Decision – KD.08/13)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Communities and Housing Portfolio Holder submitted report CD.31/13 concerning the Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants).

By way of background, the Communities and Housing Portfolio Holder reminded Members that the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) placed a duty on local authorities to publish a Housing Assistance Policy for the private sector. The RRO had been adopted by the City Council on 9 September 2003 and subsequently amended to allow actions to be taken by Officers in relation to the private housing sector.

She added that Disabled Facilities Grants, which were mandatory and funded via a separate funding stream, would continue to be available under the proposed Housing Assistance Policy. Any other grants and loans which the Council proposed to offer would be discretionary and dependant upon the availability of resources.

Since April 2012 no housing assistance had been available in Carlisle for anything other than Disabled Facilities Grants. However, in recent months, successful bids for external funding had secured the finance necessary to enable assistance to be offered to the owners of empty homes to bring them back into use.

The funding had to be used in accordance with the prescribed criteria, but could be used to provide grants and loans. Most of the schemes currently being progressed had a finite lifespan with a cut off date of March 2014. The conditions attached to the funding streams were included in the proposed Housing Assistance Policy document (Appendix 1).

The Communities and Housing Portfolio Holder emphasised that approval of the amended Housing Assistance Policy would enable the Council to offer financial incentives to empty property owners to bring those properties back into use, and in so doing increase the availability of much needed housing accommodation in the area. A summary of the sources of funding obtained and the match funding requirements was provided at Appendix 2 to the report.

Opportunities to bid for empty property funding often arose at short notice and delivery of such schemes was expected within a short timescale. It was therefore advantageous to build flexibility into the Housing Assistance Policy.

In conclusion, the Communities and Housing Portfolio Holder moved the recommendations set out in the report, which were seconded by the Environment and Transport Portfolio Holder.

Summary of options rejected None

DECISION

1. That the Executive approved the new Policy for Housing Assistance and the use of funds as described in Appendix 2 to Report CD.31/13.
2. That the use of the funds, as outlined in Appendix 2 and granting of grants and loans, would be the responsibility of Officers and as such delegated to the Director of Community Engagement and Director of Resources.
3. That a decision to proceed with future Empty Property Schemes be delegated to the Portfolio Holder.

Reasons for Decision

The revised Housing Assistance Policy would enable the provision of loans and grants to be made to the owners of empty property and assist in bringing them back into use

EXCERPT FROM THE MINUTES OF THE COMMUNITY OVERVIEW AND SCRUTINY PANEL HELD ON 30 MAY 2013

COSP.39/13 SCHEME OF HOUSING ASSISTANCE (EMPTY PROPERTIES DISABLED FACILITIES GRANTS)

The Director of Community Engagement submitted report CD.34/13 that provided an updated housing scheme of assistance that reflected services that the Council undertook in relation to dealing with empty property and Disabled Facilities Grants (DFGs) in the private rented sector.

The report had previously been considered by the Executive on 7 May 2013 who had decided:

1. That the Executive approved the new Policy for Housing Assistance and the use of funds as described in Appendix 2 to Report CD.31/13.
2. That the use of funds, as outlined in Appendix 2 and granting of grants and loans, would be the responsibility of Officers and as such delegated to the Director of Community Engagement and Director of Resources.
3. That a decision to proceed with future Empty Property Schemes be delegated to the Portfolio Holder.

The Director of Community Engagement that the report would enable the Council to make loans to private landlords to bring empty properties back into use. There would potentially be an impact on homelessness and improve the environmental quality of Carlisle. The work could be undertaken following a successful application to the Government and would work in parallel with the Government to support grants to DFGs. The Communities, Housing and Health Manager and the Housing and health Services Manager had worked on the report and the Director acknowledged the amount of work they had undertaken in preparation of the report.

By way of background, the Communities, Housing and Health Manager reminded Members that the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) placed a duty on local authorities to publish a Housing Assistance Policy for the private sector. The RRO had been adopted by the City Council on 9 September 2003 and subsequently amended to allow actions to be taken by Officers in relation to the private housing sector.

Se added that Disabled Facilities Grants, which were mandatory and funded via a separate funding stream, would continue to be available under the proposed Housing Assistance Policy. Any other grants and loans which the Council proposed to offer would be discretionary and dependant upon the availability of resources.

Since April 2012 no housing assistance had been available in Carlisle for anything other than Disabled Facilities Grants. However, in recent months, successful bids for external funding had secured the finance necessary to enable assistance to be offered to the owners of empty homes to bring them back into use.

The funding had to be used in accordance with the prescribed criteria, but could be used to provide grants and loans. Most of the schemes currently being progressed had a finite lifespan with a cut off date of March 2014. The conditions attached to the funding streams were included in the proposed Housing Assistance Policy document (Appendix 1).

The report emphasised that approval of the amended Housing Assistance Policy would enable the Council to offer financial incentives to empty property owners to bring those properties back into use, and in so doing increase the availability of much needed housing accommodation in the area. A summary of the sources of funding obtained and the match funding requirements was provided at Appendix 2 to report CD.31/13 that had been considered by the Executive at their meeting on 7 May 2013. .

Opportunities to bid for empty property funding often arose at short notice and delivery of such schemes was expected within a short timescale. It was therefore advantageous to build flexibility into the Housing Assistance Policy.

The report also outlined the circumstances in which the Council could reclaim the grant and who would make that decision ie the Director and the Portfolio Holder.

Any work would have to be to a minimum standard and where there was a larger amount of work Officers would want to ensure a higher than basic decent homes standard.

The proposal would enable the Council to hold a recyclable loan fund which would enable the Council to do more work as there would be more funds available and that would be in line with Government policy to provide a recyclable loan policy. The Communities, Housing and Health Manager confirmed that the loan rate had not yet been set.

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

- *How many empty properties were there in Carlisle?*

The Communities, Housing and Health Manager advised that there were up to 45 houses at present and there had been a number of applications from the owners of properties with a cluster of bids operating in various areas of the City.

- *Would the Council require a list of work to be undertaken before approval of a loan?*

The responsibility for the work would be on the owner of the property. The Council could prescribe the standard of the work but not the actual work to be undertaken. The property would be checked before work commenced by the Empty Properties Officer

and advice on consents given. The property would again be inspected on completion of the work by the Empty Properties Officer who would be qualified to inspect the property. The reputation of contractors would be the responsibility of the owners of the properties and if the work was not completed to standard the loan would not be paid.

- *The loan would be needed for the work to be undertaken and therefore the loan would be spent before substandard work was identified. Therefore there needed to be sanctions if the work was not to standard.*

The Communities, Housing and Health Manager confirmed that the loan would be backed up by a charge on the property so the Council's position would be protected.

- *There may be some private landlords who may try to take advantage of the loan.*

The Communities, Housing and Health Manager was confident that procedures would be in place to safeguard the Council. Officers would work with landlords and the interest rate would be attractive to the Council.

- *Officers would not be able to determine whether the work was to standard until the work was completed and the Council could not realise any charge to the property until the property was sold.*

The Communities, Housing and Health Manager explained that Officers would need to look at the timing of loans. The Director advised that there would be a phased payment of the loan to reduce that risk which he believed to be modest and would not have a significant impact on the Council. In most cases Officers had a good relationship with the landlords or contractors and payment would be made in stages.

- *The Council would need to ensure that good quality work was provided as the loan was public money. Would it be possible to provide a list of approved contractors?*

The Communities, Housing and Health Manager advised that if the Council produced an approved list of contractors it would take on the liability that the work would be completed to an acceptable standard. Officers could signpost people to contracts used by the Council but could not produce an approved list.

- *How would the empty properties be identified?*

The Communities, Housing and Health Manager explained that Officers were working with colleagues in Revenues and benefits to identify empty properties from the annual return of the Council Tax list. Officers would go out and inspect properties that had been empty for 6 months or more.

The Private Sector Housing Technical Team Manager advised that the funding was only available in certain wards and did not relate to all properties. For example only part of Brampton town was included. The funding would be provided to areas where 10% of the properties were empty. Individual properties in rural areas would be excluded but there was scope to find other funding streams.

- *After a property had been empty for 6 months rates became payable. How often were the records updated?*

The Communities, Housing and Health Manager advised that some of the properties identified were not actually empty and Officers were working with other agencies and had identified 40 properties from the list only 2 of which were actually empty. Officers would continue to check the properties. When the scheme was promoted a lot of people made enquiries and if more funding was available the Council would have targeted other areas. However the scheme had been useful to a lot of people within Carlisle.

- *It was imperative that contractors were vetted in some way. A contract had recently been awarded for work at the Botcherby Community Centre and whilst the contract was not the cheapest the Member believed the work would be to a good standard.*

The Communities, Housing and Health Manager thanked Members for their feedback which had been useful. She confirmed that she would look at monitoring the quality of contractors and build that into the process.

The Council had dedicated Officers who worked with landlords and inspected the properties. They would specify the standard of work and the message would be clear about what standard the Council would accept.

- *Some small business do not complete relevant forms because of the bureaucracy attached to them and therefore would not be included in any list of contractors. It would be a shame for such businesses to be excluded.*
- *A recommended list could include smaller businesses. By keeping checks on the work and being clear how the process would work, including staged payments, would be a common sense approach.*

The Communities, Housing and Health Manager advised that at present the DFG payments were staged and the empty homes payments would be implemented in a similar manner.

- *Would the project refer to the Community Grant Project?*

The YMCA had successfully applied for funding from the Homes and Communities Agency for empty homes. The Council would provide the technical information and there were currently 12 referrals to the YMCA.

The Private Sector Housing Technical Team Manager confirmed that properties would need to be re-let within 4 months of completion of any work undertaken. The Communities, Housing and Health Manager advised that anyone undertaking work would need to provide a scope of works and that would be agreed with the builder. Once work was completed the owner would have 4 months to re-let the property. If the

work did not meet the required standard on completion sanctions could be taken. There would be a charge on the property that would enable the Council to recover the loan.

The Portfolio Holder confirmed that any decision on repayment would be made by the Director of Community Engagement and the Portfolio Holder which was the current policy.

- *Funding pockets were available regarding fuel poverty. Would such funding assist the empty properties scheme?*

The Communities, Housing and Health Manager confirmed that other products could be brought in where relevant but a lot would depend upon the circumstances of the owner of the property.

RESOLVED – 1) That Members were concerned about the quality of potential work to be undertaken on empty properties

2) That the Communities, Housing and Health Manager would monitor the work and follow up the issues raised

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 1 JULY 2013

**EX.066/13 **SCHEME OF HOUSING ASSISTANCE (EMPTY PROPERTIES AND
DISABLED FACILITIES GRANTS)**

(Key Decision – KD.08/13)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor had agreed that call-in procedures should not be applied to this item)

Having declared a disclosable pecuniary interest Councillor Glover left the meeting for the consideration of the following item. Councillor Martlew chaired the item.

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

Pursuant to Minute EX.41/13, the Communities and Housing Portfolio Holder reported (CD.33/13) that the current Scheme of Housing Assistance had been updated to reflect new services which Carlisle City Council could offer to private sector landlords on the back of successful funding bids to bring empty properties back into use.

The Portfolio Holder drew Members' attention to the revised Scheme of Assistance, attached at Appendix 1, which included empty property grants and loans. The Scheme had been updated as a result of a successful funding bid by the City Council. She added that the updated Policy re-stated the position with regard to Disabled Facilities Grants, which would remain mandatory.

The Community Overview and Scrutiny Panel had, on 30 May 2013, considered the matter and resolved:

- “1) That Members were concerned about the quality of potential work to be undertaken on empty properties
2) That the Communities, Housing and Health Manager would monitor the work and follow up the issues raised”

A copy of the Minute Excerpt COSP.39/13 had been circulated

The Chairman of the Community Overview and Scrutiny Panel gave an overview of discussions, commenting that the Panel had some concerns regarding the quality and monitoring of the work to be undertaken, however, the concerns had been addressed in

the report. She also congratulated staff on the successful funding bid which had enabled the amendments to the Scheme.

In conclusion, the Communities and Housing Portfolio Holder moved the recommendations which were seconded by Culture, Health, Leisure and Young People Portfolio Holder.

Summary of options rejected None

DECISION

1. That the Executive agreed the new Policy for Housing Assistance and the use of funds as described in Appendix 2 of Report CD.33/13 and recommended it to Council in accordance with the Council's Budget and Policy Framework.
2. That the use of the funds, as outlined at Appendix 2 and granting of grants and loans, would be the responsibility of Officers and, as such, delegated to the Director of Community Engagement and the Director of Resources.
3. That a decision to proceed with future Empty Property Schemes be delegated to the Portfolio Holder.

Reasons for Decision

The revised Housing Assistance Policy would enable the provision of loans and grants to be made to the owners of empty property and assist in bringing them back into use.

Report to Council

Agenda
Item:

20(vii)

Meeting Date: 16 July 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Considered under general exception
Within Policy and Budget Framework YES
Public / Private Public

Title: TREASURY MANAGEMENT COUNTERPARTIES
Report of: DIRECTOR OF RESOURCES
Report Number: RD08/13

Purpose / Summary:

This report was considered by the Executive on 7 May and 1 July, and has been considered by ROSP on 6 June.

This report requests approval to amend the limits that can be invested with different counterparties.

Recommendations:

Council is asked to:

- (i) approve the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7;
- (ii) note that the contract for Treasury Management Advisory Services has been re-tendered and awarded under powers delegated to the Director of Resources.

Tracking

Executive:	7th May 2013 and 1st July 2013
Overview and Scrutiny:	6th June 2013
Council:	16th July 2013

Report to Executive

Agenda
Item:

Meeting Date: 1 July 2013
Portfolio: Finance, Governance and Resources
Key Decision: Yes: Considered under general exception
Within Policy and Budget Framework YES
Public / Private Public

Title: TREASURY MANAGEMENT COUNTERPARTIES
Report of: DIRECTOR OF RESOURCES
Report Number: RD08/13

Purpose / Summary:

This report was previously considered by the Executive on 7 May, and has since been considered by ROSP on 6 June.

This report requests approval to amend the limits that can be invested with different counterparties.

Recommendations:

The Executive is asked to:

- (iii) Consider any responses from ROSP with regard to changes to the Counterparty limits;
- (iv) approve the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7, for recommendation to Council;
- (v) note that the contract for Treasury Management Advisory Services has been re-tendered and awarded under powers delegated to the Director of Resources.

Tracking

Executive:	7 th May 2013 and 1 st July 2013
Overview and Scrutiny:	6 th June 2013
Council:	16 th July 2013

1. BACKGROUND

- 1.1 The Treasury Management Strategy for 2013/14 was approved at Council on 5 February. Since this date, average investment balances have increased as a result of assets sales, and there have been significant changes to investment return interest rates. As a result of these changes, this report requests approval to amend the limits that can be invested with different counterparties.

2. PROPOSALS

- 2.1 As the Government backed banks, Lloyds Group and RBS have the security of Government backing, the current limit with these institutions is set at £8m. The investment strategy being followed is to place as much of the core cash balances of the Council with these two institutions in order to maximise returns whilst minimising the risk. Typical 1-year returns from these 2 institutions have fallen dramatically over the past 6 months from 3% to 1.1% as a result of the Bank of England's strategy of making funds available to the banks. As a result of this all banks are offering lower rates for investments as they have easier access to capital from the Bank of England.
- 2.2 Other credit rated banks that fall within the criteria set out in the Treasury Management Strategy Statement have a limit of £4m. This includes the Council's own bank, HSBC.
- 2.3 The Council has recently opened an overnight deposit account with HSBC that attracts a rate of 0.50%; typical overnight rates offered by other institutions, including Money Market Funds (MMF's) are around 0.40%. The Council has in the past used MMF's quite extensively for overnight deposits as the rates offered were close to 0.80%, but again, as a result of more capital in the banking system, rates have fallen. The added benefit of using the HSBC account is that there are no transaction charges for placing the funds in the account which are incurred when sending funds to other institutions.
- 2.4 HSBC is one of the largest global banks and has the highest short term credit rating of F1+ from Fitch and P1 from Moody's.
- 2.5 Therefore, it is proposed that the counterparty limit with HSBC be maintained at £4m for investments up to 3 years in duration but that an additional £2m be allowed for additional investments that are for less than 1 month in duration. This would give an overall limit of £6m which could be placed with HSBC at any one time, but that £2m would have a duration of less than 1 month.

The Council has approached its Treasury advisors, Sector, regarding these proposals and they have indicated that the strategy does not put the Council's investments at any additional risk.

2.6 Non credit rated institutions that have assets over £1bn be limited to investments of £2m. This would include the Cumberland Building Society.

2.7 The revised limits and investment criteria are set out at **Appendix A**, and in summary would be as follows:

Lloyds Group/ RBS	£8million
HSBC	£6million (split £4m long term, £2million less than 1 month)
Other Credit Rated banks/institutions	£4million
Non Credit Rated Banks/Building Societies	£2million

2.8 A further review of counterparty limits will be undertaken later in the year to ensure limits continue to best meet the investment needs. Officers attended a Treasury seminar on 25th April where alternative investments instruments were discussed such as corporate bonds; all alternatives will continue to be reviewed.

2.9 Under delegated powers, the Director of Resources has re-tendered and awarded the contract for Treasury Management Advisory Services for a two year period, with an option to extend for a further two years.

3. CONSULTATION

3.1 The Council's Treasury Advisers have been involved in the Strategy and proposals contained within this report.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

4.1 The Executive is asked to:

- (i) approve the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7, for recommendation to Council;
- (ii) note that the contract for Treasury Management Advisory Services has been re-tendered and awarded under powers delegated to the Director of Resources.

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: Steven Tickner

Ext: 7280

Appendices attached to report: Appendix A - Approved investment instruments

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

- None

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – n/a

Community Engagement – n/a

Economic Development – n/a

Governance – The Council's Treasury Management Strategy is defined in Article 4 of the Constitution as being part of the authority's "Budget". As such, it is correct for the matter to be considered by Overview & Scrutiny prior to recommendation to the Council by the Executive.

Local Environment – n/a

Resources – Contained within the report

APPROVED INVESTMENT INSTRUMENTS

Specified Investments

All such investments will be sterling denominated, with **maturities up to maximum of 1 year**, meeting the minimum 'high' rating criteria where applicable. **A maximum of £4m of the investment portfolio** will be placed with any one counterparty or banking group, or a maximum of **£8m of the investment portfolio for Lloyds Group banks and RBS Group Banks and £6m with HSBC Bank (with £2m being limited to investments less than 1 month in duration)** whether by way of specified or non-specified investments except for building societies without a credit rating where **the limit will be £2m**.

Fixed Term Deposits with fixed rates and maturities:-	Minimum 'High' Credit Criteria	Use
Debt Management Agency Deposit Facility	Government backed	In-house
Term deposits – local authorities	--High level of security	In-house
Term deposits – U K banks**	Short-term F1 (Fitch) or P1(Moodys)	In-house
Term Deposits – UK building societies**	Short Term F1 (Fitch) or P1 (Moodys) or as determined by the Director of Resources	In-house
Fixed term deposits with variable rate and variable maturities: -	Minimum 'High' Credit Criteria	Use
Callable deposits	Short-term F1 (Fitch) or P1 (Moodys)	In-house
Certificates of deposits issued by UK banks and building societies	Short-term F1 (Fitch) or P1 (Moodys)	In-house buy and hold
UK Government Gilts	Government backed	In-house buy and hold
Bonds issued by multilateral development banks	AAA	In-house on a 'buy-and-hold' basis.
Bonds issued by a financial institution which is guaranteed by the UK government	AAA	In-house on a 'buy-and-hold' basis.
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs): -	Minimum 'High' Credit Criteria	Use
1. Money Market Funds	Short-term AAA	In-house
2. Enhanced Cash Funds	Short-term AAA	In-house
3. Government Liquidity Funds	Short-term AAA	In-house

** If forward deposits are to be made, the forward period plus the deal period should not exceed one year in aggregate.

Non-Specified Investments:

A maximum of 50% will be held in aggregate in non-specified investments

1. Maturities of ANY period.

	Minimum Credit Criteria	Use	Max % of total investments	Max. maturity period
Term deposits with non credit rated UK Building Societies	As approved by the Director of Resources. Minimum asset base of £1bn	In-house	50	364 days

2. Maturities in excess of 1 year

	Minimum Credit Criteria	Use	Max % of total investments	Max. maturity period
Term deposits – local authorities	Any authority	In-house	50	3 Years
Term deposits – UK banks and building societies	Long-term A (Fitch) or A2 (Moody's)	In-house	50	3 Years
Fixed term deposits with variable rate and variable maturities	Minimum Credit Criteria	Use	Max % of total investments	Max. maturity period
Certificates of deposits issued by UK banks and building societies	Long-term A (Fitch) or A2 (Moody's)	In house on a 'buy and hold basis'	50	3 Years
UK Government Gilts	Government backed	In house on a 'buy and hold basis'	50	3 Years
Bonds issued by multilateral development banks	AAA	In-house on a 'buy-and-hold' basis.	50	3 Years
Bonds issued by a financial institution which is guaranteed by the UK government	AAA	In-house on a 'buy-and-hold' basis.	50	3 Years
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)	Minimum Credit Criteria	Use	Max % of total investments	Max. maturity period
1. Bond Funds	Long-term AAA	In-house	50	3 Years
2. Gilt Funds	Long-term AAA	In-house	50	3 Years

The Council uses Fitch (primarily) or Moody's ratings to derive its counterparty criteria. All credit ratings will be monitored monthly. The Council is alerted to changes in credit ratings through its use of the Sector creditworthiness service. If a downgrade results in the counterparty/investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 7 MAY 2013

EX.42/13 TREASURY MANAGEMENT COUNTERPARTIES
(Key Decision)

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules; and Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 this item was included on the Agenda as a Key Decision, although not in the Notice of Executive Key Decisions)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder submitted report RD.08/13 concerning Treasury Management Counterparties.

The Portfolio Holder reminded Members that the Treasury Management Strategy for 2013/14 had been approved by Council on 5 February 2013. However, since that date average investment balances had increased as a result of asset sales, in addition to which there had been significant changes to investment return interest rates.

As a result of the above the Finance, Governance and Resources Portfolio Holder outlined a proposal to amend the limits which could be invested with different counterparties. He further summarised the revised limits and investment criteria (as set out at Appendix A), namely:

Lloyds Group / RBS	£8 million
HSBC	£6 million (split £4 million long term, £2 million less than 1 month)
Other Credit Rated Banks/institutions	£4 million
Non Credit Rated Banks/Building Societies	£2 million

A further review of counterparty limits would be undertaken later in the year to ensure limits continued to best meet the investment needs. Officers had attended a Treasury

Seminar on 25 April 2013 where alternative investments instruments were discussed such as corporate bonds; all alternatives would continue to be reviewed.

The Finance, Governance and Resources Portfolio Holder added that the Director of Resources had, under delegated powers, re-tendered and awarded the contract for Treasury Management Advisory Services for a two year period, with an option to extend for a further two years.

In conclusion the Finance, Governance and Resources Portfolio Holder moved the recommendations which were duly seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

1. Approved the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7 of Report RD.08/13 for recommendation to Council.
2. Noted that the contract for Treasury Management Advisory Services had been re-tendered and awarded under powers delegated to the Director of Resources.

Reasons for Decision

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

EXCERPT FROM THE MINUTES OF THE RESOURCES OVERVIEW AND SCRUTINY PANEL HELD ON 6 JUNE 2013

ROSP.38/13 TREASURY MANAGEMENT COUNTERPARTIES

The Director of Resources submitted report RD.08/13 concerning Treasury Management Counterparties.

The Director reminded Members that the Treasury Management Strategy for 2013/14 had been approved by Council on 5 February 2013. However, since that date average investment balances had increased as a result of asset sales, in addition to which there had been significant changes to investment return interest rates.

As a result of the above the Director of Resources outlined a proposal to amend the limits which could be invested with different counterparties. He further summarised the revised limits and investment criteria (as set out at Appendix A), namely:

Lloyds Group / RBS	£8 million
HSBC	£6 million (split £4 million long term, £2 million less than 1 month)
Other Credit Rated Banks/institutions	£4 million
Non Credit Rated Banks/Building Societies	£2 million

A further review of counterparty limits would be undertaken later in the year to ensure limits continued to best meet the investment needs.

The Executive had on 7 May 2013 (EX.43/13) considered the report and decided:

“That the Executive:

1. Approved the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7 of Report RD.08/13 for recommendation to Council.
2. Noted that the contract for Treasury Management Advisory Services had been re-tendered and awarded under powers delegated to the Director of Resources.”

RESOLVED – That the Treasury Management Counterparties report (RD.08/13) be noted.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 1 JULY 2013

EX.067/13 **TREASURY MANAGEMENT COUNTERPARTIES
(Key Decision – KD.013/13)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor had agreed that call-in procedures should not be applied to this item)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

Pursuant to Minute EX.42/13, the Deputy Leader and Economy and Enterprise Portfolio Holder submitted report RD.08/13 concerning Treasury Management Counterparties.

The Portfolio Holder reminded Members that the Treasury Management Strategy for 2013/14 had been approved by Council on 5 February 2013. However, since that date average investment balances had increased as a result of asset sales, in addition to which there had been significant changes to investment return interest rates.

As a result of the above the Deputy Leader and Economy and Enterprise Portfolio Holder outlined a proposal to amend the limits which could be invested with different counterparties. He further summarised the revised limits and investment criteria (as set out at Appendix A), namely:

Lloyds Group / RBS	£8 million
HSBC	£6 million (split £4 million long term, £2 million less than 1 month)
Other Credit Rated Banks/institutions	£4 million
Non Credit Rated Banks/Building Societies	£2 million

He added that a further review of counterparty limits would be undertaken later in the year to ensure limits continued to best meet the investment needs. Officers had attended a Treasury Seminar on 25 April 2013 where alternative investments instruments were discussed such as corporate bonds; all alternatives would continue to be reviewed.

The Director of Resources had, under delegated powers, re-tendered and awarded the contract for Treasury Management Advisory Services for a two year period, with an option to extend for a further two years.

The Resources Overview and Scrutiny Panel had, on 6 June 2013, considered the matter and resolved that the report be noted.

A copy of Minute Excerpt ROSP.38/13 had been circulated.

In conclusion the Deputy Leader and Economy and Enterprise Portfolio Holder moved the recommendations which were duly seconded by Culture, Health, Leisure and Young People Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

1. Had considered the response provided by the Resources Overview and Scrutiny Panel with regard to changes to the counterparty limits (as detailed in Minute ROSP.38/13).
2. Approved the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7 of Report RD.08/13 for recommendation to Council.
3. Noted that the contract for Treasury Management Advisory Services had been re-tendered and awarded under powers delegated to the Director of Resources.

Reasons for Decision

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

Report to Council

Agenda
Item:

20(viii)

Meeting Date: 16th July 2013
Portfolio: Environment and Transport
Key Decision: Yes: Recorded in the Notice Ref:KD.07/13
Within Policy and Budget Framework NO
Public / Private Public

Title: Release of Funding for Interim Provision of Bring Site Service
Report of: The Director of Local Environment
Report Number: LE 21/13

Purpose / Summary: The current Bring Site contract with Cumbria Waste Recycling expires on 1st April 2014. As there are two significant contracts in waste services, the Bring Site service which is due to terminate in March 2014 and the Kerbside Box Recycling service which is due to terminate in March 2015, it is desirable to consider both contracts concurrently in 2015 therefore the Executive decided to defer the tender of the Bring site service and bring the service in house pending a wider consideration of waste service provision to be implemented from 2015.

Recommendations:

That Council approve an increase to the capital programme in 2013/14 by £227,000, funded initially from capital receipts but repayable over 4 – 5 years from revenue savings, to fund the new vehicles required to provide an in-house service and place orders for machinery and ancillary equipment with immediate effect (should the service be outsourced in 2015, the vehicles and machinery will be included within the specification for the contract).

Tracking

Executive:	31st May 2013
Overview and Scrutiny:	8th May 2013
Council:	16th July 2013

1. BACKGROUND

The Executive considered the Bring site review and decided to bring the service in house. In order to procure the vehicles and other equipment to deliver the service, Council is asked to approve the addition of £227,000 to the Capital programme in 2013/14. This will be funded initially from capital receipts but these will be repaid through revenue savings achieved as an invest to save scheme. The payback period will be four to five years.

1.1 Option 1- Not approve the release of funds

No release of funds will mean that the service cannot be provided so in 9 months time as this contract expires there will be no bring site provision and this will result in the ceasing of the service. The recycling collection via the bring sites will stop until the tender of both contracts in 2015.

Alternatively the contract could be re-tendered as a stand alone piece of work in advance of the end of the main kerbside recycling contract to commence from April 2014, potentially losing out on the benefits of having one service provider for all recycling services which are currently contracted out.

1.2 Option 2 – Approve release of funds to enable the Interim In-house Service

Release of funds will enable the Council to bring the Bring Site service in house as an interim step pending the wider consideration of waste service provision to be implemented from 2015. This gives the benefit of having one service provider for all recycling services which are currently contracted out. Should the service be outsourced in 2015, the vehicles purchased to deliver the service in house will be included within the specification for the contract.

2. RECOMMENDATIONS

- 2.1 That Council approve an increase to the capital programme in 2013/14 by £227,000, funded initially from capital receipts but repayable over 4 – 5 years from revenue savings, to fund the new vehicles required to provide an in-house service and place orders for machinery and ancillary equipment with immediate effect (should the service be outsourced in 2015, the vehicles and machinery will be included within the specification for the contract).

3. CONSULTATION

3.1 Economy and Environment 8th May 2013

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

4.1 An in-house service will provide greater flexibility and direct control of the service, pending the wider procurement exercise in 2015. The cost of the vehicles will be met within the overall revenue cost of the service.

Contact Officer: Angela Culleton

Ext: 7325

**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:

Audit report

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance – The Council is subject to legislation and targets relating to the level and manner in which waste is collected and disposed. It is important that the manner of collection is as efficient as it can be to better able the Council to meet the demands placed upon it. The proposal within the Report enables the Council to deal with the expiry of existing contracts and move forward into a planned procurement process in accordance with the Public Contract Regulations 2006.

Local Environment –

Resources – The proposal to provide the bring sites service in house from 1 April 2014 pending a full review of recycling services in April 2015 will achieve minimum savings of £77,000, (after allowing for £49,000 invest to save savings to repay capital investment) over the current contract cost. A full review of bring sites has been undertaken to ensure that only those sites that are used will be serviced from 1 April 2014, and bringing this service in house will achieve the best financial outcome for the Council. New vehicles and other ancillary equipment will be needed to provide this service, and it is proposed that these are funded via the savings generated. If the review of recycling that will be carried out in 2015, decides that the service should be outsourced, the vehicles and equipment will be included in the tender specification so that any new provider takes responsibility for using these in the provision of the service. The savings achievable of £77,000 do not include any income from the sale of recyclates as prices would have to be agreed with merchants for their sale and a separate procurement exercise needs to be carried out in order to determine the rates that could be achievable per tonne of recycling. The new vehicles and equipment required to deliver this service will cost £227,000, and it is proposed that these be funded from capital receipts in the first instance. This capital funding will be repayable from revenue savings over a period of 4 – 5 years, at £49,000 per annum.

HR implications -

**EXCERPT FROM THE MINUTES OF THE
ENVIRONMENT AND ECONOMY
OVERVIEW AND SCRUTINY PANEL
HELD ON 8 MAY 2013**

EEOSP.29/13 BRING SITES REVIEW

The Director of Local Environment submitted Report LE.14/13 that considered options available to the Council and the costs and risks associated with each option. The Director gave a presentation that expanded on the issues raised within the report. She explained that the Bring Sites were in operation before kerbside recycling collections were introduced and relevant contracts were due to expire in 2014 and 2015. The use of Bring Sites had reduced as more people used the kerbside recycling. Therefore it was decided to undertake a review the current level of service provision required alongside the popular kerbside recycling collection and bring the contracts into line.

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

A Member was impressed with the proposal and believed that it would save money and create a better service. He suggested that supervision of the contract should be taken into account in any tender process.

The Director confirmed that an e-mail had been sent to all City Councillors advising them of the consultation on the bring sites review and the purple sacks review. With regard to the impact on education if sites were removed from schools, the Director advised that education would continue and children would be encouraged to convince parents to recycle more.

The Environment and Transport Portfolio Holder advised that the meeting of the Panel was the first discussion on the issues and there would not be time to feed back information from the consultation before the report was presented to the Executive for consideration.

The Director explained that sites that were performing well would be retained while those that were not used would be closed.

A Member agreed with the proposal in principle but queried whether distances between sites had or would also be taken into account.

The Director explained that Officers had looked at the provision of the service and those that were being used would be retained. The service began before kerbside recycling was introduced and a review should have been undertaken at that point as there was now an overprovision of service.

The Portfolio Holder confirmed that no decision had been taken and the provision of sites would be part of the consultation.

A Member was pleased that the Panel were being consulted at the start of the process as it gave the opportunity to scrutinise the proposals and make recommendations to the Executive.

A Member would have preferred to have had more information about the criteria for which sites would potentially be removed before the meeting.

The Director circulated a document that indicated which sites may be removed if the Executive approved the proposals.

A Member stated that if Members were not happy with the decision made by the Executive on 31 May 2013 their decision could be called in for further scrutiny.

The Director advised that the consultation period would end on 28 May 2013 and a summary of responses could be circulated to Panel Members prior to the Executive meeting.

The Portfolio Holder stated that the consultation period gave Members the opportunity to raise issues prior to consideration by the Executive.

RESOLVED – (1) That Report LE.14/13 – Bring Sites Review – be noted.

(2) That the Panel agreed with and supported the recommendations within the report. Following scrutiny of the evidence of the use of the Bring Sites, Members agreed that the criteria followed for the proposed closure of a site had been fair.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

EX.54/13 BRING SITES REVIEW
(Key Decision – KD.07/13)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Environment and Transport Portfolio Holder reported (LE.08/13) that the Bring Site Service had been in operation before kerbside recycling collections were introduced. However, since the introduction of kerbside recycling, many customers now used it as a more convenient way to recycle and the use of bring sites had therefore reduced. She added that it was now time to review the current level of service provision required to sit alongside the popular kerbside recycling service.

The first step in the review had been the recent internal Audit Review of the Council's Bring Site contract considered by the Audit Committee on 15 April 2013. The review suggested that the contract did not provide value for money (the contract cost the Council £246,475 per annum). In addition, the contract was under achieving on the income (the under achieved forecast for 2012/13 being £30,000).

The Environment and Transport Portfolio Holder then outlined the following options for delivery of a more cost effective Bring Site service, together with the costs and risks associated with each option:

- Option 1 – do nothing
- Option 2 – Cumbria Waste and Recycling Bring Sites Cost Savings Proposals
- Option 3 – In-house service

In conclusion, the Environment and Transport Portfolio Holder moved the recommendations, which were seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

The Environment and Economy Overview and Scrutiny Panel had, on 8 May 2013, considered the matter and resolved:

“(1) That Report LE.14/13 – Bring Sites Review – be noted.

(2) That the Panel agreed with and supported the recommendations within the report. Following scrutiny of the evidence of the use of the Bring Sites, Members agreed that the criteria followed for the proposed closure of a site had been fair.”

A copy of Minute Excerpt EEOSP.29/13 had been circulated.

The Chairman of the Environment and Economy Overview and Scrutiny Panel began by expressing her deepest sympathy on the death of Councillor Joe Hendry. She commended the Deputy Leader and Members of the Executive for continuing in such difficult circumstances.

The Chairman stated that she had not been appointed Chairman of the Panel (nor was she a Member) at the time of the Review. A number of recommendations had been made in response to the Review and the Chairman believed that Overview and Scrutiny should have the opportunity to discuss the outcomes from the consultation, since the end decision would have an impact upon both urban and rural communities.

In response, the Environment and Transport Portfolio Holder said that Overview and Scrutiny were well aware of the reasons behind the Bring Sites Review. She further emphasised that bring sites would be reviewed on usage and not geography, with those sites which were well used being retained.

The Environment and Transport Portfolio Holder confirmed that she stood by the recommendations.

Summary of options rejected Other Options identified in the report

Decision

That the Executive approved the following proposals:

1. Reduce the number of bring sites from 151 to 90, the detail of which to be delegated to the Director of Local Environment in consultation with the Portfolio Holder for Environment and Transport
2. Cease the adopt-a-site payments as of 1 July 2013
3. Provide an in-house service for the collection of bring site materials as from 1 April 2014 pending the wider procurement exercise in 2015
4. Consider further the provision of an in-house skip service from April 2014
5. Recommended that the City Council make an invest to save bid for the new vehicles required to provide an in-house service and place orders for machinery with immediate effect (should the service be outsourced in 2015, the vehicle would be included within the specification for the contract)

Reasons for Decision

The in-house bid would save £77,000 in 2014/13 compared to £16,206 (£8,103 savings in 2013/14 and 2014/15) in the Cumbria Waste Recycling proposal

The in-house service offered greater overall savings, provided an enhanced service, contributed to the Love Where You Live campaign and supported a more cohesive cleansing service in local environment. An in-house service would provide greater flexibility and direct control of the service, pending the wider procurement exercise in 2015

The current contract with Cumbria Waste Management did not offer value for money and should therefore not be extended

Report to Council

Agenda
Item:

20(ix)

Meeting Date: 16th July 2013
Portfolio: Economy and Enterprise
Key Decision: Yes: Recorded in the Notice Ref:KD.014/13
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: CARLISLE DISTRICT LOCAL PLAN 2015-2030 PREFERRED
OPTIONS CONSULTATION - POLICIES AND ALLOCATIONS
COMBINED
Report of: Director of Economic Development
Report Number: ED.20/13

Purpose / Summary:

This report combines the policy content brought before Executive on 1st July and the site allocations brought before Executive on 15th July, for the Carlisle District Local Plan 2015-2030 preferred options. The intention is to progress to public consultation (29th July - 16th September 2013) on the Carlisle District Local Plan preferred Options 2015-2030 – policies and allocations combined.

Recommendations:

That Council:

1. Approve the Carlisle District Local Plan 2015-2030 Preferred Options for public consultation and the supporting documents.

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. BACKGROUND

- 1.1** Preparation of the Carlisle District Local Plan (CDLP) has been ongoing since 2010, during which time an extensive evidence base has been produced, covering topics as diverse as flooding, travellers, renewable energy and the viability of affordable housing requirements. There has also been extensive engagement with local communities and stakeholders, and two consultation exercises on the Key Issues, and the Issues and Options.
- 1.2** At that time, officers were working on producing a Local Development Framework, (a suite of separate documents including a Core Strategy, Development Control policies and Site Allocations), each with its own time frame. However, a change to the planning system was brought about by the Government in March last year in the form of the NPPF. This resulted in the requirement for local planning authorities to produce a local plan.
- 1.3** The previous reports and presentations at Executive on 31st May and 17th June and Overview and Scrutiny on 13th and 25th June all made reference to the production of a single Local Plan that contains strategic and non strategic development management policies as well as site allocations. The timetable of this production process has been discussed at these previous meetings and as such the Local Development Scheme, which is a timetable of the Plan Production process for Carlisle has been updated and added to the report for approval alongside the CDLP Preferred Options 2015-2030.
- 1.4** The CDLP will provide a statutory planning policy framework for Carlisle District which will provide developer and community confidence in decision making. This framework will enable the development and expansion of quality homes and businesses, the delivery of infrastructure, and help to foster a wider cultural and leisure offer.

2. PROPOSALS

- 2.1** Executive has considered both reports for the policies and the site allocations (1st July and 15th July) and considered comments made at Overview and Scrutiny Panel (13th and 25th June).
- 2.2** The two reports have until this point passed through the Councils democratic processes separately as they are very large documents containing a lot of detail.

However, both reports have now been combined so that CDLP preferred options can be read as one document therefore making it easier to use and refer to.

- 2.3** The CDLP preferred options has been drafted so that its policies are sufficiently flexible to adapt to change. The policies in the CDLP include allocations to provide a range of development including housing, employment and community uses up to 2030.
- 2.3** The CDLP preferred options outlines how the Council will help promote sustainable development by being positive to seeking to meet the development needs of Carlisle. The CDLP preferred options has been informed by a variety of sources which aim to objectively assess the needs for Carlisle over the plan period. These include:
- Carlisle City Council Housing Needs and Demands Study
 - Carlisle Employment Land Study
 - Carlisle Retail Study
 - Sites previously assessed and consulted on through the SHLAA and some recently submitted sites;
 - Affordable Housing Economic Viability Assessment;
 - Strategic Flood Risk Assessment
- 2.4** In terms of housing, all of the site allocations put forward in this report are required in order for the Council to meet its proposed annual housing target of 550-650 per year, with an urban/rural split of 70/30%. This has been based on appropriate evidence that is listed above.
- 2.5** As the Council can currently demonstrate a five year housing supply with an additional buffer of 20%, it has not been considered necessary to allocate sites for development in the first five years of the Plan period.
- 2.6** The CDLP preferred options identifies sites that are intended to come forward in years 6 – 10 of the plan period. For years 11 – 15, i.e. 2025 – 2030, a broad location for growth has been identified in the area of Carlisle south, spreading westwards from junction 42 of the M6 to Durdar, with potential to expand further in a later plan period. The ultimate aim of this area of development would be to enable the construction of a southern relief road, linking junction 42 with the newly opened western relief road, (CNDR).
- 2.7** The purpose of the CDLP preferred options is to allow the public the opportunity to see the progress that has been made in preparing the CDLP and make the process

as clear and transparent as possible. The consultation allows the public to make comments and suggest alternative ideas. The policies and site allocations can be amended based upon the representations received.

- 2.8** The Council, in the production of the CDLP Preferred Options, have prepared an Infrastructure Delivery Plan and have been active in cooperating with neighbouring authorities and other key stakeholders to ensure the preferred options are deliverable and in accordance with other projected future proposals. The Council will be actively engaging with these stakeholders (listed in the SCI) during the consultation process with specific targeted questions.
- 2.9** When the CDLP Preferred Options begins its consultation, the Policies Map and a number of assessments, required to be undertaken alongside the CDLP, will be published at the same time. These will include a Sustainability Appraisal, a Habitats Regulations Assessment, and Equalities Impact Assessment and a Health Impact Assessment.
- 2.10** Following on from the Preferred options, the next stages in the plan preparation are:
Publication - winter 2013 (comments can only be made on the 'soundness' of the plan, not general comments about the content and wording of policies)
Submission - Spring 2014 (plan submitted to the Secretary of State)
Examination - summer 2014 (independent examination by Inspector)
Adoption - winter 2014.
Further explanation of the stages of the CDLP production is included in the LDS.

3. CONSULTATION

- 3.1** A seven week consultation period is proposed between 29th July and 16th September 2013. A consultation strategy has been drawn up with the Communications Team to ensure that a range of opportunities are available to engage the public and stakeholders. It is recognised that certain bodies such as parish councils do not hold meetings during the school holiday period, and as such it is accepted that there will be continued dialogue with parish councils into October to gather their comments on the Plan.
- 3.2** The consultation strategy has built upon the Council's Statement of Community Involvement (SCI). This document sets out how the Council will engage with the public in respect of the planning process both in respect of Planning applications and the production of policy documents. The SCI has been updated in cooperation with the communication and development management departments. It is included

as Appendix to this report for approval as it provides fullness of the consultation approach for the Local Plan which has been agreed at Executive 17th June and Overview and Scrutiny 25th June.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1** Approval for the CDLP Preferred Options for consultation will enable the whole Local Plan, (policies and allocations), to meet the timescale set out in the Planning Service Project Plan. Having an up to date Local Plan with accompanying documents (LDS and SCI) is a central requirement of Government Planning policy, and provides an effective policy framework to guide development over the Plan period, and on which to make decisions on planning applications. It also gives certainty and confidence to developers and the community.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1** The Local Plan will enable the delivery of key elements of the vision within the Carlisle Plan, in particular:
- support the growth of more high quality and sustainable business and employment opportunities;
 - address Carlisle's current and future housing needs;
 - develop vibrant sports, arts and cultural facilities.

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Appendices attached to report:

- Appendix 1 – Carlisle District Council Local Plan Preferred Options 2015-2030**
- Appendix 2 – Carlisle District Council Local Development Scheme - Updated 2013**
- Appendix 3 – Carlisle District Council Statement of Community Involvement - Updated 2013**

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:

- ED.11/13, ED.13/13, ED.14/13, ED.15/13, ED.17/13, ED.19/13

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - The Local Plan will help to deliver the objectives of the Carlisle Plan.

Community Engagement – The Local Plan policies will help deliver the housing strategy and address community issues when development proposals are considered.

Economic Development – The Local Plan provides the basis for delivering economic growth and guiding development proposals throughout the District.

Governance – The Local Plan is prepared under the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008 (as amended by the Localism Act 2011).

Local Environment – The Local Plan is prepared under the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008 (as amended by the Localism Act 2011).

Resources - The preferred options report is produced within the Council's own planning policy resources with the use of existing budgets to undertake the required evidence base.

Carlisle District Local Plan 2015-2030

PLANNING CARLISLE'S FUTURE

Preferred Options Consultation Summer 2013

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Foreword from Portfolio Holder

- To be added post approval by full Council.

1 Introduction

The New Local Plan

1.1 This new Local Plan is central to the future development of Carlisle District. It sets out the long term spatial vision of the District for the next 15 years and beyond, including our strategic objectives, spatial strategy and Development Management policies. The Local Plan will indicate in broad terms what development will be delivered in the District, and where.

1.2 The Plan seeks to set the policy framework to support the development of a thriving economy in Carlisle District whilst protecting those things that are important to us all. With a drive for the District to grow, the plan identifies a number of sites for new employment, new housing and new infrastructure to accommodate the growth needed to achieve the vision and objectives of this plan.

1.3 The Plan identifies the Council's preferred location of new development across the towns and villages of Carlisle District and the detailed planning policies that will be used to determine planning applications. We acknowledge that the Plan is ambitious but we know from the supporting evidence that it needs to be.

1.4 The following sections in the introduction set out how the Plan has developed, how it fits into the national context, how we have evidenced our approach, how we have engaged with neighbouring Councils, and, importantly, how you can be involved as the Plan evolves.

1.5 To date, working to the requirements of the 2004 Planning and Compulsory Purchase Act, the preparation of the Plan has focused on the development of a 'Core Strategy'. This has included strategic policies to define the quantity and distribution of new development across the District and identify strategic development sites essential to the delivery of the Plan as a whole. We have now modified this approach, taking the opportunity to develop a Local Plan as recommended by the National Planning Policy Framework. This opportunity has made it possible for us to adopt an innovative approach to plan preparation, to both accelerate the detail of the Plan and to provide greater certainty for developers and communities. Your responses to both the Key Issues and Issues and Options Consultations have been taken on board and used to inform this Preferred Options document.

1.6 The Carlisle District Local Plan provides a new framework for development to 2030. It includes a comprehensive range of policies to determine planning applications as well as identifying development sites essential to the delivery of the Plan. This revised approach will ensure that the Plan will be finalised at the earliest possible opportunity, and that deliverable development sites will be available across the District to deliver the Plan as soon as it is adopted. It also embraces the concept

of Localism, should local communities wish to promote additional development through Neighbourhood Development Plans.

1.7 The Plan identifies a clear strategy for Carlisle centred upon the ambition to make sure that the District's economy is strong and able to generate employment opportunities and high quality jobs. Active community involvement at each key stage of plan preparation has helped to mould the Plan and previous consultation responses can be viewed on our website at www.carlisle.gov.uk/localplan

The Localism Act and the National Planning Policy Framework

1.8 The Localism Act has introduced a number of important reforms to the planning system. The National Planning Policy Framework is a streamlined framework replacing the previous Planning Policy Guidance Notes and Statements. The Carlisle Local Plan embraces and reflects these changes.

The Localism Act 2011

1.9 The Act set out its intention to abolish all regional level plans. The North West Regional Spatial Strategy (RSS) has now been revoked (20th May 2013).

1.10 The Act also introduces the concept of Neighbourhood Development Planning (NDP) for smaller areas. The Development Plan will therefore now comprise the Carlisle District Local Plan (i.e. this Local Plan), any Neighbourhood Plans that may be prepared by parish councils, or in un-parished areas by Neighbourhood Forums and also the Cumbria Minerals and Waste Local Plan (MWLP). NDPs allow communities to develop a vision of what their area should be like and make decisions on where certain types of development should go. They go through a formal preparation process but importantly need to be in line with the strategic policies of the Carlisle Local Plan and are about facilitating development, not stopping it.

1.11 The Localism Act introduces a Duty to Co-operate, requiring the Council to work with neighbouring authorities and a wide variety of public bodies on cross boundary planning issues and issues of common concern (see paragraphs 1.13-1.14).

The National Planning Policy Framework

1.12 The National Planning Policy Framework (NPPF) (2012) states that each local authority should produce a Local Plan for its area which can be reviewed in whole or in part. Additional planning documents should only be used where justified. This is different from the previous Local Development Framework system with its suite of

documents and an overarching Core Strategy. The NPPF does however, reiterate that planning should be genuinely 'plan led' when determining planning applications.

The Duty to Cooperate

1.13 The Duty to Cooperate ensures that local authorities undertake a wide range of engagement and discussions with relevant local authorities and public organisations to ensure that there has been in the past, and will be in the future a high level of cooperation in the plan making process. Regular liaison meetings have been held with consultees to ensure that issues of common concern continue to be taken into account as the Plan evolves. Notably, the Council has and will continue to work with all neighbouring authorities, Cumbria County Council and other relevant organisations such as the Environment Agency and United Utilities.

1.14 As an outcome of this cooperation the Plan seeks to recognise the economic, social and environmental linkages with neighbouring areas and has provided opportunities for joint working and policy development. At the end of the process a duty to cooperate statement will be published.

Supporting Documents and Evidence Base

1.15 The Carlisle Local Plan Preferred Options is accompanied by a number of other documents, some of which are essential to the delivery of the Plan.

1.16 The Draft Infrastructure Delivery Plan identifies the strategic and local infrastructure necessary to deliver the development proposals in the Carlisle District Local Plan. New development is often dependent on the delivery of essential infrastructure including flood prevention, transport improvements and sewage treatment works. Similarly, the development of new sustainable communities requires the provision of health, education and community facilities as well as access to jobs, to create sustainable communities for the future. The Infrastructure Delivery Plan will be reviewed and updated throughout the lifetime of the Plan to identify and ensure the timely delivery of essential infrastructure.

1.17 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (now amended by the Community Infrastructure Levy (Amendment) Regulations 2011). This provides the enabling powers for Local Authorities to apply CIL to development proposals to support infrastructure delivery which in turn will support delivery of this Development Plan.

1.18 The Council is yet to make a judgement as to whether a CIL should be adopted. Any final decisions will be subject to viability studies being undertaken and an Examination in Public.

1.19 A number of supporting documents and evidence papers have contributed to the preparation of the Plan. Further information can be found on the Evidence Base page of the Council's website on the following publications:

- Duty to Co-operate (Ongoing);
- The Sustainability Appraisal of the Plan (ongoing);
- Rural Proofing of the Plan (ongoing);
- Habitat Regulations Appraisal of the Plan (ongoing);
- Housing Needs and Demand Study (2011);
- Affordable Housing Economic Viability Assessment (2013)
- Strategic Housing Land Availability Assessment (ongoing);
- Employment Land Review (2010);
- Strategic Flood Risk Assessment (2011);
- Green Infrastructure Strategy (2012);
- Cumbria Landscape Character Guidance Toolkit (2011);
- Retail Study (2012);
- Cumbria Renewable Energy Capacity & Deployment Study (2011);
- Sports Facilities, Recreation, Open Space Strategy (Draft 2013);
- Gypsy & Traveller Accommodation for Cumbria (due for completion July 2013);
- City Centre Master Plan (ongoing);
- Infrastructure Delivery Plan (ongoing);
- Statement of Community Involvement (updated 2013);
- Viability Assessment of Local Plan;
- Cumbria Surface Water Management Plan;
- Health Impact Assessment;
- Equality Impact Assessment;
- Economic Potential Study;
- Rural Masterplanning
- Cumbria Local Transport Plan 3

Rural Masterplanning

1.20 The City Council has been working with Parish Councils and rural communities in 22 of the larger villages and small towns to help determine future options for the location of housing and other new development in our rural areas. The work has been carried out in collaboration with the Commission for Architecture and the Built

Environment (CABE). Detailed settlement profiles are being or have been drawn up for each village. Residents of the villages and the surrounding area have been given the opportunity to contribute their aspirations for future development within their village.

1.21 The profiles look at existing services and their capacity, for example the number on the school roll, frequency of bus services, viability of the shop/pub etc. We have also been looking at how villages relate to each other, for example, where the children go to primary school, access to public transport and health care, and where the nearest shop is located. The surrounding landscape is also assessed and important views into and out of villages identified, together with areas of wider landscape which frame the edge of the village and are unlikely to be suitable for development. This information has been used to inform this plan and will continue to be a useful tool when assessing planning applications. Settlement profiles are available on our website.

Sustainability Appraisal

1.22 Sustainability Appraisal (SA) is a statutory process integrated into the preparation of all aspects of the Carlisle District Local Plan. The process measures the potential impacts of the Plan on a range of economic, social and environmental considerations, and includes the requirements of Strategic Environmental Assessment legislation.

1.23 At the Issues and Options stage, the Plan was subject to a scoping SA. The results of this exercise were used to inform the preparation of this Preferred Option document. Furthermore all policies and proposals in the Preferred Options Local Plan have been subject to SA and where appropriate changes made to incorporate SA recommendations. Where the recommendations have not been incorporated into the Plan an explanation is provided.

1.24 The detailed SA appraisal will be published on the Councils website for consultation concurrently with this stage of the Plan.

Habitat Regulation Appraisal

1.25 Habitats Regulation Appraisal (HRA) is integral to the development of land use plans such as the Carlisle Local Plan as it provides a statutory process to assess the potential impact on Natura 2000 sites. Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within Europe: they include Special Protection Areas (SPAs) designated under the European Union 'Wild Birds' Directive; Special Areas of Conservation (SACs) designated under the EU 'Habitats Directive'; European Marine Sites (EMS) and

Ramsar Sites. As the Habitats Directive applies the precautionary principle, plans can only be adopted if no adverse impact on the integrity of site(s) in question is proven. To ascertain this a Screening Assessment, (the Habitats Regulations Appraisal) followed by an Appropriate Assessment, where necessary, will be undertaken.

1.26 In order to comply with the requirements of the Habitat Regulations a Screening Assessment was undertaken at the Issues and Options stage of the Core Strategy. This not only informed the HRA of the Preferred Options, but also identified areas that would require Appropriate Assessment. The draft HRA Report which accompanies this Plan has been submitted to Natural England for comment.

Equality Impact Assessment

1.27 Undertaking an Equality Impact Assessment (EQIA) ensures that everything we do promotes equality and allows us to assess any risk of discrimination before introducing new policies. We will continue to incorporate the principles of EQIA into all elements of the Plan as it develops. An Equality Impact Assessment on the Preferred Options Local Plan is available to view alongside this consultation, together with a report into 'Rural Proofing'.

Health Impact Assessment

1. 28 A Health Impact Assessment (HIA) seeks to measure the potential health impacts of a policy, programme or project on the wider population. Carrying out a HIA on the Local Plan has helped to ensure that the proposals outlined in the plan have been judged against the effects it may have on the health of the population. Ultimately the HIA aimed to reduce health inequalities, contribute to improved health and contribute to better decision making. As planning has a key role to play in the delivery of healthy sustainable communities it is important that it has been assessed against health principles. We will continue to incorporate the principles of HIA into all elements of the Plan as it develops.

Viability of the Plan

1.29 The Local Plan should be deliverable. The NPPF states that the allocated sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Current advice on

viability testing of Local Plans concentrates mainly on the costs of providing affordable housing. As such the Council has undertaken an Affordable Housing Economic Viability Assessment, which is part of its evidence base. The purpose of the study was to establish the appropriate level of affordable housing to be required on sites across the District, having regard to the likely economic viability of land for housing within the area.

1.30 To assess affordable housing viability across the District, the study used a traditional residual appraisal method, which is widely recognised as the preferred method to assess viability. The evidence in this study has been used to inform Policy 24 – Affordable Housing, which makes provision for different requirements across different zones.

1.31 It is recognised that further work will be required on viability as the Plan progresses through Preferred Options to publication, in particular a more detailed examination of policies other than the affordable housing policy, to determine whether there is likely to be a cost implication for development. In particular, Policy 33 – Delivering Infrastructure, Policy 34 – Sustainable Transport, Policy 36 – Broadband Access, Policy 40 Planning Obligations, Policy 43 – Development Energy Conservation and Efficiency and Policy 65 – Open Space.

Site Allocations and the Policies Map

1.32 Proposed sites for development will be shown as allocations on the Local Plan policies map. The map will also show existing land uses such as areas of housing, employment and the City Centre, and areas of protected land such as parks and playing pitches, amenity open space, nature conservation sites and the two Areas of Outstanding Natural Beauty in the District.

1.33 In relation to existing land uses, some designations will not be transferred over to the new Local Plan Policies Map, as follows:

Offices

1.34 In relation to existing offices in the City Centre, they are currently shown as Primary Office Area. The current Local Plan has a policy relating to office development within this area. Discussions with Development Management officers have highlighted that there is an issue with vacant offices which are for sale or to let. It is considered beneficial to allow a wider range of uses in these circumstances, to increase the vibrancy of these areas.

1.35 Within the NPPF offices are defined as a main town centre use. It is considered that policy within the NPPF relating to commercial development is sufficient to decide any planning applications, and that a separate local plan policy and map designation is not required.

1.36 Within the rural area, small scale rural offices are not subject to a sequential approach, i.e. they are not subject to a 'town centre first' approach. Provision for rural offices is made in Policy 14 – Rural Diversification. This approach complies with Government policy in the NPPF.

Urban Fringe Landscape

1.37 The Urban Fringe Landscape definition on the current Local Plan proposals map was intended to protect the open character of the area and protect them from pressure from development. Feedback from the Issues and Options stage of the Plan indicated community support for a criteria based landscape policy that would protect and enhance all landscapes, not just those covered by specific designations. Therefore Policy 62 – Landscapes, sets out an approach whereby all proposals for development are assessed against the surrounding landscape's key characteristics, local distinctiveness and capacity for change, using the Cumbria Landscape Character Assessment and Toolkit. This provides decision makers with the means to assess the impact of a development on any of the different landscape character areas in the district.

1.38 As such, Urban Fringe Landscape will not be shown on the new Local Plan Policies Map.

Settlement boundaries

1.39 The current adopted Local Plan shows settlement boundaries for Carlisle, Brampton, Longtown and 20 rural villages. In the rural areas in particular, settlement boundaries were very tightly drawn, resulting in limited scope for new development. Feedback received so far, in particular through the Issues and Options consultation, and the Rural Masterplanning consultations has highlighted that many communities consider that settlement boundaries are too restrictive. The NPPF advocates a significant shift away from a hierarchical approach, and does not advocate the use of settlement boundaries, stating that:

"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements, development in one village may support services in a village nearby".

1.40 National policy also states that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing.

1.41 As such settlement boundaries will not be shown on the Local Plan Policies Map.

New allocations

1.42 The allocations form part of the overall Local Plan for Carlisle District, which will cover the period 2015 – 2030. The allocations need to be read in conjunction with the relevant policy which will set out criteria that any planning applications will need to comply with. By setting out specific land allocations in this way, the Plan will provide local communities, land owners, developers and infrastructure providers with a clear indication of the future pattern of development across the district. They indicate that the principle of development on such sites is acceptable.

Monitoring

1.43 Following the introduction of the Localism Act Councils have greater freedom to establish their own set of indicators which are appropriate to their area. Many of the existing indicators, previously reported within the Annual Monitoring Reports, will be retained but others are deemed as less useful and are proposed to be removed or replaced. The report builds upon the traditional monitoring of house building and employment sites and monitors the Council's performance against the Local Development Scheme.

1.44 The Annual Monitoring Report is produced once per year. A series of indicators have been identified to assess the relative effectiveness of each policy, specific to Carlisle. The report covers the financial year prior to its publication and includes contextual information regarding the current picture of development across the District.

Stages of Plan Preparation and Next Steps

1.45 Preparation of the Carlisle Local Plan has been ongoing since 2010, starting with the collection of a comprehensive evidence base. We subsequently published two consultation documents and undertook extensive public engagement.

1.46 The Core Strategy Key Issues Paper (January-March 2011) consulted the local community and a variety of stakeholders and on the Council's initial thinking on the issues facing Carlisle and those that the Core Strategy could try to address. We had a fantastic response to the consultation, with over 1500 representations made.

1.47 Responses to the Key Issues Consultation then fed into the production of the Issues and Options Paper which we consulted on between September and October 2011. Contained within the document we asked a number of questions and provided a range of options as to how we should address some of the issues you identified as being the most important for Carlisle to address. It also set out the spatial vision for

the District which has been used to guide this Preferred Options stage. We had over 100 responses to this consultation.

1.48 We have also engaged throughout the plan preparation process with stakeholders and the public and have continued to attend public meetings and receive comments outside of formal consultation periods. This has included attending and presenting at Parish Council meetings and providing updates to the public through the Councils' residents' magazine and consultees through our Localism in Action Newsletter.

1.49 All of the comments we have received have been used to inform each subsequent stage of the Plan, including this Preferred Options document. Once the consultation on the Preferred Options is complete the comments received will again be assessed and, where appropriate, changes will be made and incorporated into the next version of the Plan.

Next Steps

1.50 The project plan for the preparation of the Carlisle District Local Plan 2015-2030 is available in our published Local Development Scheme available on our website.

1.51 Following consultation on the Preferred Options between July and September 2013 and in order to give sufficient time to consider the responses, which may include significant numbers of representations on proposed housing sites and other plan policies, the Publication document will be published in March 2014.

1.52 Following a six week publication period which provides an opportunity for formal representations to be made to the inspector about the plan's soundness, it will be formally submitted to the Secretary of State in May 2014 with the Examination in Public to follow and thereafter the Adoption of the plan.

Getting Involved

1.53 The Council's Statement of Community Involvement sets out how the Council will undertake consultation on the Carlisle District Plan to ensure it reflects the views of stakeholders and the community.

1.54 The Preferred Options document is where the Council, for the first time, identifies the scope and content of the preferred plan in detail. This consultation is the main participation opportunity for you to get involved in shaping the emerging plan. The Plan has been refined as a consequence of the feedback you gave us at

each previous consultation stage. A summary of these comments are contained within the body of the Plan, before each policy.

How can I give my views?

1.55 You can send your responses in a number of ways, but we would like to encourage you to submit your views online, via the Local Plan consultation feedback form at: www.carlisle.gov.uk/localplan.

1.56 This method should save you time and it will allow us to process and consider your comments more quickly.

1.57 You can also send us your comments by e-mail to: lpc@carlisle.gov.uk.

1.58 As well as being available on our website this document is also available to view at all local libraries and inside the Civic Centre. Paper copies of the document and response forms are available on request using the contact details below:

1.59 For enquiries and to request copies of the document, including in an alternative format such as large print, Braille, audio tape or another language, please contact the Investment and Policy Team on the details below.;

Investment and Policy
Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG
Email: edadmin@carlisle.gov.uk
Tel: 01228 817193

1.60 All comments and completed response forms should be received by: Sept 16th 2013

2 Vision and Objectives

Vision

By 2030 Carlisle will have an established prominence in the region with a good supply of quality houses, businesses, accessible services and a wide cultural offer. This will lead to enhanced health and wellbeing of the population and a strong sense of community. Carlisle will be a more sustainable District providing those who live in, work in or visit the area with a vibrant City surrounded by high quality urban and rural environments with prosperous market towns and thriving villages. As Carlisle continues to grow the District's heritage assets, important natural landscapes and wildlife species will be protected and enhanced.

Objectives

Sustainable Development- To promote a sustainable pattern of well designed development to support the vision for managed growth.

Infrastructure- To ensure the provision of efficient and integrated infrastructure networks needed to support new and existing development, facilitate economic growth and deliver the plan strategy.

Green Infrastructure– To enhance and improve the quality of the green and blue infrastructure of the District whilst protecting biodiversity and sensitive landscapes for the benefit of Carlisle's citizens and tourists whilst meeting the need for future development.

Health and Wellbeing– To create a thriving, successful and healthy community for all.

Housing– To enable the development of a range of high quality, energy efficient housing, in a variety of locations, to meet the aspirations of the existing community and those wishing to move to the area, and which will help build communities and support economic growth.

Economy – To create opportunities for economic growth by increasing the working age population, the skills available, the diversity of the economy and the physical infrastructure to deliver it.

Heritage– To conserve, enhance and promote Carlisle's heritage and opportunities provided by the historic landscape to generate maximum social and economic benefit whilst ensuring that proposals are sympathetic to the elements that make Carlisle and Cumbria special.

Climate Change and Flood Risk– To ensure Carlisle is more resilient and less vulnerable to the impacts arising from Climate Change through avoiding inappropriate development in areas at greatest risk of flooding whilst embracing the principles of renewable energy and energy efficiency.

Spatial Portrait

2.1 This spatial portrait aims to describe the District's geography, environment, economy, social and cultural characteristics and movement patterns i.e. a snapshot of the District as it is now. It also highlights the key issues associated with the District as a whole.

2.2 Carlisle's identity is largely shaped by its extensive rural hinterland. It has an important agricultural economy, and is set in an area of high landscape value, including a coastal and upland landscape recognised as being of national importance. The historic core of the city is traversed by rivers that are internationally important for biodiversity, and a World Heritage Site strides across the District.

2.3 The District of Carlisle covers an area of approximately 1,042 sq km and is situated in the far north of the County of Cumbria, bounded by the Scottish border to the north, Northumberland to the east, Allerdale to the west and Eden to the south. The City of Carlisle forms the principal urban area and lies within the south western part of the District. The remainder of the District is predominantly rural in nature, with the exception of Longtown to the north and Brampton to the east, and a number of smaller villages which are scattered predominantly to the west and east of the city.

Local Character and Distinctiveness

2.4 Carlisle has an attractive and varied landscape. The District includes two Areas of Outstanding Natural Beauty (AONB), (Solway Coast and the North Pennines) as well as five main rivers the Eden, Esk, Caldew, Petteril and Lyne, and many becks and burns. The North Pennines AONB is also a European Geopark. The River Eden and its tributaries are of international importance for their biodiversity, being designated as both a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). Carlisle has a range of other sites of European nature conservation importance including the Upper Solway Flats and Marshes Ramsar site and Special Protection Area (SPA), the Solway Firth (SAC), the Irthinghead Ramsar site and the North Pennine Moors (SPA). These form part of a network of internationally important wildlife sites within the European Union known as Natura 2000.

2.5 In addition, the District is home to many rare and endangered species such as the red squirrel, great crested newt and otters, as well as habitats such as lowland raised bogs, blanket bogs and upland hay meadows.

2.6 The landscape and wildlife in Carlisle and surrounding districts underpins the economy of the area, through people's work and leisure activities, and their sense of local identity. Delivery of targeted biodiversity and landscape enhancements, therefore, has a significant contribution to make towards social inclusion and

sustainable economic development, and logically forms an integral part of all aspects of the Sustainable Community Strategy (The Community Plan for Carlisle).

2.7 The District has approximately 455 ha of public open space, which ranges from amenity open space (land which is recognised as making a contribution to the visual amenity and enjoyment of an area), to natural/semi natural greenspace, parks/gardens, allotments, play areas and outdoor sports facilities. Within the centre of the city, and located immediately next to the River Eden are two linked and important urban parks, Rickerby Park and Bitts Park. Rickerby Park is a natural park with mature trees and grazed by sheep and cattle. Bitts Park has a more formal layout with landscaped beds and trees, together with playing pitches, children's play area and tennis courts etc.

2.8 The District is rich in heritage ranging from Hadrian's Wall World Heritage site which crosses the district from Gilsland in the East to Burgh by Sands in the West, to the City walls, Carlisle Cathedral and Tullie House which are all Grade I Listed Buildings. In addition to these there are approximately another 1550 Listed Buildings and 19 Conservation Areas including areas within the City, Brampton, Longtown and Dalston as well as some of the smaller villages.

Social Characteristics

2.9 Population data collated from the 2011 Census, released in July 2012, showed that the usual resident population of the District had risen by 6.7% since 2001 to 107,500. Whilst the rate was slower than the average for England and Wales it was the highest in Cumbria.

2.10 In line with national trends, growth in Carlisle will most notably be seen in the number of older people living in the District where it is predicted that there will be a 57% increase by 2032. Approximately 68% of the population currently live within the urban area of Carlisle. In the rural areas a key feature is the sparse distribution of residents; on average there are 97 people per hectare in Carlisle's rural areas (compared to 477 regionally and 378 nationally).

Movement Patterns

2.11 The M6 motorway runs through the District linking the City of Carlisle to southwest Scotland, Northwest England and beyond. Carlisle benefits from three motorway junctions at Carleton (J42), Rosehill (J43) and Kingstown (J44). Additionally the Carlisle Northern Development Route (CNDR) provides a western link from the A595 to the M6 at junction 44. It also provides a combined pedestrian and cycle route along its 8.25km length.

2.12 From Carlisle City there is a network of 'A' roads including the A69 which links the District to Newcastle in the North East, the A7 to the Scottish Borders to

Edinburgh and the A595 to Workington and Cockermouth on the West Coast of Cumbria.

2.13 In terms of rail travel, the West Coast Main Line provides the only north/south high speed rail link serving the City, as well as links via Northern Rail to Manchester Airport. There are rail links to Newcastle and the west coast and also the historic Carlisle/Settle line which is important for tourists, commuters and freight.

2.14 Travel to work is heavily dependent on private car usage with 54.3 % people working in Carlisle District choosing to drive to work (Source: Office of National Statistics (ONS) Census 2001) despite the fact that nearly 55% of people travel less than 5km to their place of work. This level of car usage is partly due to accessibility to public transport across the District which varies considerably outside the urban area, with a number of areas having a very limited service or no service at all.

Housing

2.15 Housing Stock as of 31 March 2010 was 48,120. Nearly 85% belong to the private sector at 40,694 with the Housing Associations holding a stock of 7,402 and as the local authority housing was transferred to a Housing Association in December 2002 the local authority now only owns 24 properties.

2.16 From the 2001 census owner occupation within the district was 71% which was slightly below the Cumbrian percentage of 72% but higher than that of the North West which was 69%. The percentage living in social rented properties were 18%, 16% and 20% with the private rented sector accounting for 8%, 12% and 8% respectively.

2.17 A house condition survey undertaken in 2005 and Registered Social Landlord data 2009 identified 27% of the private sector and 12% of the social sector dwellings failed the decency standard in the urban area and 43% and 10% respectively in the rural area.

2.18 Housing in Carlisle is generally more affordable in respect of house price/earning ratio at 5% than is the case nationally which is 6.5%. However, variations in average house prices across the District identify parts of the rural area where average house prices are in excess of ten times the annual income, creating problems of housing need due to affordability.

2.19 Average household as determined from the 2001 census consisted of 2.3 persons within the district which is the same for the County.

Economy

2.20 Carlisle is a free standing city which is not directly influenced by a major conurbation. It acts as a significant employment base and the main professional centre for Cumbria as well as parts of south west Scotland.

2.21 Historically, the economy of Carlisle was based around easy access to a railway network and the textile industry which has over time declined and been replaced by other forms of manufacturing. A large proportion of Carlisle's working population are still employed in the manufacturing sector. However, the wholesale/retail trade provides employment for the largest proportion of the workforce. Employment in non-service industries, such as agriculture, manufacturing and construction are all higher than the national average. Carlisle is an important centre for agricultural services. Carlisle lies at the centre of a large rural livestock market. Within the rural area Brampton and Longtown act as employment hubs along with Dalston to a lesser extent. All three settlements have industrial estates which provide employment opportunities for people within their locality as well as the wider area.

2.22 Whilst Carlisle benefits from good connections to the M6 as well as being situated on the West Coast Main Line, there can still be a perception by businesses from outside the area of remoteness and isolation which may detract from Carlisle's attractiveness as a business location. This is further compounded by a gap in skills partially as a result of underperformance in education and low aspirations as well as a poor level of retention of graduates.

Tourism

2.23 Tourism is of major importance to Carlisle as a generator of economic prosperity and employment with the District receiving 7 million visitors in 2012 (STEAM Report). It is essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area, including a large number of jobs. Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path National Trail crossing the District, Carlisle Castle, the Cathedral and many more attractions.

2.24 Carlisle lies at the heart of a wealth of historic and modern attractions. From Roman remains to Norman stronghold, medieval market town to contemporary city, Carlisle has museums, art galleries, national sporting events, outdoor and indoor recreation, heritage tours, award-winning parks and nature reserves. Carlisle Racecourse lies on the edge of Carlisle, whilst in the wider rural area are a wealth of historic churches, Talkin Tarn country Park, Lanercost Priory founded in 1197 as an Augustinian Priory, and stunning countryside including the two Areas of Outstanding Natural Beauty.

Culture and Heritage

2.25 Protecting heritage whilst supporting economic growth is something that the City Council is actively engaged in. The historic core of the city includes Carlisle Castle, Tullie House Museum, Carlisle Cathedral precinct, the City Walls, the Courts, the Market Cross, the Old Town Hall and the Guildhall. The high quality environment in and around Carlisle District contributes towards Carlisle's appeal as a visitor destination and provides potential for economic diversification within the rural area; opportunities of this nature are already being supported along the route of the Hadrian's Wall Path National Trail with the development of accommodation and refreshment facilities.

Education

2.26 Education levels within the District have been historically low. However, there has been investment made in respect of the education offer in the district which is continually improving this standard.

Post 11 years

2.27 Over the last few years significant changes and investment have been made which has resulted in all post eleven education in the city, which was managed by the County Council, now having Academy Status.

Further Education

2.28 Carlisle College is the main provider of further education but also provides education opportunities for students aged over 14 with vocational and skills training for a growing number of young and mature students. It is helping to expand the skills base locally.

2.29 Outdated buildings have been replaced over the last few years with investment of around £20m. Carlisle College also provides courses in collaboration with the College of the Arts based at Brampton Road Campus of the University of Cumbria.

Higher Education

2.30 The University of Cumbria was established August 2007. There was a peak in applications in 2011, a year when there was an 'application boom' in the Higher Education marketplace nationally due to the changes in student fees. Since then, there has been a slight decrease of -3% but, compared to 2010, a much more representative year for applications, the university has seen a rise of +2.4% overall.

Social

2.31 The English Indices of Deprivation 2010¹ (which updated the 2007 indices) show that Carlisle District is 109th out of 326 nationally (with 1 being the highest) with 5 Lower Super Output Areas² in the 10% worst nationally which indicates great disparity throughout the district and a slightly worsening position from the 2007 indices (ranked 122nd out of 354 nationally).

¹ <http://www.communities.gov.uk/publications/corporate/statistics/indices2010>

² **Lower Super Output Areas** – are homogenous small areas of relatively even size (around 1,500 people) of which there are 32,482 in England.

2.32 The Green Infrastructure Study March 2011 further supports the inequality across the District as it identified that the 10 most deprived super output areas of the District have on average 27% less green infrastructure cover than the 10 least deprived.

Health

2.33 Carlisle became a World Health Organisation Healthy City in 2009. Since then, the City Council has worked closely with organisations such as the NHS, Riverside and Carlisle Leisure and has gained from the Healthy City approach and network. A healthy city is one that continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.

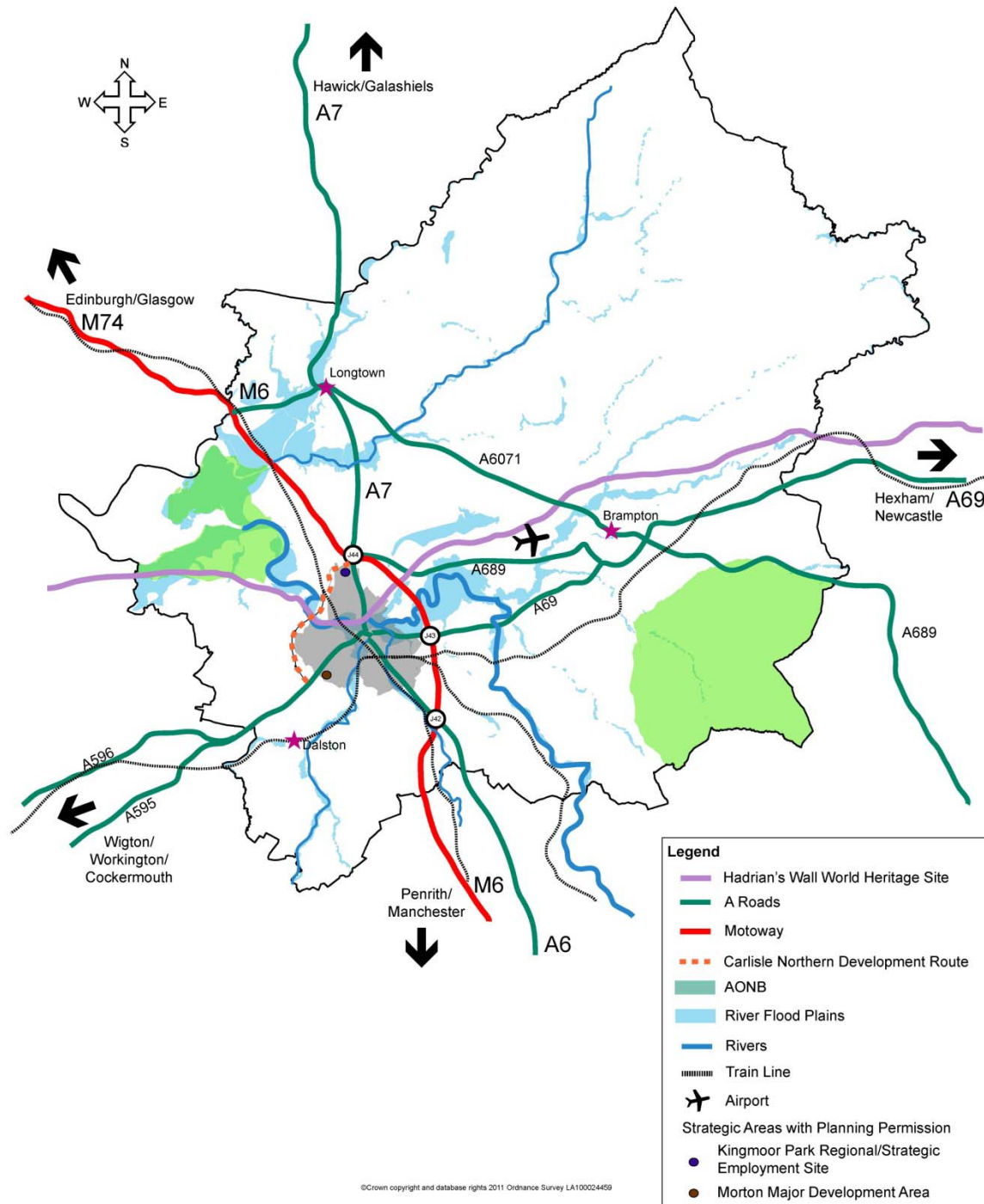
Flooding and Climate Change

2.34 The position of Carlisle at the meeting point of three rivers makes it vulnerable to the risk of flooding. In 2005 the District experienced the worst floods since 1822 which resulted in the death of 3 people and severely affected many homes and businesses. Flood defences have recently been completed offering a good level of defence against future flood risk. However, caution must still be taken when considering proposals for development in high risk areas benefitting from defences.

2.35 Specific data for the impacts of climate change on Carlisle are not readily available, but information is available on a regional basis that gives a good indication of the potential impacts. Between now and 2080, if we continue to discharge high amounts of greenhouse gases, the District could expect an impact on the following:

- more extreme weather conditions causing disruption to front line services like refuse/ recycling collections;
- higher energy costs for buildings and transport as climate change impacts on markets and trade;
- health related problems for example waterborne diseases linked to warm weather impacting on health services;
- drier summers could lead to droughts affecting parks, allotments and nature reserves putting pressure on water resources and local biodiversity;
- wetter weather patterns in the summer affecting the agricultural economy through impact on crop and grass growth.

Map 1 - Key Diagram



3 Spatial Strategy and Strategic Policies

Sustainable Development

Objective

To promote a sustainable pattern of development to support the vision for managed growth.

Sustainable Development

What you told us:

The Issues and Options paper did not ask a specific question on sustainable development. However, the spatial distribution of growth objective is to promote a sustainable pattern of development, and sustainability in its economic, environmental and social sense should be integral to a range of policies. The following range of comments were received in relation to sustainability:

- strong support for increased cycleways, footpaths, bus routes, sustainable transport options in the rural and urban areas;
- the plan needs to have a commitment to address climate change and its impacts, particularly by promoting sustainable transport, energy sources, design and construction and reducing flood risk;
- biodiversity and landscape enhancements have a significant contribution to make to sustainability;
- the plan needs to establish health and wellbeing links to enable Carlisle to be a more sustainable community;
- the University has a role to play in achieving the sustainable growth ambitions of the city;
- sustainable building techniques are important;
- employment should be focussed in sustainable locations;
- sustainable development can take place outside settlement boundaries;
- support for re-using redundant rural buildings;
- to keep rural settlements sustainable, need to develop close to a range of local services and facilities, and employment opportunities and recognise that villages work in clusters;
- need to produce more food locally.

Policy S1 - Sustainable Development

When considering development proposals the Carlisle City Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved

wherever possible, and to secure development that improves the economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

Justification

3.1 The principle of sustainable development was first defined in 1987 in ‘Our Common Future’ also known as the Brundtland Report. This Report formed the basis of the 1992 Earth Summit in Rio. Rio+20 took place in June 2012, and the commitment to sustainable development was renewed in order to ensure the promotion of economically, socially and environmentally sustainable future for the planet and for present and future generations.

3.2 The current United Kingdom Sustainable Development Strategy (Securing the Future), sets out five guiding principles of sustainable development:

- living within the planet’s environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance;
- using sound science responsibly.

3.3 The NPPF draws out the three dimensions to sustainable development:

- an economic role – contributing to building a strong, responsive and competitive economy; and
- a social role – supporting strong, vibrant and healthy communities; and

- an environmental role – contributing to protecting and enhancing our natural, built and historic environment.

3.4 These roles are interdependent, and to achieve sustainable development, economic, environmental and social gains will be achieved through all aspects of planning. The Local Plan therefore guides new development to sustainable locations, and seeks to ensure that all new development results in an enhanced quality to the built, natural and historic environment, as well as to overall quality of life for everyone.

3.5 The purpose of planning is therefore to help achieve sustainable development. The presumption in favour of sustainable development will be implemented through the development management process. However, policies protecting AONB, Sites of Special Scientific Interest, and the intrinsic value and beauty of the countryside etc can not be over ridden by the presumption.

Alternative Option

3.6 The NPPF states that Local Plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (paragraph 15). This clear expectation in the NPPF that Local Plans should provide a policy to reflect the presumption in favour of sustainable development therefore means that a policy is required therefore there are no reasonable alternative options in respect of this policy.

Which Local Plan policy is superseded:

3.7 This policy supersedes Policy DP1 – Sustainable Development Locations in the Carlisle District Local Plan 2001 – 2016.

Spatial Strategy

Consultation so far/What you told us:

During consultation on the Core Strategy Issues and Options consultees were invited to comment on various approaches to the spatial distribution of growth across the district. The majority of responses felt that the development plan should look beyond its 15 year plan period and set a long term direction for growth that would exceed the lifetime of the plan.

Over the course of the plan's lifetime, opinion was evenly split regarding the location and character of growth with 24 responses believing that growth should be focussed within the existing built extent of Carlisle's urban area and a further 24 wanting development to extend to make use of the new highway improvements brought about by the opening of the Carlisle Northern Development Route (CNDR).

A number of key messages received during consultation included:

- Growth should take account of sustainable transport options to ensure that walking, cycling and the use of public transport is always the easiest option for people and thus reduce reliance on the private car
- Growth must not neglect rural areas – the smaller settlements in the district should be allowed to grow, not just the city, to ensure that local services can remain viable.
- There should be a focus on the south of the city, particularly to find ways to alleviate problems with traffic driving through Dalston and rural roads to access Junction 42 of the M6.
- The city centre should be protected and allowed to grow sustainably

There was also recognition of the current imbalance between employment areas in the north of the city and residential areas in the south. Most responses called for a focus on the south of the city to improve transport links and the employment offer around J42 of the M6; however a number also called to channel growth into the north to support the industrial estates at Kingstown and Kingmoor. Other responses were keen to utilise the new corridors opened up by CNDR, though, to counter this, a number of responses warned about developing along new road links, as this could lead to an unsustainable pattern of development that moves people away from more central and better connected areas.

Policy S2 – Spatial Strategy

When considering development proposals across the City, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively to find solutions which mean proposals that accord with planning policies can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.

Carlisle City Council will support the delivery of new housing, economic growth and diversification through the strategy:-

- Deliver at least 9000 dwellings over the next 15 years, 70% will be located in the urban area of Carlisle, and 30% in the rural area which averages 600 houses/year. Sites have been allocated for years 6 – 10 in the Plan period. For years 11 – 15 the preferred option is to identify a broad location for growth in the area of Carlisle South;
- Strengthen and protect the city centre and other existing centres to help create sustainable centres where adequate services and facilities would be provided by balanced growth;
- Develop a high value employment area to attract high value jobs in a location which utilises the M6 corridor, and an employment facility at the Harker Industrial Estate that requires a major electricity supply due to its proximity to Harker substation;
- Strengthen the City as a focus of high educational achievement with primary, secondary, college and University facilities that support future economic growth;
- Develop employment land at Kingmoor Park (including Brunthill), and south west of Morton, whilst also improving the overall qualitative offer of employment land within Carlisle.
- Maintaining and enhancing the importance of environmental, heritage and landscape assets;
- Make the use of public transport, walking and cycling easy, to reduce non-essential car use;
- Address the impact on climate change, renewable energy, air quality, green infrastructure, recycling/waste, flooding issues and the water environment.
- Contribute to individual and community wellbeing, health and safety and social inclusivity;
- Achieve high standards of design and sensitivity to character, setting and cultural heritage.

Justification

3.8 In taking the Local Plan forward the Council recognises the importance of the Spatial Strategy closely matching the main objectives of the corporate “Carlisle Plan”, which sets out key priorities for the City Council (2013-16).

3.9 The Local Plan will enable the delivery of key elements of the vision within the Carlisle Plan, in particular:

- support the growth of more high quality and sustainable business and employment opportunities;
- address Carlisle’s current and future housing needs;
- develop vibrant sports, arts and cultural facilities.

3.10 The Carlisle Housing Needs and Demands Study (HNDS), 2011, shows that Carlisle’s population has been growing at a faster rate than the County or the Region, growing by 3.5% between 1999 – 2009. To deliver the strategy, the Plan focuses housing delivery on the City of Carlisle, whilst also allowing a proportion of housing to come forward in the rural areas. The Plan aims to achieve this through allocating specific sites for housing across the district, and setting out a policy based approach for housing on non-allocated sites. The Local Plan housing strategy aims to meet the housing needs for the District for both open market, affordable and special needs housing. It does this with reference to the evidence set out in the HNDS on current and future demographic trends, market trends and the needs of different groups in the community.

3.11 The Carlisle Employments Sites Study along with work on the Local Economic Assessment and Economic Potential identify the strengths of the local economy along with indicators of where improvements are required to sustain economic growth. One of the key issues has been the quality and choice of employment locations for companies to invest. The strategy sets out the key areas to address the longer term needs and ensure that appropriate sites are brought forward to strengthen the local economy as well as providing for investment and redevelopment for existing businesses.

3.12 The Carlisle retail Study 2012 found that there was limited spare capacity in the initial years of the plan period and therefore any development should aim to reinforce the city centre as the prime retail location. This is in accordance with section 2 of the NPPF to ensure that the vitality of town centres remains. For Carlisle this means that the city centre should remain the main focus of retail development.

3.13 Carlisle’s heritage is central to its attractiveness as a tourist location with Hadrian’s Wall Path crossing the District. The City Council recognises the value of its heritage assets and their importance in giving the area a strong, distinctive identity and real sense of place. Tourism, arts and cultural development is of major importance to Carlisle as a generator of economic prosperity and employment. It is

essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area.

3.14 Carlisle City Council recognises the importance of protecting our environment and using the natural resources available to us to their fullest through renewable energy generation and energy efficient design and materials. Central to this is ensuring that the District is resilient to the effects of climate change through ensuring that new development is directed away from areas at risk of flooding and that new development manages its potential effects responsibly. Carlisle Green Infrastructure Strategy: The Big Green City, which recognises the fundamental role green infrastructure and the natural environment play in creating an identity for the district and for Carlisle as a green city. Biodiversity, landscape and green spaces are to be protected, ultimately for the sake of their own natural value, but also for the well being and good health of the district's citizens and visitors.

Design

Consultation so far/What you told us:

Local character was a strategic overarching issue that was consulted upon as part of the Issues and Options consultation and over 90% of respondents felt that new development should be influenced by local character in order to maintain and enhance the District's distinctiveness. This highlighted the importance that should be placed on achieving high quality design in all development proposals.

Policy S3 - Design

All new development proposals will be assessed against the following design principles. Proposals should:

1. respond to the local context and the form of surrounding buildings in relation to height, scale and massing, and by making use of appropriate materials and detailing;
2. take into consideration any important landscape or topographical features and respect local landscape character;
3. reinforce local architectural features to promote and respect local character and distinctiveness;
4. ensure all components of the proposal, such as buildings, car parking, access routes, open space and landscaping are well related to one another to ensure a well integrated, successful and attractive development;
5. ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable standards for future users and occupiers of the development;
6. ensure the retention and enhancement of existing trees, shrubs, hedges and other wildlife habitats where possible. Where environmental features are lost as a result of the proposal, appropriate mitigation measures should be put into place and on-site replacement of those features will be sought;
7. include landscaping schemes (both hard and soft) to assist the integration of new development into existing areas and ensure that development on the edge of settlements is fully integrated into its surroundings;
8. ensure that the necessary services and infrastructure can be incorporated without causing unacceptable harm to retained features;
9. ensure that the layout and design incorporates adequate space for waste and

recycling bin storage and collection; and

10. seek to utilise locally sourced traditional materials to help to retain and enhance the local character of existing and new buildings and their environments. The reinstatement of existing traditional materials will also be sought following repairs to roads, pavements, kerbs and underground services.

Justification

3.15 Good design should be the aim of everyone involved in the development process. It is essential to improving environmental quality by producing attractive, vibrant and sustainable places with a strong sense of place, in which people want to live, work and recreate. These principles will help to ensure that the development itself is not only well designed, but also complements and enhances the existing environment. Developments should also seek to encourage a healthy lifestyle through the provision of opportunities for walking and cycling, and safe places to play where these are appropriate.

3.16 Applicants will be required to demonstrate how design matters have influenced the detail of their scheme.

The use of locally sourced materials can help new developments to integrate more successfully into the local surroundings. The encouragement to utilise such materials does not seek to stifle opportunities for innovative design but respond appropriately to local character.

3.17 Surface materials can have a significant impact upon the character of an area (particularly within conservation areas), and can be an important design element of a new development. Roads, footpaths and other areas of hard landscaping should be designed to cultivate a 'sense of place' and to contribute positively to the character of an area. Retention and/or reinstatement of materials such as setts, cobbles, sandstone kerbs and flags will therefore be expected where works are carried out on roads and pavements in order to not degrade the character and quality of the area.

3.18 The inclusion of a landscaping scheme should be treated as an essential consideration in the design process, not an afterthought. Landscaping schemes can take two forms: soft landscaping which includes tree and shrub planting; and hard landscaping concerning paving, walls etc. Where appropriate, the Council may require the partial implementation of a landscaping scheme prior to the completion of the development in order to reduce the impact of the construction works on site in the interim period. The proposed development should be situated to reflect the mature growth of species above ground and landscaping schemes should take account of the position of underground services.

3.19 In areas where there are no significant local traditions or where positive character elements are lacking, proposals should seek to create a strong and attractive local identity through intelligent, innovative and imaginative design.

3.20 In addition to this policy consideration must also be given to any additional design guidance/policies or site specific supplementary planning documents including those set out in Neighbourhood Plans.

Alternative Options

3.21 The Government attached great importance to good design as it is a key aspect of sustainable development. The NPPF states that Local Plans should develop robust and comprehensive policies that set out the quality of development that will be expected. Therefore the alternative option to have no policy would not meet the policy objectives of the NPPF.

Which Local Plan policies are superseded?

3.22 Policies CP5 Design and CP7 Use of Traditional Materials have been combined and refreshed in this new design policy.

Green Infrastructure

What you told us:

Consultation on the Core Strategy Issues and Options revealed strong support for seeking developer contributions to secure the inclusion of green and blue infrastructure within all new development, where possible, and the enhancement of existing networks within a locality. Concern was expressed that the Council needs to be sure that contribution requirements are not excessive and don't stifle growth by making new development unviable.

This was the only formal question asked during the consultation; however, a number of other messages relating to green infrastructure came forward during the process. These included the idea of promoting the protection of and provision for biodiversity through on site and local blue and green infrastructure projects, ensuring that any Sustainable Drainage Schemes to be included on a site are well integrated with local blue and green infrastructure networks, and the need to ensure the continued upkeep and maintenance of existing green infrastructure routes and links. A number of requests for the Council to secure better access to open space and countryside were also received.

Policy S4 - Green Infrastructure

Appropriate and viable conditions, legal agreements and developer contributions will be used to secure new and integrated provision of green and blue infrastructure on, or associated with, new development. Existing assets will be protected in order to establish a holistic, healthy and accessible green and blue infrastructure network.

New development will work towards delivering, where appropriate and achievable, outcomes of The Big Green City Green Infrastructure Strategy for Carlisle.

Wherever possible new development will be expected, either on site or through contributions to assets elsewhere, to:

1. be well connected to and accessible by existing green infrastructure links such as footpaths, bridleways and cycle routes and seek to connect settlements through the creation of new links and green corridors or through the enhancement of existing ones;
2. not compromise the routes of existing green infrastructure links. Where route diversions are required the Council, in consultation with the Cumbria Transport Authority, shall ensure that they are appropriate and of similar or better quality than the original;

3. protect and enhance key ecological habitats and wildlife corridors, including watercourses, wetlands, woodlands and parklands;
4. improve the urban environment through appropriate and sensitive landscaping on site;
5. include provision for biodiversity through species-appropriate landscaping, suitable levels of lighting, the installation of artificial shelters (such as bird boxes) or other forms of habitat creation, enhancement, restoration and maintenance; and
6. ensure that any Sustainable Drainage Systems (SUDS) are designed to compliment and integrate with existing green and blue infrastructure on a site and within the wider area.

The lines of disused railways which have potential for future recreation/green transport use will be protected.

Key projects which would significantly contribute to the green and blue infrastructure network across the District and beyond will be supported.

Local Green Space:

Local communities wishing to designate highly valued areas as Local Green Space will be supported. Local Green Spaces designations will need to demonstrate local significance in terms of their beauty, historic significance, recreational use, tranquility or richness of wildlife. They will also need to be closely located to the community they serve and not cover excessively extensive tracts of land. Once designated, Local Green Spaces will be protected from development unless exceptional, overriding need or public interest can be demonstrated.

Justification

3.33 The NPPF expects planning authorities to plan positively for the creation, protection, enhancement and management of green infrastructure and ecological networks, such as habitats, green spaces and connecting corridors and sustainable transport links.

3.34 Green Infrastructure should be planned into new development, particularly development which may be vulnerable to the impacts of climate change, in order to assist with adaption and mitigation measures.

3.35 Access to good quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Local communities are encouraged to identify and protect green (and blue) areas of particular importance and value to them through the local plan process and the designation of land as Local Green Space – such designations would then be protected from harmful development other than in exceptional circumstances. A

Local Green Space must be closely related to the community that wishes to protect it. Communities will be expected to demonstrate that the site is of local significance, due to either its; natural beauty and how it improves the character of a settlement or neighbourhood; historical significance; frequent recreational use; tranquil atmosphere; or its richness of wildlife, particularly if it provides key habitat for endangered species. Proposals for the designation of a Local Green Space solely as a means to prevent development will not be accepted.

3.36 The Carlisle Green Infrastructure (GI) Strategy (2011) looks at the green infrastructure assets within the district council's boundary and proposes a number of ways they may be capitalised upon for the benefit of the environmental, social and economic sectors. New development should make the most of the district's rich natural environment and its excellent access to both the countryside and urban green spaces alike. New development, be it residential, commercial or industrial, should have elements of green infrastructure integrated into the design. Provision should be made on site for green infrastructure through landscaping and open space provision and connectivity to existing green spaces and the wider green infrastructure network should be ensured.

3.37 Where development is needed on the edge of the city care should be taken at the planning stages to ensure that aspects of green infrastructure are well integrated into the design and that the development reflects, enhances and capitalises on the open and semi-rural nature of such locations.

3.38 The strategy highlights a particular lack of accessible green space within the city centre, emphasising the value this places on those green spaces that are present and the importance of ensuring that they are protected and enhanced wherever possible. Beyond the city centre, those communities with the greatest deficit of high quality green space or with the greatest need for such areas should be a priority in terms of establishing local connections to the Green Infrastructure network and in terms of creating new open spaces and enhancing existing ones.

3.39 In terms of blue infrastructure within the urban area, there are 3 rivers that run through the City. These waterways tend to be hidden from view however. Methods of opening up views of the rivers and incorporating them, where possible (such as through the development of river features like Holme Head Weir) into future development should be explored.

3.40 Productive landscapes also fall under the definition of green infrastructure. These landscapes can help power the rural economy through forestry, agriculture and tourism will be protected from inappropriate development.

3.41 The strategy highlights the importance of biodiversity in ensuring a high quality natural environment within Carlisle, and in some instances the urban landscape can be just as species rich as parts of the open countryside, if not more so. Through planning, the protection of biodiversity should be a key consideration with measures to enhance and create habitat included within development where possible and appropriate. Green connections and corridors, particularly along the river banks, between wildlife sites should be enhanced and established where the opportunity arises.

Alternative Option

Do not include a Green Infrastructure policy within the Local Plan

3.42 This option is not considered reasonable as it would not be in accordance with national policy. Not having a policy would fail to recognise the importance of Green Infrastructure within the Carlisle plan area and could lead to the unacceptable and avoidable loss of natural assets. It is also contrary to comments received during issues and options consultation which request the Council to proactively consider green infrastructure within strategic planning policy.

Which Local Plan Policies are superseded?

3.43 For the most part this is a new policy. Policies LC9 – disused railway lines and LE4 – River Corridors have been incorporated into the green infrastructure policy.

Regeneration and Strategic Retail in the City Centre and Botchergate

Policy S5 – Regeneration and Strategic Retail in the City Centre and Botchergate

Carlisle City Centre will be the principal focus for high quality comparison retail, supported by a range of leisure, tourism, heritage and other main town centre uses. In particular there will be opportunities for future development between the railway station and the pedestrianised area of the City Centre.

Proposals for development should be able to demonstrate:

- enhancements to the public realm;
- preservation and enhancement of the character, appearance and wider setting of the City Centre, and Portland Square/Chatsworth Square Conservation Areas;
- potential for use of upper floors as residential.
- delivery of the City Centre Masterplan

Within Botchergate, proposals which focus on the consolidation and improvement of the leisure and retail uses, or can demonstrate diversification into other uses such as office, residential, cultural and other services will be acceptable, subject to meeting the above criteria.

Justification

3.44 This policy has the aim of proactively planning for the enhancement of Carlisle as a vital and vibrant city centre destination for both retail and leisure.

3.45 Carlisle is a sub-regional centre serving a large hinterland with little competition from other sub-regional or regional centres. It is located in relative geographical isolation, and has relatively high levels of expenditure retention.

3.46 The Carlisle Retail Study 2012 shows that there is no immediate need to allocate a site for new comparison provision in the City Centre in the early phase of the Local Plan, up to 2018. However, whilst there is relatively limited short term quantitative need, there is substantial quantitative need in both the City Centre, and on a City wide basis, in the latter phases of the Local Plan. This growth in need is mainly due to projected population and expenditure growth.

3.47 It is recognised that a 'do nothing' scenario would lead to a relative decline in the overall competitiveness of the City Centre. In response to this a City Centre Masterplan is being prepared which will identify where the retail need can be

accommodated, whether any uses can be relocated, and if necessary, where else retail uses can be accommodated. The Masterplan will also look at current constraints such as lack of available modern floorspace, retailers in constrained units, and unsatisfied retail requirements etc.

3.48 The Masterplan may identify suitable sites to accommodate new substantial retail development within the City Centre.

University Development

What you told us:

During the consultation on the Core Strategy we recognised that the University of Cumbria will play a significant part in the local economy over the lifetime of this local plan. There was clear support for allowing the rationalisation and redevelopment of existing sites to accommodate their future needs. There was also a recognition that should they wish to expand this should relate well to the urban area with a variety of existing vacant sites referred to for teaching space or student accommodation.

Policy S6- University Development

Proposals for the expansion of University education in Carlisle will be acceptable providing that:

1. it is of a scale that reflects the surrounding area; or
2. it results in the refurbishment of a vacant building; and
3. does not detract from the amenity and quality of the surrounding environment; and
4. satisfactory access can be achieved.

Justification

3.49 The University of Cumbria has now become well established in Carlisle having brought together previous further education offers in Carlisle. They continue to operate from the original premises around the City rather than a single campus. In order to develop a future strategy for higher education the University of Cumbria have been reviewing their existing operations and the use of premises as part of a new Masterplan for their presence in Carlisle. This policy protects the existing sites for their continued use but also makes provision for expansion as a key facilitator of raising skills and educational attainment in Carlisle.

Alternative Options

No university development policy

3.50 This option would mean a lack of support for the future plans for the University of Cumbria and a lack of recognition of the important role they play as part of the local economy. It is important that the university is allowed to grow however in recent years with the introduction of fees it is more difficult to confirm exact plans as this has had an impact on student numbers nationally. Nevertheless a lack of policy could stifle the future role the University will perform in the City.

Which Local Plan Policy is Superseded:

3.51 This policy supersedes Policy DP8 in the Carlisle District Local Plan 2001-2016.

4 Economy

Objective

To create opportunities for economic growth by increasing the working age population, the skills available, the diversity of the economy and the physical infrastructure to deliver it.

4.1 For some time the City Council has been committed to delivering economic growth for its residents, businesses and visitors. This has been reinforced in the Council's corporate "Carlisle Plan" setting out key priorities for the City Council. This Local Plan will be one of the mechanisms to help deliver economic growth by ensuring that the planning regime is supportive of existing businesses and provides the environment for businesses to invest and expand.

4.2 The Carlisle Employments Sites Study along with work on the Local Economic Assessment and Economic Potential identify the strengths of the local economy along with indicators of where improvements are required to sustain economic growth. One of the key issues has been the quality and choice of employment locations for companies to invest. This plan will address the longer term needs and ensure that appropriate sites are brought forward to strengthen the local economy as well as providing for investment and redevelopment for existing businesses.

Employment and Commercial Growth Land Allocations

Policy 1 – Employment and Commercial Growth Land Allocations

Undeveloped land at Kingmoor Park (including Brunthill), (30 ha) and land to the south west of Morton (8 ha) is allocated for the development of B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution).

Develop a high value employment area to attract high value jobs in a location which utilises the M6 corridor

Land is allocated at the Harker Industrial Estate for employment development that would require a major electricity supply due to its proximity to Harker substation.

In the rural area, within the boundary of Carlisle Airport, development that is related to airport activities will be acceptable. In addition, enabling employment development that would facilitate the further operational development of the airport will be acceptable. In the case of the latter, applicants will have to provide evidence of how their proposals will facilitate retention and/or expansion of aviation related activities.

Justification

4.3 The current adopted Local Plan identifies three employment allocations to meet the differing needs and demands of a range of employment sectors. One of these sites, land south of Park Road at Durrhill, was allocated in response to the need for a premier pedigree livestock centre. However, this is no longer an identified need, and therefore the site has been deleted.

4.4 The Carlisle Employment Land Study identified that whilst there was sufficient land for employment in Carlisle there were qualitative issues with the sites which were available for employment uses. In addition there were also issues with limited opportunities given the dominance of key parties in the property market for employment sites.

4.5 The study recognised that in order to address these concerns there was potential to improve the employment sites offer in Carlisle but this needed to react to special circumstances rather than continue with generic B class uses.

4.6 The study saw little potential to expand outside the M6 corridor although it did not consider the full context of future growth which this local plan seeks to achieve. The Local Plan has a commitment to ensuring opportunities for maximising the economic potential of the M6 corridor.

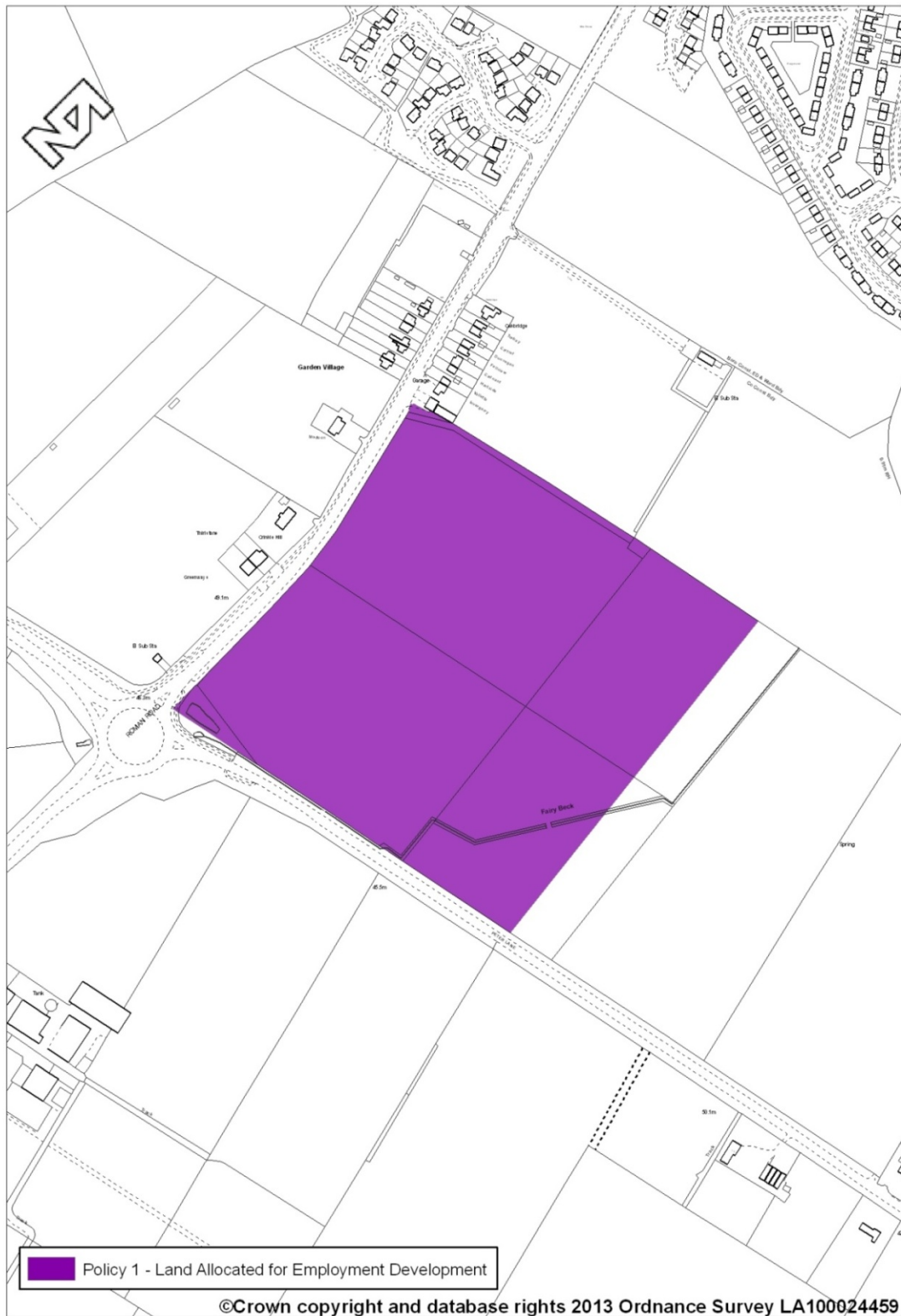
4.7 It is recognised that specific economic needs may not be met by existing employment allocations, for example developments in storage of information and data requirements such as data centres. Such uses have specific requirements including close access to a power supply. In order to provide adequate land for such uses a new site is allocated to the north near to the power supply at Harker Sub Station. However, any use would have to minimize any increase in traffic levels due to the capacity of the existing highway network and Junction 44 of the M6.

4.8 Within the rural area, the Council has a continuing requirement to support the development of the airport for aviation and associated business uses. It is considered that merging Policy S6 within this policy is considered more appropriate as they are related issues and provide a clear rationale to support sustainable economic development in the Local Plan. The NPPF states that when planning for airports, plans should take account of their growth and role in serving business, leisure, training and emergency service needs. The location of the airport in open countryside between Carlisle and Brampton would make it unlikely that development that would generate significant traffic movement would be acceptable. Such developments should be located where the need to travel would be minimised and the use of sustainable transport nodes maximised.

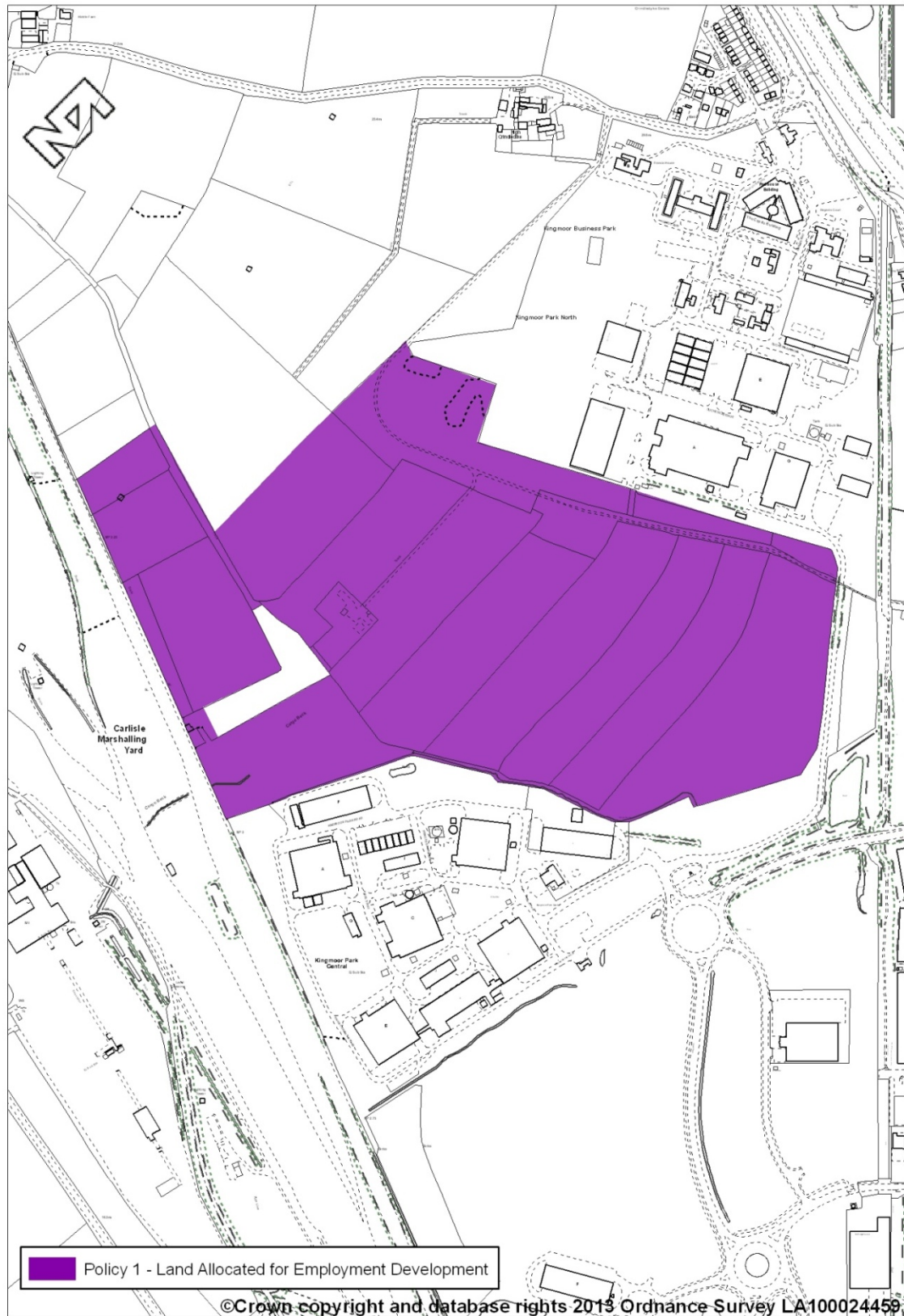
4.9 Enabling development, i.e. development that would facilitate further development that is essential or conducive to the efficient operation of the airport, will be acceptable, provided that the scale of such development is appropriate to the operation of the airport and the surrounding environment.

Employment and Commercial Growth Land Allocations

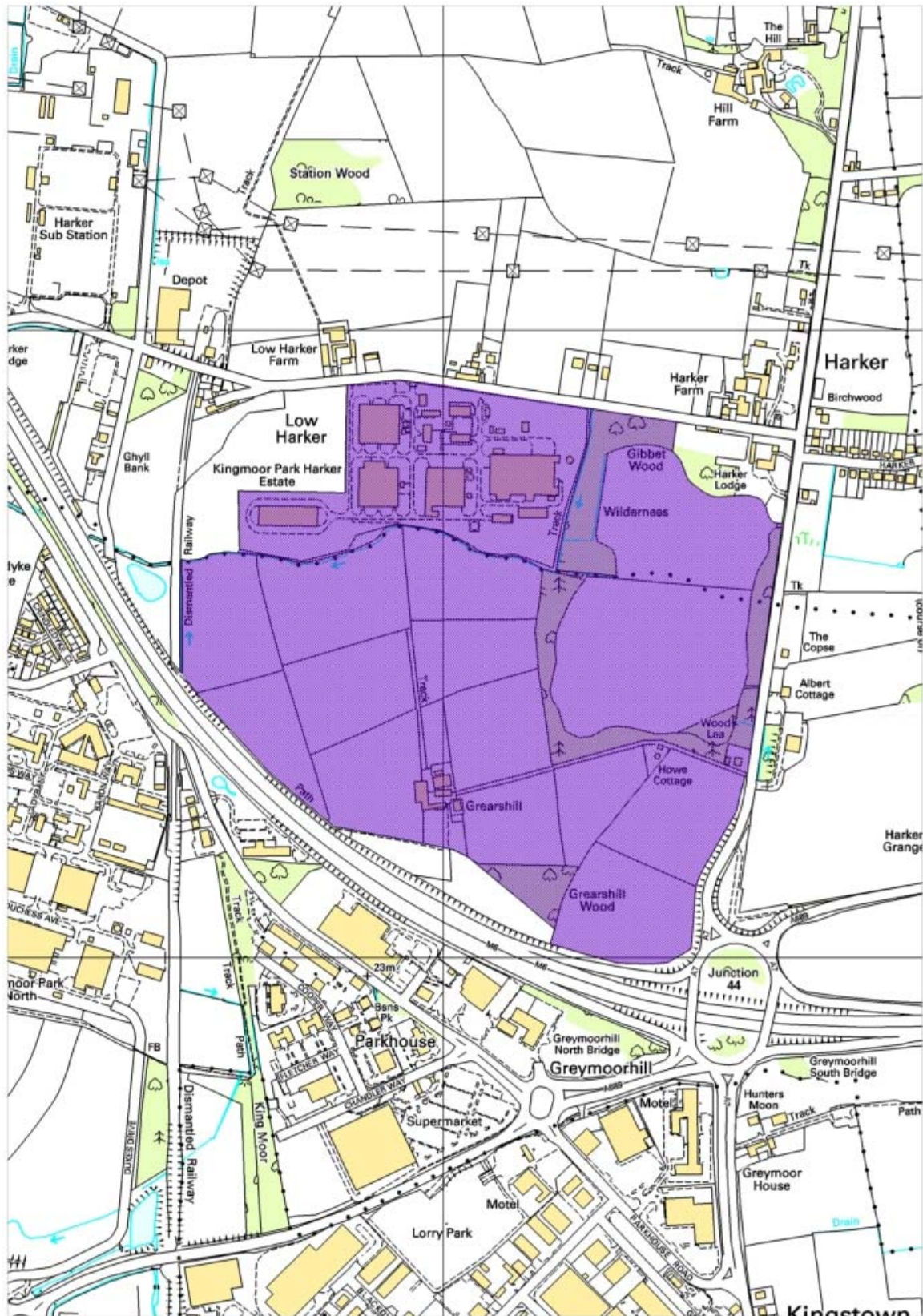
Map 2 Land at Morton -



Map 3 - Land at Brunthill



Map 4 - Land at Harker North of J44 of the M6



Primary Employment Areas

What you told us:

There was a mixed response to the future of existing employment areas with the majority clearly wanting them retained but an acknowledgement that they also need to allow for investment particularly from existing businesses who may want to expand in the longer term. A lot of responses recognised the need for investment in those areas and some redevelopment may be required. There was no single existing employment area identified for wholesale redevelopment but there was a recognition that uses wider than the traditional employment Use Classes of B1/B2 and B8 should be allowed. In summary, the response indicated that a combination of factors were needed for the future of existing employment areas.

The specific question asked about the existing policy which recognised the traditional employment uses but was restrictive in its guidance. The responses set no single direction for future policy but neither did they stringently adhere to the existing policy. It is therefore the first option to consider whether the policy can be adapted to reflect the views of the consultation.

Policy 2 Primary Employment Areas

Within Primary Employment Areas proposals for B1, B2 and B8 Uses will be acceptable.

Permission will be given for redevelopment or change of use where the site adversely affects neighbouring residential properties or local amenity and this adverse effect is removed. Permission will only be granted where the proposed alternative development would be appropriate in terms of scale and design to the surrounding area and the amenity of adjacent premises would not be prejudiced.

Trade counters and retailing from employment premises will be restricted to that ancillary for the main operation of the B1/B2/B8 business. Planning conditions may be imposed to ensure that the use remains ancillary to the main operation. Use Class A1 premises will not be allowed on primary employment areas unless it is a small component of a servicing area for that employment area e.g. Kingmoor Park Hub or have been well-established in the existing employment area. Other Class A premises will be restricted in scale and permitted development rights to change to A1 may be removed.

Sui generis uses may be appropriate in Primary Employment Areas dependent upon the nature of use but only where there would be no negative impact on other existing business premises.

In the Sandysike/Whitesyke areas proposals for the redevelopment and extension to existing industrial and warehousing premises will be acceptable provided that:

1. the proposal does not have an adverse impact on the landscape; and
2. the proposal does not involve the loss of existing tree cover; and
3. where appropriate, opportunities are taken to reinforce existing landscaping; and
4. adequate access and appropriate parking are provided.

Justification

4.10 Primary Employment Areas are the existing employment areas particularly in Carlisle, Bampton, Longtown and Dalston along with smaller sites in the rural area. They are typically the industrial and business estates already established and home to a variety of local employment. The wide variety and nature of these areas means that it is difficult to treat them all with equal policy direction. However, they all have varying degrees of similar issues particularly when there is interest from non-traditional employment uses and alternative sites are limited.

4.11 The National Planning Policy Framework contains a clear direction to secure economic growth and support from the planning system. This policy is designed to ensure that business located in employment areas can expand and invest and if required reconfigure their sites to help provide further employment opportunities. It also recognises that other types of uses can co-exist to make the areas more sustainable.

4.12 The NPPF recognises that Local Plans should support existing business sectors taking into account where they are expanding or contracting. This policy will recognise employment first in primary employment areas but also recognises the NPPF reference in paragraph 22 that different land uses can support sustainable local communities.

4.13 The Carlisle Employment Sites Study of June 2010 acknowledged the great variety in the quality of employment sites with some performing more sustainable functions than others. The consultation on the Key issues did not reveal a desire to remove any particular employment area at the moment although some sites were less attractive and less sustainable. This policy will help to encourage investment in all employment areas with the key aim of retaining employment uses to provide the wide variety of sites required for existing business in Carlisle district.

Alternative Option

Relaxation of Primary Employment Areas

4.14 Whilst the NPPF does recognise that some employment allocations may need to change over time, this option would mean that piecemeal change could occur across the whole of the employment areas throughout the district. This random policy could have harmful effects on all employment areas and those which currently rate as attractive and sustainable could be undermined by higher value uses driving out employment. This would be harmful upon the economy and limit the opportunity for existing business to confidently invest in their area. This would be contrary to supporting economic growth and could affect the sustainability of existing employment sites.

Which Local Plan Policy is Superseded:

4.15 This policy supersedes Policy EC1 Primary Employment Areas in the Carlisle District Local Plan 2001-2016.

Mixed Commercial Areas

What you told us:

There were no specific questions relating to mixed commercial areas in the last consultation on the Core Strategy Issues and Options. Some of the general responses to primary employment areas recognised that allowing uses other than B1/B2 and B8 could be useful. Mixed Commercial Areas perform that type of function and are found around the edges of the city centre and industrial areas and in smaller locations where a variety of uses co-exist without one dominant type.

Policy 3 Mixed Commercial Areas

Within Mixed Commercial Areas, proposals for B1 (Business), B2 (General Industrial) and B8 (Warehousing) uses will generally be acceptable. A1 (Retail) and A2 (Financial and Professional) will only be acceptable if a sequentially preferable location within a Primary Retail Area is either not available or suitable for the proposed use, and that the proposed site can be defined as an edge-of-centre location. In all cases the following criteria must be met:

1. the relationship of the site to the highway network is satisfactory; and
2. access to the site is satisfactory; and
3. appropriate parking provision can be provided; and
4. the scale of development is appropriate in relation to the site and the amenity of adjacent uses is not prejudiced.

Proposals for residential development may be acceptable, subject to a satisfactory relationship with existing uses, and provided that there would be no unacceptable loss of employment land.

Justification

4.16 The NPPF contains a clear direction to secure economic growth and support from the planning system. It is not specific about any single type of employment. Neither does it restrict its definition of supporting economic growth to only the B class uses of development. It is therefore anticipated that other uses will seek to create employment opportunities during the plan period. As a consequence they must have somewhere to locate and have access to a wide range of services. The Mixed Commercial areas provide a wide range of uses without being too prescriptive over the type of business which should be carried out in those locations.

4.17 Rather than having fixed employment uses in these areas it allows the areas to change. This change includes the potential to revert to residential use as long as this doesn't impact on the businesses remaining in the area through impact on amenity or business operation such as conflicts arising from noise or transport. A change to residential use in some areas may help improve those communities and provide the necessary footfall required to maintain some of the existing businesses.

Alternative Option

No mixed commercial areas

4.18 This option would mean a lack of policy direction for a large area of mixed uses without safeguarding existing businesses. Whilst the NPPF recognises that long term protection should not prevent businesses from being able to move or redevelop in an area neither is it intended to have negative impacts on existing businesses as a consequence. Without this policy piecemeal redevelopment of areas could be detrimental to those businesses remaining in an area and this policy allows a mix to develop in the context of surrounding uses.

Which Local Plan Policy is Superseded:

4.19 This policy supersedes Policy EC2 – Mixed Commercial Areas in the Carlisle District Local Plan 2001-2016.

Primary Retail Areas

What you told us:

There were no specific questions relating to the primary retail area although there were questions relating to the city centre in the Core Strategy consultation. The response about City centre shopping was clear that this should be retained as much as possible. There was a recognition that this is changing with the advance of out of town supermarkets and internet shopping and that the city centre may contract but it should remain a destination for retail as well as combining it with its historic attractiveness and tourism potential. The key was seen to be not allowing further out-of-town development and help to strengthen the offer in the centre. The main aim is to support the maintenance and enhancement of the vitality and viability of city and town centres through encouraging an appropriate balance and diversity of uses within each Centre, including the retention of a suitable level of retail activity.

Policy 4 Primary Retail Areas

Proposals for the redevelopment, refurbishment or adaptation of existing shop premises within the Primary Retail Area will be permitted provided that

1. proposals are complementary to, enhance, or do not adversely affect the townscape of the area; and
2. traffic generated by proposals can be satisfactorily accommodated on the surrounding road network; and
3. satisfactory access for service vehicles can be provided, should the scale of the proposal require such provision.

Any change of use which is permitted should make provision for views into the building or for a window display in keeping with the character of the frontage;

Within the Primary Retail Area planning permission will not be granted for the change of use of ground floor shops to non-retail uses where this would lead to an unacceptable concentration of such uses undermining the vitality and viability of streets as shopping streets.

The primary retail area is to be used as the main town centre reference for any sequential test to be undertaken.

Justification

4.20 The NPPF specifically mentions that emphasis should be retaining the vitality of town centres. The Government has supported this through additional research and review from Mary Portas on how town centres can meet the challenges of modern shopping demands.

4.21 The Carlisle Retail Study 2012 also recognised that the City Centre must remain the key focus for retail development and that its sub-regional role as a shopping destination should be strengthened. Although survey work indicated that it has a strong attraction and high retentive rate of spend in the local area a modest enhancement will help secure its long term attractiveness. To this end the city centre retail area must be protected and ensure that it can adapt to changing trends.

4.22 The main policy objective within the primary retail area is to maintain its vitality and viability with high levels of representation of retailing at ground floor level. Changes of use which could result in concentrations of non-retail uses and the creation of lengths of "dead" frontage are contrary to this objective. The City Council will therefore resist proposals for changes of use or the conversion of retail premises to other uses. Restaurants and cafes may be permitted because of their contribution to vitality of the primary retail area.

Alternative Option

No defined primary retail area and policy

4.23 This option would mean that it would be difficult to resist changes to the city centre that detracted from Carlisle's well established strong position as a retailing sub-regional centre with a wide catchment area for north Cumbria and Southern Scotland. Whilst it is recognised that retailing is changing and there will be changes to the city centre make up of business premises, it is important to retain the vitality and viability of the city centre. As a consequence any proposals to change away from the retailing dominance should demonstrate that they would not adversely impact on city centre vitality and viability.

Which Local Plan Policy is Superseded:

4.24 This policy supersedes Policy EC4 – Primary Retail Area in the Carlisle District Local Plan 2001-2016.

Primary Shopping Frontages

What you told us:

There was no direct question relating to primary shopping frontages in the Core Strategy Issues and Options consultation (October 2011). However, the vitality of the city centre, and the importance of the retail offer, was often mentioned in comments submitted by consultees. Many responses mentioned the need to ensure the city centre provided an attractive environment for major, quality retailers to establish a presence there. There was also a consistent concern of the loss of shops to bars, restaurants and takeaways, particularly where vacancies were present, although there was still recognition of the changing nature of the retail sector with the growth of online retailing reducing the relevance of the high street as the dominant retail environment.

Policy 5 Primary Shopping Frontages

Within the Primary Retail Area, Primary Shopping Frontages are defined on the Policy Map. At street level proposals should aim to continue A1 retail use as much as possible in order to retain the vitality and viability of the Primary Retail Area. Other uses, including Business Use (B1), Financial and Professional Services (A2), Restaurants and Cafes (A3) and Drinking Establishments (A4) or other leisure uses suitable for the city centre can be considered within Primary Shopping Frontages where it can be demonstrated that A1 retail is not a viable continued use and where they would not impact upon the viability of the city centre as the primary retail area. Any changes of use within the Primary Shopping Frontage area should aim to either retain, enhance or replace to improve as much of the shop front design and layout as possible.

Justification

4.25 This policy is inline with the NPPF and allows for the positive, promotion of a competitive town centre environment and outlining a strategy for the management and growth of the city centre over the next 15 years. The extent of the city centres and primary shopping areas is defined on the policies map.

4.26 The continued vitality and viability of the city centre is paramount. Maintaining areas of clearly defined primary shopping frontages will plays a part role in this, but there also needs to be recognition of recent changes in the retail sector with the growth of online retailing and the impact of past out-of-town retail parks and the affect this has had on the high street as a retail destination. In order to ensure the continued vitality and viability of the city centre it is becoming apparent that a more flexible approach is required as centres increase their role as destinations for leisure related uses, i.e. eating, drinking and socialising.

4.27 A1 retail uses currently dominate the ground floor of the primary retail area and Carlisle is still the premier retailing destination for Cumbria and indeed parts of south west Scotland. However, there are a number of vacant units within the city centre, including within the

designated primary frontage area. Vacancies within the primary retail frontage are on a downwards trend but it must still be taken into consideration that these vacant units can represent a vulnerability to the primary retail area if left vacant for a significant amount of time, especially within primary shopping frontages. The primary shopping frontage policy must therefore allow for possible alternative uses of a unit where continued A1 use is no longer viable and unlikely to be viable in the long term, provided that the alternate use, be it for a bar, cafe, restaurant, or any other leisure/commercial use, is appropriate to the city centre and would not jeopardise Carlisle's position as the primary retail destination for the County and beyond.

Alternative Options

1) No primary shopping frontages policy within the Core Strategy

4.28 This is not a realistic alternative option. Having no policy on this in the Local Plan would remove the Planning Authority's ability to protect primary shopping frontages in the primary retail area and could cause severe harm to the vitality and vibrancy of the city centre.

2) Increase restrictions on converting primary shopping uses to restrict A3 and A4 uses (bars and restaurants) within the city centre

4.29 This option would fail to take into account the changing nature of the city centre as a retail destination and could impact upon its viability and vitality if vacant units are unable to change to alternative, yet city centre appropriate, uses. As such, it is not considered a suitable option.

Which Local Plan Policy is Superseded:

4.30 This policy supersedes Policy EC6 – Primary Shopping Frontages in the Carlisle District Local Plan 2001-2016

Retail Proposals outside the Primary Retail Area

What you told us:

We asked questions about where future comparison shopping should be located and the response was clear that the sale of comparison goods should remain focussed on the city centre to ensure that it remains the prime location for development.

Some responses recognised the need for larger operators but wanted to see how that could be reconciled with the city centre. Although not a planning policy matter several comments were about free parking in the city centre which would then put the city centre on an equal footing for retail parks. How the car parks are managed is integral to how attractive the centre remains as well as the retail offer it provides. There was limited support for increasing the range of goods sold at non city centre stores.

There was one question relating specifically to comparison shopping and this supported the policy of retaining the focus on the city centre and strengthen the offer.

Policy 6 - Retail Proposals outside the Primary Retail Area

Proposals for retail use will not be permitted outside the city centre except on sites allocated in this Plan. Outside of those allocations, if a qualitative and quantitative need can be demonstrated and it can be shown that no more sequentially preferable site exists, development may be permitted only where all of the following criteria are met:

1. there is an essential requirement to transfer bulky customer loads from store to car;
2. the site is widely accessible by public transport;
3. the proposal is of a scale which will not seriously affect the viability, vitality or regeneration of the City Centre;
4. additional traffic can be satisfactorily accommodated within the surrounding road network;
5. there will be no harm to the visual character of the area or the amenities of adjoining land uses; and
6. there will be no unacceptable effect on overall travel patterns.

Proposals for the extension of floorspace (including the use of a mezzanine floor) at existing larger stores or retail warehouses will also be considered in relation to the above criteria.

This policy will apply to any retail proposals over 200m².

Justification

4.31 The NPPF mentions large stores in paragraph 26 when it considers that proposals for retail, leisure and office development should undertake a sequential test. The aim of section 2 of the NPPF is to ensure that the vitality of town centres remains. For Carlisle this means that the city centre should remain the main focus of retail development.

4.32 The Carlisle Retail Study 2012 found that there was limited spare capacity in the initial years of the plan period and therefore any development should aim to reinforce the city centre as the prime retail location. In order to achieve this with the limited capacity available, the threshold to introduce the sequential test should be considerably reduced, so that smaller units should consider the city centre first. The threshold should be set at 200m².

4.33 In order to ensure that the city centre remains the focus it is therefore important that sufficient sites are set aside in the plan through allocations to allow for the growth envisaged by the retail study. With these locations identified it is therefore possible to provide the stronger policy to resist development in inappropriate locations.

Alternative Option

Allow out of centre growth for comparison retail

4.34 The retail study identified capacity for comparison goods post 2021. It would be possible to allow out of centre expansion of retail parks and their redevelopment to provide a stronger competitive edge to the likes of Gretna retail park. Whilst this is feasible it would lead to the deterioration of the city centre. Carlisle has only limited retail park development and has focused over many years on protecting and enhancing the city centre offer. This has to provide a strong and resilient city centre which although struggling in the current economic climate has remained a desirable retail destination. It would be inappropriate to allow that to deteriorate by allowing piecemeal retail development expanding the remit of existing retail bulky goods stores or further out of town development.

Which Local Plan Policy is Superseded:

4.35 This policy supersedes Policy EC5 Large Stores and Retail Warehouses in the Carlisle District Local Plan 2001-2016.

Neighbourhood Shopping Parades

What you told us:

Although there were no direct questions about the role and function of neighbourhood shopping parades within the Core Strategy Issues and Options consultation, one question in the retail chapter of the document did touch on this issue. Consultees were asked what the future strategy for planning for food stores in the Local Plan should be. Options for responses included: a) a freeze on large retail stores until a review in 2021; b) allowing for a new superstore in the City Centre; c) allowing for existing superstores to extend their current size to cater for future growth; or d) of most relevance to this policy, allow smaller food stores to develop in smaller neighbourhoods. The majority of responses (33) to this question supported the option to plan for smaller food stores within smaller neighbourhood areas, followed closely, with 31 responses, by the option to stop allowing large retail superstores to be built until at least 2021. This indicates a desire from local communities to support established neighbourhood centres and protect them from competition with large superstores.

Policy 7 - Neighbourhood Shopping Parades

Proposals for small scale retail development within defined neighbourhood shopping parades will be acceptable providing that:

1. it is well related to existing shopping provision; and
2. it does not adversely affect the amenity of any adjacent residential areas; and
3. appropriate access, parking and security arrangements can be achieved; and
4. the design of any new development is attractive and in keeping with the character of the locality; and
5. it would not affect the viability or vitality of the city centre

Proposals for small scale commercial uses other than local convenience and comparison retailing and local services will be acceptable where it can be demonstrated that they are needed to support an existing retail use.

Justification

4.36 The NPPF is keen to promote the idea of healthy communities, which involves ensuring neighbourhoods provide the local services and facilities that the community needs to meet its day to day requirements.

4.37 The NPPF states that to service the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and neighbourhood shops.

4.38 The Carlisle Retail Study was produced in autumn 2012. Whilst its main focus was on the retail sector within the city centre, it also considered the role of small neighbourhood shopping parades within the urban area which serve the immediate day to day shopping needs of the community at a neighbourhood level.

4.39 Neighbourhood shopping centres are identified as performing a shopping top-up function for local residents. The Council should seek to maintain the convenience offer within these local centres as appropriate. The exact boundaries of local centres have been identified on the policies map.

4.40 The following neighbourhood shopping parades have been identified within the city:

- Petteril Bank Road, Upperby Bridge;
- Central Drive/Pennine Way, Harraby;
- Blackwell Road, Currock;
- Boundary Road/Upperby Road, Upperby;
- Wigton Road, Caldewgate;
- Stonegarth, Morton;
- Newlaithes Avenue, Morton;
- Holmbrook Road, Whernside;
- Shady Grove Road, Raffles;
- Warwick Road;
- Scotland Road, Knowefield;
- Victoria Road, Botcherby;
- Denton Street;
- Orton Road/Wigton Road, Morton.

4.41 In 2012, Department for Communities and Local Government published a report into the role of neighbourhood centres – *Parades of Shops: Towards an understanding of performance & prospects*. This report attempted to analyse the performance of neighbourhood shopping parades across the country, drawing from a

number of case studies. The recommendations in that report have informed this policy. Planning for neighbourhood shopping parades is flexible, recognising the integral role they play in within local communities – not just for their retail or service offer, but also for their social function, as well as allowing businesses to adapt to changing circumstances and grow into areas other than retail, such as small scale manufacturing and other more commercial land uses (maintenance/repair shops, workshops, dress makers, etc). Neighbourhood shopping parades also play an important role in place shaping, as the appearance of a parade has an important impact on the perception of the local neighbourhood itself. Run down and poorly maintained parades can lead to perceptions of anti-social behaviour, crime and deprivation. There is evidence that investment in the public realm, Closed Circuit TV, parking provision and other amenity improvements in and around neighbourhood centres can improve the economic performance and social perceptions of the area.

Alternative Options

No neighbourhood shopping parades policy within the Local Plan

4.42 This option would rely on national policy, which does not provide local context in terms of identifying and subsequently protecting and enabling the enhancement of neighbourhood shopping parades within the city.

Which Local Plan Policy is Superseded:

4.43 This policy supersedes Policy EC7 – Neighbourhood Facilities in the Carlisle District Local Plan 2001-2016.

Morton District Centre

Policy 8 – Morton District Centre

Land is allocated at Morton for a District Centre to accommodate a foodstore with a capacity of 8 175sq m gross.

Any other foodstore applications elsewhere in the City will be required to demonstrate that they would not undermine the planned delivery of the Morton scheme, or impact on its trading viability, or impact on the viability of other committed or operational foodstores in the City.

Justification

4.44 The Carlisle Retail Study August 2012 recommends that the District Centre allocation for Morton should be retained though the emerging Local Plan in order to provide sufficient policy protection to ensure that the foodstore anchor is delivered.

4.45 However, it is recognised that there is potential to introduce a wider range of comparison retail and service uses as part of the Morton District Centre to meet the wider needs of existing and future residents.

4.46 A capacity assessment of current foodstore commitments across the City shows that there is no requirement for new convenience provision in the City over the emerging Local Plan period through to 2030. This position will be monitored when committed foodstore schemes are trading, and regular main food shopping patterns established.

Map 5 - Morton District Centre



Shop Fronts

What you told us:

There were no specific questions relating to shop fronts in the consultation on the Core Strategy Issues and Options. Though some of the general responses to the Local Character chapter mentioned the need to protect and preserve historic and well designed aspects of the townscape, which would include consideration of the design of shop fronts within town centres.

Policy 9 - Shop Fronts

Well designed and appropriate shop fronts whether original or reproduction should be retained wherever practicable and if necessary restored when the opportunity arises and it is considered pertinent to do so by the Local Planning Authority. New shop fronts should create a strong sense of place with a local context and relate in scale, proportion, materials and decorative treatment to the relevant façade of the building and, where appropriate, to adjacent buildings and/or shop fronts, with consideration being given to Supplementary Planning Guidance 'Shopfronts Design Guide' or successor documents.

Within a conservation area changes to shop fronts and new shop fronts will be acceptable only where the design contributes to the preservation and enhancement of the area's character, appearance and setting, and provided the following criteria are met:

1. any original or period features are to be retained or restored;
2. the proposal relates well in scale, height, proportions, materials and detailing to other parts of the building, adjoining shop fronts and the street scene generally;
3. the proposal does not involve a single shop front spanning two or more frontages; and
4. Does not involve the use of inappropriate modern shop front features

In the Botchergate Conservation Area, the Council shall support proposals for shop front renovation, restoration and new shop fronts that are in line with the Botchergate Conservation Area Management Plan and that actively work towards enhancing the street scene within that area.

Justification

4.47 The NPPF does not specifically mention shop fronts within policy. It does however place great emphasis on how local planning authorities should aim to achieve high standards of design within public spaces. Development, such as the creation of a new shop front or which would impact upon an existing, high quality shop front, should seek to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. It should also respond to local character and

history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation.

4.48 There are a number of well designed and traditional shop fronts in the plan area, particularly in the City Centre, Botchergate, Brampton, Longtown and Dalston. Special care is needed when dealing with proposals which might detract from the character of a building and, where it is considered appropriate and pertinent, the traditional features of well designed and high quality shop fronts should be retained whenever alterations are being carried out.

4.49 The Council has also produced Supplementary Planning Guidance on the design of shop fronts. Published in 1994 the guidance is still relevant and offers useful information on how people wishing to install new shop fronts or alter existing ones can do so in keeping with the traditional styles of frontages across the city and wider district. Applicants will be encouraged to have regard to the document, and any future successor documents when planning new development of this type.

4.50 The Botchergate Conservation Area Management Plan was published in June 2012. It highlights the Botchergate conservation area in particular as an area which could benefit from the protection of traditional shop fronts and the restoration of fronts that have fallen into disrepair or been lost through unsympathetic refurbishment. It also highlights how past schemes to redevelop areas with poor shop fronts have successfully brought back a traditional aesthetic to parts of the conservation area, such as the shops on the ground floor of Stanley Hall, as well as areas of low architectural value that could provide opportunities to reintroduce well designed, high quality shop fronts to help improve the visual amenity of Botchergate as a whole. Weight should be given to the approach set out in this document when considering applications concerning shop fronts within Botchergate.

Alternative Option

No shop fronts policy within the Local Plan

4.51 This option would mean that planning for shop fronts would have to rely on generic design guidance within the NPPF, which would not provide local context or specific policy to encourage the development of new high quality shop fronts and the preservation and restoration of existing fronts of value.

Which Local Plan Policy is Superseded:

4.52 This policy supersedes Policy EC8 – Shopfronts in the Carlisle District Local Plan 2001-2016.

Food and Drink

What you told us:

There were no direct questions posed to the community on eating and drinking establishments during consultation on the Core Strategy Issues and Options. However, a number of responses did broadly mention it when addressing the importance of ensuring the viability and vitality of the city centre. Some comments said that the Council should look at ways of helping the city centre function outside of the standard nine to five culture, particularly around the pedestrianised area of the centre. The recent Retail Study included surveys that sought the opinion of members of the general public on the city centre. One of the issues that came through particularly negatively was the perception of Botchergate being dominated by pubs and bars. This suggests that it is important to ensure that an area does not come to be saturated by one particular use type, with diversity being key to ensuring vitality and a pleasant evening environment within the city centre. This was mirrored during the Issues and Options consultation with a number of responses expressing strong concern of the over saturation of takeaway food outlets in and around Botchergate.

Policy 10 - Food and Drink

The Council shall aim to facilitate the creation of a vibrant and viable food and drink sector within Carlisle City Centre and other district centres.

Within the Plan area, proposals for uses within Use Class A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) will be approved provided that:

1. the proposal does not and will not involve unacceptable disturbance to occupiers of nearby residential property; and
2. the proposal would not cause unacceptable levels of traffic generation or highway obstruction, particularly where customers are collecting food from takeaways; and
3. the proposal does not involve unacceptable intrusion into open countryside; and
4. the proposal, whether new development or conversion, compliments surrounding development or the character of the existing building; and
5. throughout the Plan area opening hours will be imposed having regard to the surrounding uses, the character of the area and possibility of disturbance to residential areas; and
6. the proposal could not be considered to be contributing towards an oversaturation of a particular use or business type within a locality

Proposals for A3, A4 and A5 related uses should be situated in accessible locations within or adjacent to existing centers in line with the sequential approach outlined in the NPPF unless material considerations dictate otherwise.

Justification

4.53 The NPPF states that planning policies should support the viability and vitality of town centres and encourage competition and greater provision of customer choice. Local planning authorities should seek to facilitate appropriate growth and diversification of pubs, bars, restaurants, takeaways, nightclubs and other town centre leisure attractions, in order to improve the range of actives available within a town centre, particularly in the evening.

4.54 The NPPF also looks at the importance of safeguarding community facilities, both in rural and urban areas. It states that planning authorities should plan positively for the provision of shared space, community facilities (such as public houses) and other local services to enhance the sustainability of communities and residential environments. Policies should guard against the loss of valued facilities and services and also ensure that established ones are able to develop and modernise in a sustainable way.

4.55 The primary evidence base document for this policy is the Carlisle Retail Study published in October 2012. It highlights how the Vue Cinema on Botchergate is a key anchor for the evening leisure offer in the city centre and currently meets the need for cinema facilities within the district. It states that whilst there is an existing restaurant sector that is informally emerging within the city centre, there exists capacity to expand this restaurant offer, with an eye to attracting larger, nationally recognised restaurant chains perhaps through the creation of a new restaurant quarter within or well related to the city centre. It also recommends that the Council should aim to maintain and effectively manage the existing provision of pubs and other late night establishments within the city through the planning process. Some environmental management concerns are highlighted around the dominance of hot food takeaways in and around Botchergate.

4.56 The Retail Study did not explore food and drink policies outside of the city, namely in the main service centres of Brampton and Longtown. In these areas the food and drink offer is largely made up of cafes and pubs during the day, whilst the evening economy largely revolves solely around small town public houses. The Campaign for Real Ale (CAMRA) has carried out extensive research into the decline of public houses in rural areas. It is against this backdrop that planning policies should aim to facilitate the development of appropriate evening service in these towns. This policy looks to enable the new development of pubs and other services within the city and other service centres, reference should therefore be made to Policy 49 Sustaining Rural Facilities and Services when considering the need to retain public houses.

Alternative Options

1) No food and drink policy within the Local Plan

4.57 This option would rely on national policy, which current provides only general comment on ensuring the vitality and viability of town centres. It does not mention the evening economy specifically and would therefore not be inline with the Council's aims to create a better and more vibrant environment within Botchergate, the City Centre and beyond.

2) Introduce a ban on new hot food takeaways within 400m of a school, park, youth centre or other youth orientated facility

4.58 This is an option that has been explored by other planning authorities across the country as a means of tackling childhood obesity. Whilst the principle is commendable, it remains to be seen just how effective such a policy could be and therefore the practicalities of such an approach are questionable. Should consultation on this issue see a desire for a policy along these lines then the Council shall undertake further evidence to assess the viability of including wording to this effect.

3) Restrict new A5 uses within Botchergate

4.59 There was strong community feedback during consultation from the Issues and Options and in the recent Carlisle Retail Study suggesting that Botchergate has become significantly oversaturated with hot food takeaways. Wording could be included in policy to restrict the development of new A5 uses within the area. However, this could be overly restrictive and it may be better to allow the market to regulate itself, letting competition and demand control the number of hot food takeaways along Botchergate.

Which Local Plan Policy is superseded:

4.60 This policy supersedes Policy EC10 – Food and Drink in the Carlisle District Local Plan 2001-2016.

Leisure Development

What you told us:

Most comments received during the Issues and Options consultation on the Core Strategy supported the idea of focusing leisure development within the city centre, but not on one specific large site as this could rule out other suitable sites. There were a number of calls to improve the leisure offer within the city, particularly for a new theatre. It was recognised that boosting the district's leisure offer would in turn attract more visitors to the area and thus bolster the local economy.

Policy 11 - Leisure Development

Proposals for leisure development will be acceptable provided that:

1. the development is of an appropriate scale for the locality;
2. if the proposal is for land outside of a town centre, a sequential test has been applied and assessed and no central sites are deemed available or appropriate; and
3. there will be no unacceptable impact upon existing town centres;
4. the site is accessible by public transport, walking and cycling; and
5. appropriate car parking and satisfactory access can be achieved; and
6. the proposal does not have an adverse impact on the amenity of the surrounding area and land uses.

Justification

4.61 The NPPF considers leisure use to be a main town centre use and, as such, provided it is over 2,500sqm in floor space, any proposals outside of a town centre for leisure development should be subjected to a sequential test in order to establish that there are no suitable, more centrally located sites available to accommodate the proposed development.

4.62 Leisure development covered by this policy could include improvements to or the development of private outdoor facilities including the development of clubs or gymnasias, and hotel related facilities as well as the development of cultural facilities such as a theatre, art gallery, museum or library. Such proposals, provided they meet the above criteria, will improve the standard and variety of leisure provision in the District.

4.63 In rural areas, favourable consideration will be given to leisure development which aids rural diversification. However, such development should be of a suitable scale, and be

designed and sited with great care and sensitivity to its rural location. Use of land on the periphery of villages for open space purposes is likely to be acceptable.

4.64 New leisure development should normally be accessible by public transport, walking and cycling. However, for some developments in the rural area this may not be possible, especially if associated with a diversification scheme in an area with poor public transport links.

Alternative Option

No leisure development policy in the Local Plan

4.65 This would require policy to defer to national guidance, which only discusses the need for leisure development within towns and cities to be sequentially tested. The preferred option builds on this and provides criteria and context for proposals to be assessed against, it also allows for leisure development outside of towns and cities to be considered where appropriate. To defer to national guidance would mean losing this context.

Which Local Plan policies are superseded?

4.66 Policy LC1 – Leisure Development in the Carlisle District Local Plan 2001-2016.

Arts, Culture and Tourism Development

What you told us:

The Issues and Options Paper asked a number of questions relating to tourism, generating the following comments:

- encourage continued growth, development and diversity of tourism opportunities available, especially to families and recognise the contribution tourism makes to the District's economy;
- Carlisle should be branded 'ultimate day out in the north of England' focused on shopping, Tullie House and the Castle;
- need to promote tourism in Carlisle more in line with York, Cambridge and Chester;
- Carlisle should be branded as a contemporary city as well as a historical city with better facilities, e.g. first class city centre hotels;
- ensure the preservation and protection of architectural features of period buildings and protection of old buildings and sympathetic planning and design in conservation areas;
- the natural environment and green infrastructure should be promoted as a tourist draw - River Eden, Rockcliffe Marsh, RSBP reserve at Geltsdale, Solway Coast AONB, The Pennines, the Lake District National Park; and
- focus on enhancing the rural tourist based opportunities.

Policy 12 - Arts, Culture and Tourism Development

Proposals will be supported where they contribute towards the arts, cultural and tourism offer of the District and support the economy of the area provided that the following criteria are met:

1. the scale and design of the development are compatible with the surrounding area; and
2. there would be no unacceptable adverse impact on the landscape/townscape; and
3. adequate access by a choice of means of transport, including sustainable modes of travel such as cycling or long distance walking, and appropriate car parking can be achieved; and
4. the distinctive environment, culture and history of the area are safeguarded.

Hadrian's Wall World Heritage Site (WHS) is a major attraction for sustainable tourism and proposals for new tourism development which aim to promote the enjoyment and understanding of the WHS whilst meeting the above criteria will be permitted.

Justification

4.67 Tourism, arts and cultural development is of major importance to Carlisle as a generator of economic prosperity and employment. It is essential that the tourism potential of the District is promoted and exploited to maximise the benefits it can bring to the area. Carlisle's heritage is central to its attractiveness as a tourist location with Hadrian's Wall Path National Trail crossing the District.

4.68 The NPPF recognises the importance of arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities) as main town centre uses and as such the Council will encourage this type of development within Carlisle City Centre. In addition, it supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. In particular where they respect the character of the countryside, including supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

4.69 Tourism development will be considered favourably where it will assist in the economic and physical regeneration of an area and be of benefit to the local

community. Opportunities should be taken for tourism development to promote the distinctive environment, culture and history of the area as a tourist attraction. Proposals for tourism development in the rural area should seek to conserve and enhance the special features and diversity of the different landscape character areas.

4.70 The tourist industry is of major importance both at a national and local level generating economic prosperity and employment. Carlisle City Council recognises the value of these sectors and actively seeks to promote arts, culture and tourism. However, it must be recognised that to ensure sustainability, care must be taken to protect the broader fabric upon which the tourist industry depends such as our heritage, culture and natural landscape. Therefore, proposals will generally be most acceptable where they have the least environmental impact and maximum economic benefit.

Alternative Option

No Arts, Cultural and Tourism Development policy in the Local Plan

4.71 By not including a policy on this in the Local Plan, applications for development must be assessed against the NPPF. Whilst the NPPF supports this type of development, it is considered that this policy helps to add detail for development specifically within Carlisle District.

Which Local Plan policies are superseded?

4.72 This policy supersedes Policy EC15: Tourism Development in the Carlisle District Local Plan 2001-2016.

Caravan, camping and chalet Sites

What you told us:

There was not a specific question about caravan, camping and chalets in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 13 Caravan, Camping and Chalet Sites

Proposals for the development of caravan, camping and chalet sites will be acceptable provided that:

1. The siting and scale of the proposal does not have an unacceptable adverse effect on the character of the local landscape; and
2. The site is adequately landscaped; and
3. The site is contained within existing landscape features; and
4. Adequate access and appropriate car parking can be provided; and
5. The potential implications of flood risk have been taken into account within a site specific Flood Risk Assessment where necessary.

In addition, the Council will consider the need to impose seasonal restrictions through the use of planning conditions to avoid continual residential use of a site.

Justification

4.73 There are 13 existing licensed caravan sites in the District as well as a number of camping pitches and chalet sites. Most of the sites are used for short stays by those visiting the District to explore the range of attractions on offer, from Hadrian's Wall which crosses the District to Carlisle Castle in the heart of the City. Caravan, camping sites and chalets are therefore a valuable tourist facility.

4.74 Proposals for both static and touring caravan sites as well as chalets will be judged against the above criteria. In certain circumstances, seasonal restrictions will be applied by the use of planning conditions to avoid the continual residential use of a site. The scale, siting and proposed landscaping of the proposal will be particularly important in determining its acceptability. Where caravan, camping and chalet sites are to be located next to rivers, the implications of potential flooding will need to be properly addressed.

4.75 In addition to the need to obtain planning permission, caravan, camping and chalet site operators must obtain a site licence. The site licence covers such matters as the number and standard of spacing of the caravans and hygiene. The City Council's Environmental Health Section issues site licences. In addition it is important that all consents relating to water management (e.g. drainage, discharge and abstraction) are in place before caravan sites become operational.

4.76 This policy reiterates support for the sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside, in line with the NPPF. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

Alternative Option

No Caravan, camping and chalet Sites policy in the Local Plan

4.77 By not including a policy on caravan, camping and chalet sites in the Local Plan, this would mean that applications for this type of development would only be assessed against the NPPF. It is not considered that there is enough detail contained within the NPPF to ensure that tourism caravan sites are appropriately located or serviced.

Which Local Plan policies are superseded?

4.78 This policy supersedes Policy EC15: Tourism Caravan Sites in the Carlisle District Local Plan 2001-2016.

Rural Diversification

What you told us:

The Issues and Options consultation asked if there were any new opportunities for rural employment that we should address. The majority of people responded yes to this question, providing the following comments;

- It is recognised that there may be opportunities within the rural area as a result of farm diversification/rural crafts;
- Opportunities should be sought and encouraged within the rural area, i.e. opportunities for walking, outdoor pursuits, cycling and roman heritage in the area.

Policy 14- Rural Diversification

Development proposals to diversify and expand upon the range of sustainable economic activities undertaken in rural areas will be supported and encouraged both through the conversion of existing buildings and well designed new buildings. Any new building must be well related to an existing group of buildings to minimise its impact, blending satisfactorily into the landscape through the use of suitable materials, design and siting. Proposals should:

1. Be compatible with existing agricultural operations in the rural area; and
2. Be in scale and character with its surrounding landscape and buildings; and
3. Be capable of providing adequate access and parking arrangements;
4. Not to lead to an increase in traffic levels beyond the capacity of the surrounding local highway network.

Justification

4.79 Whilst the preferred location for new development will be in villages, changes in agriculture over recent decades have resulted in a decline in farm-related jobs. As a result there is now a need to strengthen the economy in rural areas by supporting the sustainable growth and expansion of all types of business and enterprise in rural areas. There are often opportunities for reusing or adapting surplus existing rural land and buildings for commercial, industrial, recreational or environmental uses such as guesthouses, farm shops, rural workshops or other business premises, helping the countryside to diversify, flourish and sustain itself. The City Council recognises the important and changing role of agriculture and the need for new employment in the rural area.

4.80 The use of surplus rural buildings for the provision of tourist holiday accommodation can help to retain the buildings in the countryside whilst helping to boost the rural economy. Conversion of rural buildings to holiday accommodation can, when skilfully undertaken, involve minimal alteration and therefore have little impact on the surrounding countryside. Nevertheless schemes must be sensitive to their environments and measures must be taken

to mitigate any potential environmental impacts. The NPPF supports sustainable rural tourism and leisure developments where they respect the character of the countryside. This type of development is important in areas where identified needs are not met by existing facilities in rural service centres.

4.81 Traditional, redundant and underused buildings may provide habitats for wildlife such as bats or barn owls. For those species protected by the Wildlife and Countryside Act 1981, the City Council will seek to ensure a survey is carried out and suitable precautions taken for the protection of the species and their habitat before permission will be granted. Other environmental diversification schemes may help to improve the ecological value of the rural area whilst helping to provide local employment such as schemes to implement the Cumbria Local Biodiversity Action Plan.

Alternative Option

No Rural Diversification policy in the Local Plan

4.82 By not including a policy within the Local Plan on rural diversification, the NPPF would be used to determine any applications for this type of development in the rural area. It is considered that a policy is required to reaffirm the importance of protecting the rural area from inappropriate development and as such a criteria based policy will be used to assess the appropriateness of the development in the location.

Which Local Plan policies are superseded?

4.83 This policy supersedes Policy EC11: Rural Diversification in the Carlisle District Local Plan 2001-2016.

Farm Shops

What you told us:

There was not a specific question about farm shops in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 15- Farm Shops

Proposals for the establishment of, or extension to, farm shops will be permitted provided that:

1. The enterprise would not undermine the viability and vitality of existing village shops/facilities; and
2. The range of goods sold are restricted to ensure the operation remains as a farm shop which is agricultural in character; and
3. The retail use has to be in association with an established agricultural holding; and
4. The scale, design and landscaping of new or converted facilities respects local landscape character; and
5. Such facilities are capable of being developed within the curtilage of an existing group of buildings; and
6. Adequate access and highway safety will not be compromised.

Justification

4.84 Carlisle has a vast rural hinterland and as such agricultural operations provide opportunities to sell locally produced goods. Farm shops can provide opportunities to diversify and support existing agricultural holdings in the rural area and help meet a demand for local produce in a sustainable way. It is, however, necessary to safeguard existing rural shops and services. Proposals will be considered acceptable where it can be demonstrated that no adverse impact will be generated as a result of a farm shop scheme and provided it meets the requirements set out within the policy.

4.85 The NPPF recognises the importance of planning in contributing towards supporting a prosperous rural economy through its reference to the promotion of the development and diversification of agricultural and other land-based rural businesses.

Alternative Option

No Farm Shops policy in the Local Plan

4.86 It is not considered that there is enough guidance contained within the NPPF to determine applications of this type adequately for Carlisle as it does not adequately reflect the importance of agriculture to our District. Therefore a policy is required on this.

Which Local Plan policies are superseded?

4.87 This policy supersedes Policy EC14: Farm Shops in the Carlisle District Local Plan 2001-2016.

Agricultural Buildings

What you told us:

Although there was not a specific question about agricultural buildings in the issues and options paper, the following comments were received during the Key Issues Consultation concerning;

- The negative effects that intensification of agricultural methods can have on the landscape

Policy 16 – Agricultural Buildings

Proposals for new farm buildings and extensions to existing agricultural buildings or other structures will be permitted provided that;

1. The building or structure is sited where practical to integrate with existing farm buildings and/or take advantage of the contours of the land and any existing natural screening; and
2. The scale and form of the proposed building or structure relates to the existing group of farm buildings; and
3. The design and materials used reflect the overall character of the area; and
4. The proposal would not have an unacceptable impact on any adjacent properties.

Justification

4.88 The development of farm buildings and other structures of a certain scale not requiring full planning permission instead require an 'Agricultural Determination' from the City Council. The purpose of this arrangement is to enable the Council to comment on the siting and design of particular proposals, whilst not obliging farmers to submit formal applications for planning permission.

4.89 The siting of a new agricultural building can have a considerable impact on the surrounding landscape. New buildings should therefore, where possible, integrate with both the surrounding landscape and farmstead as a whole. It may be possible to do this by using natural contours in the land or existing natural screening such as woodland, trees or mature hedgerows. The aim is not to hide a new building from sight, but to soften its outline and integrate it with the surrounding landscape. Any new planting should therefore reflect the vegetation type already existing in the locality.

4.90 New buildings should normally form part of a group rather than stand on their own and should relate to existing buildings in scale and colour. However, there may be occasions when a large building of modern design is required on a farm largely comprising traditional buildings. To avoid visual conflict, such buildings should be designed to minimise their impact by such measures as breaks in roof slope or differing roof heights and by linking the building into the landscape by planting groups of trees to soften its outline. In exceptional circumstances such buildings may be better sited away from the group.

4.91 In sensitive areas such as within the setting of a listed building, in a conservation area or AONB, it will normally be appropriate to use traditional or sympathetic materials and the colours chosen should be compatible with the setting or surrounding countryside. Many traditional buildings are important for protected species including bats and barn owls. Where such species are thought to be present in or adjacent to the existing buildings, a survey should be undertaken to determine whether bats or barn owls are present. The adopted North Pennines AONB Building Design Guide 2011 and Planning Guidelines 2011 provide further information on development of agricultural buildings in the rural area.

Alternative Option

No agricultural buildings policy in the Local Plan

4.92 It is considered that this policy is important as a basis for assessing and determining applications for agricultural determinations, as this is not fully covered by the NPPF.

Which Local Plan policies are superseded?

4.93 This policy supersedes Policy LE25: Agricultural Buildings in the Carlisle District Local Plan 2001-2016.

Equestrian Development

What you told us:

There was not a specific question on equestrian development in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 17 - Equestrian Development

Schemes relating to the development of stables, horse riding arenas and/or riding centres in the rural area will be permitted provided that:

1. There will be no unacceptable impact upon the landscape and character of the area; and
2. Adequate access arrangements and car parking can be achieved; and
3. The scheme will be well contained within existing landscape features.

Additionally the development of horse riding arenas and/or riding centres should ensure that;

1. The scheme will not have a detrimental effect upon nearby properties or surrounding land uses; and
2. The scheme reuses an existing building(s) where possible and any associated new build, where necessary and appropriate, should be located within or adjacent to an existing building or group of buildings; and
3. The surrounding roads and bridleways are adequate and safe for the increased use by horseriders, with the roads being suitable for all users; and
4. Any lighting requirement will not impact on surrounding uses; and,
5. The intensity of use is appropriate for the character of the area.

Justification

4.94 Horse riding and keeping are popular leisure activities attracting a wide range of people, as well as being an intrinsic part of rural life. Carlisle District has seen an increase in the number of proposals for equestrian development; this trend is likely to continue due to changes in the rural economy providing scope for diversification in rural businesses. The NPPF supports sustainable rural tourism and leisure developments where they respect the character of the countryside.

4.95 Horse keeping can be an appropriate use in the countryside provided that care is taken over the siting and location of buildings and that access to roads and bridleways is

adequate. As with all developments care must be taken to ensure the design of the development is appropriate. Associated buildings should be situated in one block or a tight grouping to reduce visual impact on the landscape and means of enclosure should reflect local characteristics. Proposals likely to damage sensitive areas, such as important habitats or landscapes, will not be acceptable.

4.96 Conditions may be imposed upon applicants to ensure that jumps and other equipment are removed and stored out of site to help reduce the visual impact, of the operation, on the landscape. High standards of maintenance and management are required to ensure that the activities do not adversely effect the countryside and that the horses are well accommodated and cared for. Additionally, in some cases personal consents may be placed on this type of development to restrict their use to that of the applicant

4.97 There is a highways safety issue associated with increasing levels of horse riders on the roads, therefore schemes which would give rise to excessive numbers of horses on the surrounding roads will not be favourably considered.

Alternative Option

No Equestrian Development policy in the Local Plan

4.98 Without a policy relating to equestrian development, applications for development would relay on the NPPF. It is considered that due to the rural nature of the District it is valuable to have a policy focussing on this use in order to guide this type of development.

Which Local Plan policies are superseded?

4.99 This policy supersedes Policy LE24: Equestrian Development in the Carlisle District Local Plan 2001-2016.

Advertisements

Consultation so far/What you told us:

There were no specific questions on Advertisements in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 18- Advertisements

Proposals for advertisements within the district will be permitted providing they are not detrimental to visual amenity and do not prejudice public or highway safety. All of the following criteria will be used to assess suitability:

1. Size;
2. Location;
3. Illumination;
4. Design
5. Materials
6. Means of fixture; and
7. Impact upon the street scene/local environment/landscape

Proposals for the display of advertisements within conservation areas will need to demonstrate how the historical aesthetic has been taken into consideration in the design of the advertisement. Proposals which are of an inappropriate scale, illumination or material, would lead to clutter or obstruct or detract from the character or appearance of the conservation area or the architectural features of the buildings on which they are displayed will not be permitted.

Discontinuance action will be taken to remove posters and other material considered to cause substantial injury to the character or appearance of a conservation area.

In addition, proposals for the display of advertisements outside of Carlisle, Brampton or Longtown fall under the Area of Special Control of Advertisements designation. Within the Area of Special Control proposals for advertisements will be permitted providing:

1. They comply with Regulation 21 of the Advertisement Regulations (2007); and
2. They respect the high environmental value of the Plan area; and
3. Where appropriate the complement and enhance significant areas of townscape importance

Justification

4.100 The NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

4.101 Legislation for the control of adverts comes from the Town and Country Planning (Control of Advertisements) (England) Regulations (2007). The act provided a definition of what was meant by advertisements. This included:

- Hoardings
- Balloons
- Blinds and canopies with lettering
- Flags with logos
- Fascia signs and projecting signs on shops
- Pole signs at petrol-filling stations
- Sign boards at factories
- Advance signs and billboards alongside the highway
- Menu boards at restaurants and cafes
- Posters
- Notices announcing the visit of a travelling fair or circus

4.102 Advertisements can be of high importance to the local economy and are essential to commercial activity. When well designed they can also contribute to a sense of vibrancy within a town or city centre. However, they can also run the risk of being overly dominant of the street scene and, in some instances, lead to issues with highway safety if road signs are obscured. Care within conservation areas must also be taken to ensure that advertisements have taken the historic character of the area into account and do not damage its historic integrity. The Council will require evidence of how the impact on a heritage asset has been taken into account be demonstrated.

4.103 The Town and Country Planning (Control of Advertisements) (England) Regulations (2007) state that applications for the display of adverts should be assessed according to their location and siting, dominance in the street scene, style and size, materials, colour and finish, and, where appropriate, levels of illumination.

4.104 The Area of Special Control of Advertisements covers the entire plan area, excluding Carlisle, Longtown and Brampton. Regulation 21 in the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) sets out the range and type of adverts that can be displayed in an area of special control. Within this area the range and type of advertisements which may be displayed without express consent is more restricted and greater controls will be exercised over the design and materials used to respect the high environmental quality and unspoilt character of the rural area. In particular, the use of

traditional materials should be considered and where lighting is appropriate or necessary it should be subdued and concentrated directly on the sign or advertisement rather than lighting a wider area or angled up to the sky.

Alternative Option

No advertisements policy in the Local Plan

4.105 This would require policy to defer to national guidance which offers only general principles for the control of advertisements. The preferred option above is considered to provide more local context and provide clarity as to how advertisement proposals will be assessed.

Which Local Plan Policies are superseded?

4.106 Policies EC17 – Advertisements and EC18 – Areas of Special Control of Advertisements in the Carlisle District Local Plan 2001-2016.

5 Housing

Objective:

To enable the development of a range of high quality, energy efficient housing, in a variety of locations, to meet the aspirations of the existing community and those wishing to move to the area, and which will help build communities and support economic growth.

5.1 The Local Plan housing strategy aims to meet the housing needs for the District for both open market, affordable and special needs housing. It does this with reference to the evidence set out in the Housing Needs and Demand Study Nov 2011 (HNDS) on current and future demographic trends, market trends and the needs of different groups in the community. To deliver the strategy, the Plan focuses housing delivery on the City of Carlisle, whilst also allowing a proportion of housing to come forward in the rural areas. The Plan aims to achieve this through allocating specific sites for housing across the district, and setting out a policy based approach for housing on non-allocated sites.

Housing strategy and delivery

What you told us:

A number of questions were asked in the Issues and Options paper, and through a series of workshops, which give important feedback on the level of new housing growth that the community would like to see in the district, and how and where that housing growth is to be accommodated, as follows:

District Housing Target

There were 67 responses to H1 in the Issues and Options paper, which asked whether the overall housing target should average 600/yr, 400/yr, or select a lower target which would only aim to meet the broad range of local housing needs. The replies were very evenly spread, with a third opting for each option.

In addition, through the 3 Local Development Framework (LDF) stakeholder workshops (May, Sept and Nov 2011) you told us:

- flexibility is key, the figure should be a target, not a cap;
- the focus of delivery should be in the urban area;
- the availability of housing land will influence housing targets;
- need to achieve a balance/mixed housing supply;
- an urban extension to the south of the city is needed to provide for a wide range of uses to address the imbalance between the north and south of the city and fund necessary infrastructure;
- aim for a target of 600 to meet need;
- the housing target should be more cautious than 600;
- what comes first, housing or employment?;
- the relationship between housing and economic growth/infrastructure to be emphasised;
- too much focus on the Local and Key Service Centres in the rural area. Housing should be targeted across the whole of the rural area.

Proportion of Housing Target Allocated To Urban And Rural Areas

Question H2 in the Issues and Options Paper asked about the proposed split of the district housing target between the City and the rural area.

65 people responded to this question and the majority (60%) wanted to see a higher proportion of housing allocated to the urban areas. 26% thought the distribution should be evenly split, whilst only 13% thought a higher proportion should go to the rural area.

Feedback also pointed to the current population split which is approximately 70/30% urban/rural, and that this should mirror the proposed housing distribution to avoid any reduction in new builds in the rural area. Many responses favoured a higher proportion of houses in the urban area due to access to services and community facilities, to take up opportunities for regeneration and to prevent negative impact on the character of rural areas.

In addition, through the three LDF stakeholder workshops (May, September and November 2011) you told us:

- new housing development should be focussed in the urban area;
- distribution should be based on the availability of housing land;
- there is a lack of affordable and first time buyer homes in the rural area;
- restricting housing in the rural area can prevent communities from becoming sustainable.

THE LOCATION OF NEW URBAN HOUSING DEVELOPMENT (Including Housing Allocations).

Specific site allocations were not consulted on at the Issues and Options stage of the Plan. However, a broader question was asked about the location of new urban housing development, (QH3). In addition the Council's Strategic Housing Land Availability Assessment (SHLAA) has been the subject of two separate consultations November 2010 and May-July 2012.

In relation to the location of new urban housing development we asked whether we should a) aim for new housing land allocations to be evenly dispersed across the city, or b) should new housing allocations be concentrated in a maximum of two or three different locations of a significant size on the edge of the city?

61 people responded to this question through the consultation on the Issues and Options paper. Of these, 48 chose option a) and 13 chose option b).

Additional comments submitted highlighted that:

- scattered growth does not deliver necessary infrastructure to support it;
- developing greenfield sites on the edge of the city adds to the carbon footprint and pressure on the road system;

- new housing should not be built at the expense of good quality existing homes where residents already have a sustainable community;
- the potentially surplus parts of the University estate offer an opportunity to deliver further housing in a sustainable urban location;
- another option should be added which allocates land at junction 42 of the M6;
- neither option should be chosen, but that all new housing should have a good relationship with existing employment areas and be well served by existing infrastructure;
- Blackwell village should be included within the settlement boundary for Carlisle and the Core Strategy should introduce a framework for the release of land for residential development around Blackwell;
- the Taylor Review (2008) says there will be greater opportunity for the provision of decent infrastructure by taking a 'hub and spoke' approach to new development rather than a doughnut pattern (gradually building around the edge of the City). Creating self-contained satellite neighbourhoods results in better quality environments;

In addition, through the 3 LDF stakeholder workshops (May, Sept and Nov 2011) you told us:

- mismatch between current concentrations of employment land to the north of the City and housing land to the south;
- choosing option b) provides opportunity for larger developments to cater for needs, requirements and access to services;
- clearer links need to be made between development and employment in the City;
- it is easier to build houses near employment by piecemeal development in small phases, rather than try to get a large employment site nearer housing;
- it is considered that the document would benefit from drawing greater linkages to the importance of economic growth and infrastructure. These elements are all essential to sustainable and balanced growth and are closely interlinked. Infrastructure is essential to delivery of housing. It is considered that acknowledging these linkages in more detail would be beneficial to the robustness of this document;
- the Council should be open to balanced, mixed development when meeting housing demand – lessons could be learned from Europe, where mixed developments encourage community cohesion, especially through family support.

Hierarchy of Settlements

Question H7 in the Issues and Options Paper which gave the following three options concerning the hierarchy of settlements within the district:

- a) continue with the existing settlement hierarchy of Carlisle (City), Brampton and Longtown (Key Service Centres) and larger villages (Local Service Centres);
- b) Dalston to be added to the list of Key Service Centres (KSC) to reflect the wide range

- of services and facilities within the village;
- c) redefine the list of Local Service Centres (LSCs) dependant on whether they meet a specified range of services and facilities.

(To some extent the relevance of this question has been superseded by the introduction of new policy in the NPPF regarding location of new housing development in rural areas. The NPPF moves away from the conventional planning model of a hierarchy of settlements in the rural areas, and instead advocates that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby).

30 people chose option a), 14 chose option b) and 19 chose option c).

Additional comments made in response to this question are as follows:

Three responses voiced concerns that Dalston should retain its rural identity and remain a LSC rather than become a KSC. These people were also concerned that Cummersdale might become absorbed by urban sprawl.

One response highlighted that Thurstonfield has no local services but is classed as a LSC.

A number of responses wanted to see new development in villages having regard to the environment and landscape character, and be of a scale appropriate to the settlement and its needs.

Allerdale Borough Council agree with the approach of trying to ensure the sustainability of rural communities by recognising that villages work in clusters around a range of shared services, including those across administrative boundaries.

A number of responses named villages which they thought were capable of accommodating some development, and included site plans with their responses.

It was also highlighted that the opening of the CNDR could lead to increased demand for housing in the villages to the west of Carlisle.

In addition, through the three LDF stakeholder workshops (May, September and November 2011) you told us:

- there is a lack of service provision to support rural residents;
- diminishing rural population in more remote settlements;
- the current hierarchy of services centres may be out of date;
- there is a loss of rural services/facilities;
- the sustainable justification for developing in LSCs is recognised, but this approach may not be catering for smaller villages needs;
- a combination of approaches is preferred in order to cater for the needs of smaller villages and areas, including housing and service needs that are not justified under the current policy approach;
- transport connections, and distance to Carlisle and KSCs are important;

- do we consider Brampton and Longtown in isolation as stand alone settlements, or as satellites of Carlisle? There is too much focus on KSCs. Housing should be targeted across the rural area;
- consider allowing open market housing on rural exception sites to enable an element of affordable housing to come forward. Parish Councils can help sell the message – we need to support and educate parish councils and members on local issues, to break down political barriers, and get away from ‘yes we need housing in the city but not on my doorstep’;
- the LDF process is taking too long, and the Local Plan places restrictions on housing developments. Planning boundaries in rural areas stop people doing what is needed to make communities sustainable. Some S106 agreements are constraining affordable housing delivery, and making schemes unviable.

Policy 19- Housing Strategy and Delivery

Planning permission will be granted for housing proposals that will:

1. *Contribute to achieving an average annual district housing target of 550 - 650 houses per year;*
2. *70% of all new housing development will be located in the urban area of Carlisle, and 30% in the rural area;*
3. *Provide a mix of dwelling types, sizes and tenures which help meet identified local housing need and contribute to the development of mixed and sustainable communities;*
4. *Provide specialist housing for vulnerable people including for the ageing population such as extra-care accommodation in sustainable locations, taking account of the need to provide for a variety of care needs and flexibility to accommodate differing requirements of ageing care;*
5. *Contribute to the development of brownfield sites which are in sustainable locations;*

Housing Allocations for Carlisle District

Overall District target:	550/650 per year	
Windfall allowance @ 50/year	750	
Net planning permissions outstanding:	3471	
Less 2 year’s potential completions:	900	
Sites to be allocated:		
Urban:	Area: (hectare)	Yield:
Land to the south east of junction 44 – Carl 01	8.03	217
Site of Pennine Way Primary School – Carl 02	3.57	112

Land south of Edgehill Road, adjacent to former NCTC – Carl 03	4.37	130
Land north of Moorside Drive/Valley Drive – Carl 04	4.96	140
Land between Carlton Road and Cumwhinton Road – Carl 05	1.47	204
Land at Garden Village, west of Wigton Road – Carl 06	5.05	139
Land at Newhouse Farm, south-west of Orton Road – Carl 07	30.19	509
Land north of Burgh Road – Carl 08	2.83	66
Former Belah School site, Eden Street – Carl 09	2.34	59
Land off Windsor Way – Carl 10	10.60	300
Allocations carried forward from previous Local Plan		
Laings site, Dalston Road – Carl 11	2.56	90
Harraby Green Road – Carl 12	1.05	45
Durranhill Road – Carl 13	3.32	65
Land at Carlton Clinic – Carl 14	4.19	100
Total urban:		2 176
Rural:	Area:	Yield:
<u>Brampton</u>		
Land south of Carlisle Road – Bram 1	10.9	200
Land west of Kingwater Close – Bram 2	2.31	65
Land east of Gelt Rise – Bram 3	0.77	25
Land north of Greenfield Lane – Bram 4	5.66	153
<u>Longtown</u>		
Site of former Lochinvar School – Long 1	5.04	136
<u>Cummersdale</u>		
Land east of Cummersdale Road – Cumm 1	0.38	14

<u>Cumwhinton</u>		
Land west of How Croft – Cumw 1	0.76	25
<u>Dalston</u>		
Land at Buckabank – Dals 1	2.68	15
<u>Linstock</u>		
Linstock North – Lins 1	1.28	10
<u>Rockcliffe</u>		
Rockcliffe East - Rock1	0.89	20
<u>Scotby</u>		
Land to the west of 37-65 Scotby Road – Scot 1	1.26	44
<u>Warwick Bridge</u>		
Warwick Bridge/Little Corby North – Warw 1	1.55	66
<u>Wetheral</u>		
Wetheral South – Weth 1	3.49	98
<u>Wreay</u>		
Land west of Wreay School – Wrea 1	1.16	10
Total rural:		881
Total district:		2 892

The sites allocated under this Policy are detailed in Appendix 1.

Justification

5.2 The delivery of housing across the district is linked to three important issues of both national and local significance – how to accommodate an ageing population whilst retaining mixed communities, how to promote sustainable growth, and how to provide the physical and social infrastructure that is required to support housing growth.

5.3 This policy has taken into account the following factors:

- the Council has maximised its opportunities for developing brownfield land, and the number of brownfield sites remaining is diminishing;
- a peripheral scattered approach to new housing around the edge of Carlisle may not be the most sustainable option as some sites may be a considerable distance from the centre;
- choosing a strategic location for new housing development can deliver integrated community, retail, employment and education infrastructure;
- providing housing development within or on the edge of the city enables good access to existing services and public transport;
- whilst a small number of housing sites within the Strategic Housing Land Availability Assessment are located within the City, the majority are on the periphery, with one or two very large sites.

5.4 One of the key issues facing the district is the provision of a range of new housing to help meet the needs of the whole community. Planning for a range of housing types (including for the elderly) will enable more balanced communities with a mix of people creating opportunities for better neighbourhoods.

5.5 This Policy identifies an annual average housing target across the district of 550 – 650 to ensure an adequate supply of new homes, including affordable homes, to meet the needs of the community. In meeting these requirements the focus must be on delivering attractive and sustainable communities and neighbourhoods where people want to live. To achieve this, account must be taken of the implications for infrastructure and services across the whole district.

5.6 To assess the housing capacity of the City, and in accordance with Government requirements, the City Council has prepared a Strategic Housing Land Availability Assessment (SHLAA).

5.7 The SHLAA currently demonstrates that there is land available which has the potential to deliver 8212 houses.

5.8 With reference to the proposed housing allocations, it has been important to ensure that the sites are deliverable over the Plan period. To be considered deliverable, sites should be available and offer a suitable location for development now, and be achievable with a realistic prospect that housing can be delivered on the site within five years. In particular, development of the site must be viable.

5.9 The Council can currently demonstrate at least a five year supply of housing land + 20%, and therefore there is no requirement to allocate sites for housing for the first five years of the Plan period. The allocations are therefore intended to be brought forward in years 6 – 10.

5.10 The National Planning Policy Framework (NPPF) states that local planning authorities should:

- boost significantly the supply of housing;

- deliver a wide choice of high quality homes;
- widen opportunities for home ownership;
- create sustainable, inclusive and mixed communities;
- ensure the local plan meets the full, objectively assessed needs for market and affordable housing, identify key sites which are critical to the delivery of the housing strategy over the plan period, and identify a supply of specific, developable sites, or broad locations for growth for years 6-10 and where possible 11-15.

5.11 The housing target is based on evidence from the Housing Needs and Demand Study 2011 (HNDS) and the SHLAA.

5.12 The HNDS concludes that an estimated 545 homes per annum are required to 2025 just to maintain stable employment levels. In the longer term it is expected that economic growth would drive additional net in-migration to the district. Projected housing requirements driven by trend based economic growth would result in a higher housing requirement at around 665 per annum.

5.13 Therefore given the need to plan for employment growth, and to provide housing to meet a broad range of needs, the Local Plan has set an appropriately ambitious housing target.

Which Local Plan Policy is superseded?

5.14 This Policy supersedes Local Plan Policy H1: Location of New Housing Development and Proposal H16: Residential Allocations in the Carlisle District Local Plan 2001 – 2016.

Housing Development (not on allocated sites)

What you told us:

The feedback you have given us regarding this policy area is mainly in response to QH4 in the Issues and Options paper regarding the location of rural housing development, Q H6 regarding local needs housing, Q H7 regarding the hierarchy of settlements and QH9 regarding settlement boundaries.

The Issues and Options paper did not have a question on the location of new urban housing development other than as part of an allocated site.

Feedback as follows:

There were 70 responses to Q H4 in the Issues and Options paper which gave the following four options to a question about the location of rural housing development:

- a) Continue with the current approach?
- b) Identify land for housing in the larger rural settlements e.g. Brampton, Longtown, Dalston, Scotby, Wetheral, and have a policy which allows housing in the remainder of the Local Service Centres (LSCs)?
- c) Redefine the list of LSCs, recognising that villages often work in clusters and are reliant upon the services each other provides?
- d) Include smaller villages as suitable locations for development, provided they have good public transport, cycle and footpath connections?

11 people chose option a), 20 chose option b), 17 chose option c) and 22 chose option d).

There were 63 responses to Q H7 which gave the following three options to a question about the hierarchy of settlements in the district:

- a) Continue with the existing settlement hierarchy (Carlisle, (City) Brampton, Longtown (Key Service Centres) and the 20 local service centres);
- b) Dalston to be added to the list of Key Service Centres to reflect the range of service/facilities;
- c) Redefine the list of Local Service Centres dependant on whether they meet a specified range of services/facilities.

30 people chose option a), 14 chose option b) and 19 chose option c).

Question H9 in the Issues and Options paper asked whether settlement boundaries should be:

- a) kept as they are;
- b) redefined to allow for some growth;
- c) be removed, and any proposals for new development be assessed against a list of criteria including measures to protect settlement form, landscape character and the particular characteristics of the location.

Of the 71 people who responded to this question the majority of responses (30) selected option b). However, a significant number (24) chose option c), to remove settlement boundaries completely. The remainder (18) chose option a).

A number of additional comments were received as follows:

Three responses voiced concerns that Dalston should retain its rural identity and remain a LSC rather than become a KSC. These responses were also concerned that Cummersdale might become absorbed by urban sprawl.

One response received highlights that Thurstonfield has no local services but is classed as a LSC.

A number of responses pointed out that new development in villages needs to have regard to the environment and landscape character, and be of a scale appropriate to the settlement and its needs.

Allerdale Borough Council agreed with the approach of trying to ensure the sustainability of rural communities by recognising that villages work in clusters around a range of shared services, including those across administrative boundaries.

A number of responses named villages which they thought were capable of accommodating some development, and included site plans with their responses.

It was also highlighted that the opening of the CNDR could lead to increased demand for housing in villages to the west of the City.

In addition, through the 3 LDF stakeholder workshops (May, Sept and Nov 2011) you told us:

- there is a lack of service provision to support rural residents;
- diminishing rural population in more remote settlements;
- the current hierarchy of service centres may be out of date, this should be tackled through the Core Strategy;
- there is a loss of rural services/facilities;
- sustainability under LSC's is recognised but these approaches may not be catering for smaller village needs.
- prefer a combination of approaches to make allowance for need to cater for the needs of smaller villages and areas – including housing and service needs that are not sustained under the current approach.
- transport connections and relationship to the City and key service centres are important factors;
- do we consider Brampton and Longtown in isolation as stand-alone settlements, or merely as satellites of Carlisle? There is too much focus on key service centres. Housing should be targeted across rural areas;
- Parish Councils can help 'sell' message - we need to support & educate parish councils and members on local issues, to break down political barriers, and get away

from 'yes we need housing in the city, but not on my door step';

- the LDF process is taking too long, and the local plan places restrictions on housing developments; for example planning boundaries in rural areas stop people doing what is needed to be make communities sustainable. Some s106 agreements are constraining affordable housing delivery, with planning obligations making some schemes unviable;
- the decisions should be based on on-going dialogue with the local communities on the level of local housing stock, local needs analysis etc;
- settlement boundaries should always have regard to landscape and townscape character as well as impacts on the natural environment;
- Brampton; Wetheral; Talkin; Rockcliffe; all capable of accommodating future growth;
- settlement boundaries should be removed. Local Planning Authorities should identify Local Service Centres which can either be a single large village or a group of villages, and locate most new development in or on the edge of existing settlements where employment, housing, services and other facilities can be provided close together;
- Blackwell village should be included within the settlement boundary for Carlisle and the Core Strategy should introduce a framework for the release of land for residential development around Blackwell;
- settlement boundaries bring certainty to the future direction of development, helping to ensure the delivery of sustainable sites well related to the core of settlements whilst maximising opportunities for re-use of previously used land. However, the appropriate adjustment of settlement boundaries should also help to ensure the delivery of sustainable and well considered sites;
- some villages should possibly be kept as they are, but others to expand to enable co-ordinated growth to sustain rural facilities. Boundaries provide clarity for villages and developers alike;
- there is too much focus on key service centres. Housing should be targeted across rural areas;
- planning boundaries in rural areas stop people doing what is needed to be make communities sustainable;
- market and affordable housing schemes have been derailed or delayed by local opposition:
- there is a need to consult with local people, but care needs to be taken to ensure that such a consultation does not become centred on 'pro-housing' and 'anti-housing' stances;
- support rural communities by ensuring older people can stay in the same area when downsizing.

Policy 20 - Housing Development

New housing development on sites that have not been specifically allocated will be acceptable within Carlisle, Brampton, Longtown, and villages within the rural area provided that:

1. the scale of the proposed development is well related to the scale, form, function and character of the existing settlement;
2. the layout of the site and the design of the houses is visually attractive as a result of good architecture and landscaping;
3. on the edge of settlements the site is well contained within existing landscape features and does not intrude into open countryside;
4. in the rural area there are either services in the village where the housing is being proposed, or in a village or other settlement nearby;
5. the proposal does not adversely affect the amenity of adjacent uses;
6. existing areas of public open space are provided;
7. satisfactory access and car parking is provided;

The landscape impact of developments will be assessed against the Cumbria Landscape Character Guidance and Toolkit.

Applicants will be expected to demonstrate how the proposed development will enhance or maintain the vitality of rural communities.

Housing development will acceptable through the change of use and redevelopment of commercial buildings and land where there is an identified need for housing in the area and there are no strong economic reasons why such development would be inappropriate.

Justification

5.15 Within the built up areas of Carlisle, Brampton and Longtown, particularly but not exclusively within the Primary Residential Areas, there are likely to be opportunities for new residential development, either through the development of vacant sites, the conversion of vacant buildings, or as part of a larger missed use scheme. Residential development in these areas will be acceptable, subject to the stated criteria in the above policy.

5.16 The size of the rest of the District and the number of villages within it gives a wide choice about where to locate new housing. If housing is located in sustainable locations it can bring many benefits including wider choice for households.

5.17 The majority of Carlisle District is rural. Recent population estimates show that 34000 people live in the rural area. Nearly 30% of this rural population is aged 60 or over. The above policy makes provision for small scale housing in the villages in the rural area. This aims to provide a flexible basis with which to make provision for rural housing.

5.18 Most new residential development in the rural area will be focussed in sustainable locations. This means villages which have, or have easy access to, a primary school, post office, shop and frequent public transport within 400m walking distance. Other facilities such as a village hall, church, pub, and other local businesses can all add to the overall sustainability of a location.

5.19 It is recognised that within the rural area it may be difficult to achieve all of the above. Therefore housing development should be located in a village which either has its own range of local services, or is close to another village or larger settlement with a range of local services and facilities.

5.20 As the Plan no longer defines settlement boundaries, sites will be more acceptable where they are physically contained by existing landscape features such as hedges, trees, woodland or topography, and do not adversely impact on wider views into or out of a village.

Alternative Options

Continue to Categorise Settlements and Define Settlement Boundaries

5.21 The Local Plan currently defines Local Service Centres with settlement boundaries, national policy in the NPPF does not advocate this approach. Policy in the NPPF states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities, for example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

5.22 Therefore whilst we considered the approach of continuing with a hierarchy of settlements, this can lead to a 'sustainability trap', whereby certain settlements are never going to be considered sustainable due to their lack of services. This denies local people the ability to solve their own housing problems, or local farmers and businesses the ability to build necessary dwellings.

Which Local Plan Policy is superseded?

5.23 This policy supersedes Policy H1 – Location of New Housing Development and Policy H2 – Primary Residential Areas in the Carlisle District Local Plan 2001 – 2016.

Residential Density

What you told us:

The issue of density was addressed under question LC1 of the Issues and Options paper. The question asked how to maintain and enhance the District's distinctive local character, giving the following options:

- a) should new development be influenced by local character and densities?
- b) should new development aim for a mix of density within each site?

The following comments were received;

- policy must address housing density that will facilitate an improvement in health and not allow high density development driven by greed;
- in order to provide for an interesting site layout it is important to mix densities across sites;
- new development should be informed by its particular context and this may allow for a mix of densities within one site;
- within each site, efforts should focus on delivering a suitable mix of densities to meet needs whilst also endeavouring to respect local character in an appropriate manner;
- new development needs to integrate with and respect local character;
- need balance between allowing development whilst retaining distinctive character;
- local character of villages needs to be protected by preventing further building in gardens;
- new development should reflect the character of the local area;

Policy 21 - Residential Density

New housing proposals should optimize the potential of the site to accommodate development, particularly in Carlisle, Brampton, Longtown and other larger villages. The density of new development should also aim to respond to local character and establish a strong sense of place, using design to create attractive and safe places to live.

The density of new housing development should also contribute to the design objectives set out in Policy S3– Design.

Density is likely to vary depending on the accessibility and character of the locations being considered. Higher densities (30-50 dph) will be more appropriate within Carlisle, Brampton, Longtown and the larger village centres that have good access to public transport and a range of local services and facilities.

Medium densities (30dph) will be more appropriate towards the edge of settlements. Lower densities will be acceptable in and on the edge of smaller settlements in order to respond to local character and context.

Justification

5.24 Specifying a housing density enables Councils to manage the amount of dwellings built in certain areas. Density is calculated by dividing the number of dwellings on a site by its size. For example, a housing site of 1 hectare which yielded 40 dwellings has a density of 40 dwellings per hectare (dw/Ha).

5.25 Previous planning policy at a national level aimed for high density urbanisation and to have 60% of new housing on brownfield sites. The National Planning Policy Framework has removed the requirement to have regard to a national minimum density for housing. Whilst the NPPF continues to encourage building on brownfield sites, it does so less strongly than in earlier guidance. It also discourages building on gardens.

5.26 The main aim of this policy is to optimise the use of land to deliver housing development which creates an attractive, safe, well designed environment which contributes positively to making places better for people to live in. Where housing is developed at a higher density, this can reduce the land take for development. It can also increase support for local services and facilities, including public transport, shops and local businesses. However, this policy is flexible enough to set density ranges that suit local needs in the district

5.27 In certain areas, especially in the City, there are pockets of high or very high density housing. If development opportunities arise in these areas, it can be appropriate to provide lower density housing to create a more balanced housing stock, and provide the opportunity for a more mixed community.

5.28 Housing densities will be applied flexibly to support design and sustainability objectives in the Plan. The Policy aims to help broaden the range and mix of homes available to meet identified housing need.

5.29 The main considerations in assessing housing density will be:

- does the development function well, establish a strong sense of place and respond to local character?
- is the development visually attractive?
- is there adequate garden space for each plot, including space for storing materials to be recycled?
- can appropriate levels of parking be provided?

Alternative Option

5.30 The NPPF states that local planning authorities can set out their own approach to housing density to reflect local circumstances. It is considered that this policy is required to ensure new housing contributes to achieving a sense of community, and maintaining a variety of housing, whilst meeting a range of housing needs.

Affordable Housing

What you told us:

62 people responded to this issue, with a range of ideas on how to increase our delivery of affordable housing across the district.

The Issues and Options paper question H5 asked what the threshold should be above which housing sites would be required to make a contribution to affordable housing, either on site or through a commuted sum. Feedback ranged from one unit, to 70 units. However, the majority consensus indicated that a threshold of 15 – 20 units was preferred.

In the rural area, you suggested that the current threshold of three houses was set too low and was preventing sites being delivered, and also that the current policy was confusing.

In addition, through the three LDF stakeholder workshops you told us:

- S106 contributions are constraining affordable housing delivery;
- public sector land could be released at low cost to facilitate affordable housing delivery;
- allow more open market housing in the rural area to enable affordable housing delivery as this creates mixed developments which encourages community cohesion;
- there is a lack of funding to develop affordable housing;
- local rents are low which reduces the viability of local affordable housing schemes;
- the National Housing Strategy highlights new right to but discounts with sales funding further affordable housing development;
- the New Homes Bonus should be used to fund affordable housing;
- the influence of NIMBYs could be reduced by using parish councils to support schemes and 'sell' them to local communities;
- more use could be made of empty homes and community initiatives such as self build.

Policy 22- Affordable Housing

Within Zone A, all sites of 5 units and over will be required to provide 30% of the units as affordable housing. Where this does not equate to a whole unit a commuted sum will be required to make up the contribution.

Within Zone B, all sites of 10 units or over will be required to provide 25% of the units as affordable.

Where intermediate housing is to be provided at a discounted market value, a discount of 30% will be sought and the discounted sale will be required to be in perpetuity.

The affordable housing provided shall comprise a mix of Social and Affordable Rent, and Intermediate Housing, the mix to be determined by the need at the time.

Where a developer seeks to depart from the policy, a financial appraisal will be required to justify any lower level of affordable housing.

Justification

5.31 The NPPF states that in order to deliver a wide choice of high quality homes, LPAs should use an evidence base to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing. In rural areas, LPAs should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing.

5.32 In addition, in order to ensure viability and deliverability, the NPPF states that the viability of schemes must be taken into account in both plan making and decision taking. Therefore the scale of affordable housing required by this policy has been calculated following the undertaking of an Affordable Housing Economic Viability Assessment, (AHEVA), which assesses the viability of a range of housing developments across the district using a residual valuation appraisal method.

5.33 The AHEVA states that to ensure delivery of affordable housing across the district, it is necessary that an appropriate affordable housing threshold maintains viability.

5.34 Within Zone B the AHEVA suggests that the previous Local Plan target of 30% of units in the urban area is the maximum that development can support, and if the Council should seek additional S106 obligations e.g. for open space etc, the policy will have to be flexible on the level of affordable housing sought.

5.35 The AHEVA also recommends a 30% affordable housing target with a higher percentage of social rented units in Zone A. However, Policy 23 sets a differentiated target and site threshold for the two zones, in order not to stifle the delivery of housing to meet local needs.

5.36 Land Registry figures for February 2013 show that average house prices in Cumbria are the lowest since 2005, with the average price being £122 074. However, the Carlisle Housing Need and Demand Study (HNDS) (Nov 2011) shows that incomes in Carlisle District are still on average lower than the rest of Cumbria, the North West and Great Britain. This has resulted in a significant number of households requiring help with their housing either through social rented property or housing benefit, and as such being unable to buy their own homes.

5.37 The HNDS also shows that just under a quarter of households in the district are unable to afford market housing without the need for some form of subsidy. Households in Carlisle urban area are considerably less likely to be able to afford market housing than households in the rural area.

5.38 The study identified a net shortfall of affordable housing of 708 homes per year, if all households in housing need were to be provided with an affordable home. Although this demand will be partially met by the private rented sector supported by housing benefit, Policy 23 aims to strike a balance on an appropriate affordable housing requirement.

5.39 Housing markets are recognised as having a significant effect on the ability of the district to attract and retain people with a broad skill range. The Carlisle Economic Potential Study recognises that there are certain skill shortages in the district. Having a balanced housing market will attract a broader range of people to the district.

5.40 The maximum proportion of affordable housing on larger housing schemes is an important factor to consider in trying to achieve balanced and mixed communities. Large developments (e.g. schemes of over 20 houses) of entirely affordable housing could potentially lead to community cohesion issues with the surrounding area and also fail to contribute to mixed communities.

5.41 The siting of affordable housing within a development also needs careful thought to ensure that it is not concentrated within one area of the site, but is integrated throughout the development. This approach will provide greater opportunities for community cohesion.

5.42 In relation to the tenure split of affordable housing 50% should be social or affordable rented with the remaining 50% for affordable home ownership (often referred to as intermediate housing). However, it is important to allow for flexibility to ensure that marginal schemes remain viable. Demand for intermediate housing (such as shared ownership) can vary with market conditions and as a result there may be occasions where an increased proportion of social rented housing will be acceptable. Flexibility is therefore important to address housing need whilst ensuring mixed communities are created.

5.43 Off-site provision, (or financial contributions towards the provision of affordable housing) will only be agreed in exceptional circumstances. Evidence will be required to show that the affordable housing cannot be managed effectively on the site, and that providing the affordable housing elsewhere will significantly widen housing choice and encourage a better social mix. Where off-site provision or contributions are agreed, it will be on the basis of the developer providing the same ratio of affordable housing to market housing as would have been provided on-site.

Alternative Option

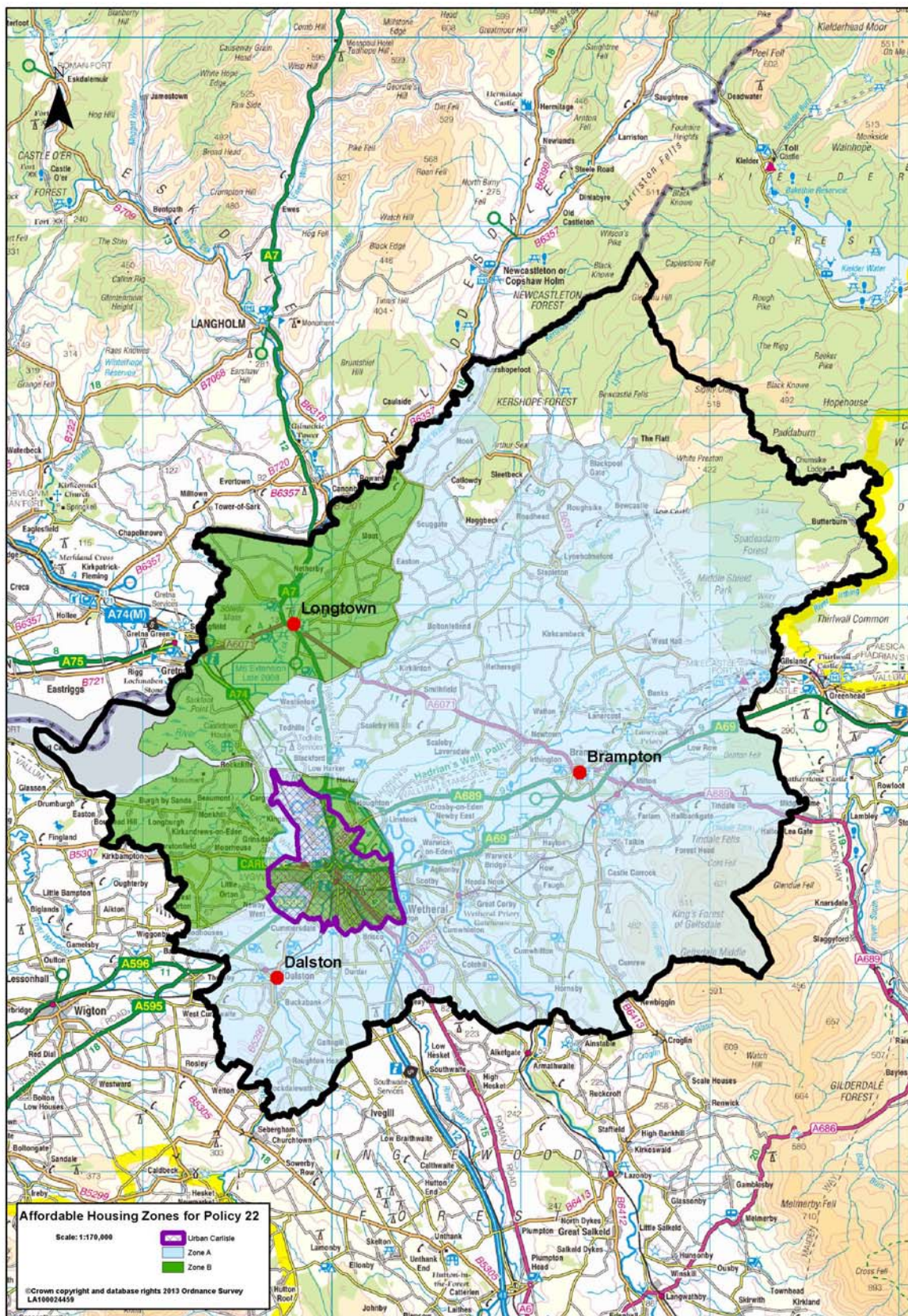
5.44 An affordable housing policy is required in order to help deliver the need for affordable homes as identified in the Carlisle Housing Need and Demand Study.

The percentage targets and thresholds set out in the policy are not as high as the AHEVA suggests. This is to reflect the fact that most small sites in the rural area are for fewer than 5 houses, and tend not to be speculative, but to be for an identified local need. Setting the threshold and targets too high may stifle delivery of housing for local people.

Which Local Plan policy is superseded:

5.45 This policy supersedes Policy H5: Affordable Housing, in the Carlisle District Local Plan 2001-2016.

Map 6 - Affordable Housing Zones Map



Rural Exception Sites

What you told us:

Through the 3 LDF stakeholder workshops (May, Sept and Nov 2011) you told us:

- existing planning restrictions in the rural area stop communities being sustainable;
- planning obligations can make housing schemes unviable;
- look at allowing open market housing on rural exception sites to enable an element of affordable housing to come forward;
- encouraging and delivering more market housing is the most effective way to provide more affordable housing;
- affordable housing is needed in villages to keep schools open;
- there is a general lack of affordable housing in the rural area.

Policy 23 - Rural Exception Sites

In the rural area dwellings will be permitted on small sites where open market housing would not be acceptable, subject to the following criteria:

1. the development is for affordable housing to meet an identified local need;
2. the affordable housing will be retained for local people in perpetuity;
3. the proposal can demonstrate that the development can be delivered;
4. the site is close to a settlement which provides a range of local services and facilities, or has good public transport links to a larger settlement with a wider range of services and facilities.

In the following exceptional circumstances an element of open market housing will be allowed on rural exception sites:

1. excessive development costs due to site constraints;
2. the Registered Provider can demonstrate that the additional revenue created by the development of open market housing is essential to enable the delivery of affordable housing on the site;
3. the amount of open market housing is the minimum required to achieve site viability.

Justification

5.46 The NPPF makes provision for a proportion of market housing to be built on rural exception sites where it would facilitate the provision of significant additional affordable housing to meet local needs.

5.47 The rural area can be the least affordable place to live in the district. In 2008, the Government's 'Living working countryside' Matthew Taylor review of the rural economy and affordable housing found that while people working in rural areas tend to earn significantly less than those working in urban areas, rural homes are more expensive than urban homes.

5.48 The popularity of rural areas and migration from urban areas add to the pressures on rural housing affordability.

5.49 In the rural area, opportunities for delivering affordable housing can be limited. The Affordable Housing Economic Viability Study (AHEVA) notes that rural exception sites land values are generally lower, thereby creating an opportunity to deliver affordable housing. Rural exception sites can contribute towards the supply of affordable housing, and help to meet specific identified local needs. Such sites can only be used for affordable housing in perpetuity. The type, tenure and size of the homes must meet an identified local need. Local is defined as within the parish.

5.50 Examples of the type of land that would qualify as an exception site include:

- land within or adjacent to a small village where open market housing would normally be constrained;
- land close to a larger village with a range of services and facilities;

5.51 The policy aims to ensure that rural communities remain sustainable by making provision for households in local need, for example:

- existing residents needing separate accommodation in the area, e.g. grown up children, or growing families.
- workers who provide important services and need to live closer to the local community;
- people who require family support, e.g. the elderly;

5.52 Villages throughout the district vary enormously in size. It is therefore important that the development of a rural exception site is in scale with the adjacent village.

5.53 The policy states that only small sites will be considered acceptable. Normally when housing sites are developed where there is an element of affordable housing to be included, the affordable element is pepper-potted around the site rather than concentrated in a particular part. This is to ensure integration within the scheme, and comply with national policy which states the need to create sustainable, inclusive and mixed communities.

5.54 With a rural exception site, unless there are exceptional circumstances, the whole site will contain affordable units. It is therefore important that the number and type of houses to be developed enables the creation of sustainable, inclusive and mixed communities, including opportunities for integration with the adjacent settlement. Hence only small sites will be considered acceptable.

5.55 Schemes are more likely to be successful with the involvement, support and knowledge of the parish council and the local community.

5.56 The occupancy of the houses will be controlled by a Section 106 agreement to ensure that the affordable housing is available in perpetuity to meet local needs. This prevents the houses being sold or rented at open market rates.

5.57 The S106 must include the name of the parish where the local need has been identified. It may also include a list of neighbouring parishes to be referred to if, at some point in the future, one or more of the houses becomes vacant and there are no applicants from the parish.

Alternative Option

5.58 The preferred option is to include a policy to allow the development of affordable housing on sites where open market housing would not be allowed, for example because it is not within or immediately adjacent to a settlement. (This does not mean that sites in isolated locations would be acceptable). Such land can be more cheaply available. The aim of the policy is to increase the opportunities to deliver affordable housing.

5.59 The NPPF states that LPAs should consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. Because most of the rural villages within the district are small in size, it is considered that sites delivering 'significant additional affordable housing' would be out of scale with these villages. However, the policy does make provision for some open market housing in exceptional circumstances such as sites where there are high development costs due to severe site constraints.

5.60 A reduction in HCA grant funding means that new ways to bring forward affordable housing need to be explored.

Which Local Plan policy is superseded?

5.61 This policy supersedes Policy H6: Rural Exception Sites in the Carlisle District Local Plan 2001-2016.

Housing for Rural Workers

What you told us:

Through the 3 LDF stakeholder workshops (May, Sept and Nov 2011) you told us:

- it is easier to build houses near places of work than the other way round;
- need to allow space for sustainable development outside settlements provided it is of appropriate scale and design;
- the Local Plan needs to help support rural employment;
- farm diversification is considered important;
- there are too many planning restrictions on rural business development;

Policy 24 Housing for Rural Workers

New houses for rural workers will be permitted where there is an essential need to live permanently at or near their place of work in the countryside provided that:

1. evidence is provided to demonstrate need for a full time worker to be available at all times for the enterprise to function properly;
2. such evidence is to demonstrate that the business has been established for two years, and has been profitable for at least one year, is currently financially sound, and has a clear prospect of remaining so;
3. the housing need can not be met by housing nearby;
4. the house would be appropriate in terms of size, scale and design for its location.

Justification

5.62 Most rural workers will live in villages or the market towns of Longtown and Brampton, or in existing properties connected to their place of work. However, there will be specific circumstances where the nature and demand of the rural enterprise require a worker to live at the place of business.

5.63 This policy is aimed at making provision for rural workers with a need to live permanently at or near their place of work in the rural area, and that the need can not be met by housing nearby. The definition of a rural worker is not simply limited to someone employed in agriculture or forestry, but can include, for example, those employed in equestrian or other land based enterprises, water based businesses, rural arts and crafts, etc.

5.64 Applicants for such dwellings will need to demonstrate that there is a clearly established existing functional need, that the need relates to a full time worker, and that the enterprise concerned has been established for at least two years, and been profitable for at least one

year. The business should also provide evidence that there is a clear prospect of it remaining financially sound.

5.65 The applicant will also be expected to demonstrate that the need for a dwelling could not be met by existing housing for sale in the area. The proposal must also meet all other planning policy requirements such as access, design, impact on the landscape etc.

5.66 Houses permitted under this policy will be subject to a condition limiting initial and successive occupation to a rural worker solely or mainly employed at their place of work nearby.

5.67 An application for the removal of such an occupancy condition will only be permitted where it can be demonstrated that:

- there is no longer a need for the dwelling in relation to the enterprise/business;
- the dwelling has been marketed for sale or rent for 8 months at a price that reflects the occupancy condition.

Alternative Option

5.68 The NPPF advises local planning authorities to avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. There are no further details provided. This policy therefore determines what this means for Carlisle District.

5.69 The preferred option is to include a policy to allow rural workers to live permanently at or near their place of work in the countryside. This policy is consistent with the NPPF and has qualifying criteria to ensure that it delivers the right type of house to meet an identified need. The policy will also address the shortage (as identified in the Housing Need and Demand Study Nov 2011) of all types of housing in the rural area, including affordable housing, and contribute to wider rural economy and enterprise objectives.

Which Local Plan policy is superseded?

5.70 This policy supersedes Policy H7: Agricultural, Forestry and Other Occupational Dwellings in the Carlisle District Local Plan 2001-2016.

Other housing in the open countryside

Policy 25- Other Housing in the Open Countryside

New housing will be allowed in the open countryside in the following circumstances:

1. replacement dwellings, providing that any dwelling to be demolished has no heritage value;
2. conversion of structurally sound redundant and disused buildings;

Such development should:

- lead to an enhancement of the immediate setting of the building;
- reflect the identity of local surroundings and materials in terms of both the new dwelling and any curtilage development such as garages or boundaries;
- be of a scale appropriate to the plot size.

The conversion of very remote rural buildings will be subject to sustainability tests.

Justification

5.71 There are a number of opportunities within the rural parts of the district to create new dwellings either through the demolition and replacement of substandard dwellings or through the conversion of redundant or disused buildings as follows:

5.72 Replacement dwellings: the demolition of dwellings will generally be required because of their poor condition or unsuitability for current living standards, which can not be addressed by renovation. Applicants will need to show that the dwelling to be replaced has not been abandoned.

5.73 Conversion of redundant and disused buildings: many rural buildings such as barns, mills and stables make a significant contribution to the character and quality of the countryside around Carlisle. To avoid their loss and to prevent them from becoming derelict eyesores this policy makes provision for their conversion and re-use. Conversions must aim to retain and enhance any architectural quality and character of the building and its rural setting.

5.74 Any building to be converted should be visually worth retaining due to its contribution to the rural landscape. This will exclude modern agricultural or industrial buildings. There must also be good access to water, drainage and energy services.

5.75 Buildings to be converted should be structurally sound. Proposals which require the substantial reconstruction of the external walls or roof will not be acceptable. Structural surveys may be required in order to demonstrate that a building is structurally sound.

5.76 Carlisle is the second largest district in England and covers 400 square miles. As such, there are likely to be some very remote rural buildings in areas with poor accessibility along unclassified roads, remote from services, facilities and employment, and where the only option for travel is by car. The conversion of redundant or disused buildings in such locations is unlikely to be sustainable, and any proposals will require a sustainability test to be submitted by the applicant to show the following:

- how the site will access utilities such as energy and water supply;
- how the site will access the road network;
- the occupier's place of work, and other travel trips likely to be generated, e.g. nearest school;
- how the building will contribute to energy efficiency.

5.77 All proposals under this policy should seek to optimise the potential to improve the character and quality of the site. A high standard of design will be required resulting in a development which is visually attractive as a result of good architecture and appropriate landscaping. The design of new houses in the open countryside is required to promote or reinforce local distinctiveness but be open to appropriate innovation. New dwellings should not be more obtrusive in the landscape than the existing dwellings that it is to replace, or the building that is being converted.

5.78 In all cases the creation of new dwellings should avoid introducing suburban character or features, such as extensive areas of tarmac or pavements, close boarded timber fencing or leylandii hedges.

5.79 Where a courtyard development of several dwellings is proposed, the gardens and courtyard should normally be left as a single communal space.

5.80 Many rural buildings can be habitats for a variety of wildlife including bats and barn owls. These species are sensitive to disturbance and therefore at risk from building works. They are also protected under the 1981 Wildlife and Countryside Act. An ecological survey will also be required where such species are present. The survey should identify the species present, identify any impacts and consider avoidance, mitigation, and new benefits.

Alternative Option

5.81 The preferred option is to include a policy to allow new dwellings in the countryside through either replacement of existing dwellings or through the conversion of redundant and disused buildings.

5.82 Whilst the NPPF does not refer to replacement dwellings, it is considered necessary to have a policy enabling their development, as the City Council receives a significant number of planning applications for such development.

5.83 The NPPF makes policy provision for the conversion of redundant and disused buildings to residential. Due to the large rural area within the district and the changing requirements of agriculture, there are many agricultural buildings which are no longer used.

Which Local Plan policy is superseded?

5.84 This policy supersedes Policy H8: Conversion of Existing Premises and Policy H10: Replacement Dwellings in the Rural Area in the Carlisle District Local Plan 2001-2016.

Dwellings Through The Conversion Of Heritage Assets And As Enabling Development

Consultation so far:

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon.

This policy takes forward Policy H8 from the adopted Carlisle District Local Plan 2001-2016, and amends it to reflect policy in the NPPF regarding heritage assets.

The main change is that it removes the requirement to explore the viability of commercial or community uses first, and the requirement to market the buildings for economic development uses for 6 months.

The policy also includes criteria where enabling development to secure the future of heritage assets would be appropriate.

Policy 26- Dwellings Through The Conversion Of Heritage Assets And As Enabling Development

Proposals for the conversion to a dwelling of any building which is classed as a heritage asset will be acceptable providing that:

1. an assessment of the significance of the heritage asset including any contribution made by its setting is submitted with the application;
2. the proposal does not significantly affect the special interest and characteristics of the building;
3. the building is of adequate size to be converted to residential use without the need for extensions or alterations which would have a significant adverse effect on the character of the building;
4. the design and the materials used for both the building and its setting including boundaries maintain or enhance the form, character and setting of the building;
5. adequate access and appropriate car parking can be provided.

In addition, enabling development in the form of new housing that would secure the future of a heritage asset will be acceptable providing that the following criteria are met:

1. the development will not materially harm the significance of the heritage asset and its setting;
2. the development will secure the long term future of the heritage asset;
3. sufficient grant or subsidy is not available from any other source;
4. the proportion of enabling development proposed is the minimum required to secure the future of the heritage asset;
5. the development brings public benefit through securing the future of the heritage asset, and this outweighs any negative effects of conflict with any other planning policies.

Justification

5.85 Within the district there are a number of buildings which can be considered as heritage assets. Heritage assets for the purpose of this policy are most likely to include historic buildings that are either on the statutory list or the local list, (the full definition of heritage assets is included in the glossary). These buildings may be suitable for a range of uses from stables to tea rooms, but where the optimal viable use would be for housing, this policy will apply.

5.86 In many cases the setting of a heritage asset will be significant. It is therefore important that proposals for the conversion of a heritage asset also include details of how the surrounding curtilage including boundaries will be altered to accommodate gardens, parking etc.

5.87 Proposals should ensure that the historic fabric and features of the building are retained and that details such as door and window openings are in keeping with the character of the

building. Where a building is included on the statutory list, proposals should not have a detrimental effect on the architectural and/or historic interest of the building.

5.88 Older buildings can provide valuable habitats for species that are protected under the Wildlife and Countryside Act 1981, such as barn owls and bats. The tendency of bats to hibernate in winter makes them especially vulnerable. As such proposals for conversion of heritage assets should include the following details;

- a survey of the building to identify current or past use by wildlife;
- where bats and barn owls are present, during and after conversion adequate access to roof space is maintained;
- where appropriate, alternative nesting or roosting sites are made available close to the site;
- details of the timing of works to avoid disturbance during the breeding or hibernation season.

5.89 There is a statutory requirement to notify Natural England on proposals where development would have an impact on protected species.

Alternative Option

5.90 No alternative option was considered. The District has a significant number of listed buildings and other heritage assets, including buildings on the local list. This policy will help to retain such buildings when they are no longer suitable for their current use, and add to housing supply across the whole of the District.

Which Local Plan policy is superseded?

5.91 This policy supersedes Policy H8: Conversion of Existing Premises in the Carlisle District Local Plan 2001 – 16.

Development in Residential Gardens

What you told us:

Although there was not a specific question about garden development in the issues and options paper, the following comments were received in response to the consultation:

- increased hard surfacing in gardens has the potential to contribute to flood risk and should be discouraged;
- must build high quality homes with decent areas for gardens;
- villages need to be protected by putting an end to building in gardens to protect local character.

The separate consultation that has taken place in the rural villages in connection with the Rural Masterplanning work (see evidence paper) has also raised this topic as an issue. The main concern that has been highlighted is that settlement boundaries are so tightly drawn that the only scope for housing development is within large gardens. This can significantly alter the character of an area and lead to a loss of openness through the development of numerous small sites.

Policy 27 – Development in Residential Gardens

Proposals for housing development in existing residential gardens will be permitted providing that the following criteria are met:

1. the scale, design and siting of the proposal would not result in a cramped form of development out of character with the surrounding environment;
2. a safe and attractive garden area, which reflects that predominant in the area, can be created for both the proposed new house and the existing house;
3. the proposal, by way of design, siting and materials integrates into the surrounding built, natural, and where necessary historic environment;
4. there is no loss of amenity to surrounding properties by overlooking, overbearing nature of the proposal or increase in on street parking;
5. the proposal does not prejudice the development potential of an adjacent site;
6. adequate access and car parking can be achieved.

Justification

5.92 National planning policy makes provision for local plan policy to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The Natural Environment White Paper (Securing the value of nature, 2011), states that natural networks include private gardens and that these can help to conserve wildlife in environments that have become fragmented by human activities.

5.93 Gardens contribute significantly to the character and quality of housing areas within the city, and also within the market towns and many villages within the rural area. Mature

gardens can also help to mitigate factors contributing to climate change, for example trees which absorb carbon dioxide. Proposals for housing development in existing gardens, especially backland development, can often be contentious.

5.94 There will be instances where development of part of a residential garden for housing will be acceptable. However, such proposals also have the potential to cause significant amenity problems to existing properties including loss of privacy, loss of daylight, overlooking, visual intrusion by a building or structure, noise disturbance, reduced space around buildings, loss of car parking, and loss of mature vegetation including screening. There can also be increased water run off due to an increase in hard surfaces.

5.95 For sites to be acceptable there needs to be an appropriate plot depth and configuration, in order to allow new housing to be developed which results in a quality environment for both new and adjacent residents. Garden development, especially on rear gardens, on restricted plot depths is unlikely to be acceptable, especially where overlooking issues can not be overcome.

5.96 The form and scale of any new development should respect the local character of the immediately surrounding area. In particular, the scale, number of storeys and massing of new housing development should not exceed that of existing dwellings adjacent to the site.

5.97 Backland sites can result in piecemeal proposals being submitted for land which are physically connected to much larger areas with greater potential for a more comprehensive form of development. Proposals which block the development potential of adjacent land, for example through land locking, are unlikely to be acceptable.

5.98 This policy also relates to tandem development. This is a form of backland development where a new dwelling is placed immediately behind an existing dwelling and uses the same access. This type of development is nearly always unacceptable because of the impact on the amenity of the house at the front of the site.

5.99 The NPPF states that good design should contribute positively to making places better for people.

5.100 Where trees, hedges or other landscape features which make a positive contribution are present on the site, they should be retained and integrated into the design of the new development.

5.101 Private residential gardens are no longer classed as previously developed land, and any housing development permitted in gardens will not count towards the windfall allowance in the Council's five year supply of housing land.

Alternative Option

5.102 The NPPF states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Private residential gardens are also now excluded from the definition of previously developed land. The current Local Plan policy refers to backland development (i.e. development in large back gardens), and there have been 31 planning applications over the last five years where this policy has been used. It is therefore considered necessary to include a policy to set out criteria to guide acceptable development of private residential gardens.

Which Local Plan policy is superseded?

5.103 This policy supersedes Local Plan Policy H9: Backland Development.

House Extensions

What you told us:

Although not a specific question in the Issues and Options Paper, feedback through the 3 LDF stakeholder workshops (May, Sept and Nov 2011) you told us:

- ensure greater emphasis on design/building regulations to minimise use of energy;
- adoption of strong policies towards good urban design will help ensure high quality places
- much tighter controls need to be exercised on the excesses of architects who present inappropriate designs;
- planning departments need to be open to modern designs for low carbon/passive haus buildings.

Policy 28 – House Extensions

House extensions and alterations should be designed to:

1. relate to and complement the existing building in scale, design, form and materials;
2. be visually subservient to the main building;
3. provide a satisfactory relationship between old and new fabric;
4. not lead to overlooking, overpowering or overshadowing of neighbouring properties;
5. ensure adequate natural light within the building, garden and amenity space.
6. maintain the established spatial character and pattern of the street scene and be a positive addition.
7. in streets characterised by relatively small gaps between buildings, any extension or alteration at first floor level does not come to within a minimum of one metre of the side boundary.

Justification

5.104 The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.105 The council is committed to achieving good design in all new development and spaces, including extensions and alterations to existing residential buildings.

5.106 Many people choose to adapt their existing homes to cater for changes in lifestyle rather than move house. House extensions involve any extension of the living space, including basements, roof conversions and conservatories.

5.107 The design of an extension should respond to the characteristics of the specific site, as well as the distinctiveness of the wider setting. Often the best approach is to reflect the style of the existing building, especially in conservation areas and for listed buildings. In other locations extensions of a more contemporary design may be appropriate.

Consequently, any proposal will need to demonstrate that through its scale, density, layout, siting, character and appearance, it has been designed to respect the property and its surroundings.

5.108 Most proposals should be visually subservient to the existing property. The scale of the extension that is likely to be acceptable will depend on the size of the plot, the size of the original dwelling and the impact on neighbours and the street scene. Further detailed policy is contained in the adopted 2011 SPD Achieving Well Designed Housing.

Changes to permitted development rights

5.109 Not all house extensions require planning permission. At the end of 2012 the government consulted on extending permitted development rights for homeowners and businesses.

5.110 Permitted development only covers the planning aspects of the development. It does not remove requirements under other regimes (e.g. building regulations, the Party Wall Act or environmental legislation). While these permitted development rights may apply to listed buildings outside protected areas, they only grant planning permission and do not remove the requirement for separate listed building consent.

5.111 The consultation seeks views on the Government's proposals to amend the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to grant increased permitted development rights allowing (amongst other things) homeowners to build larger extensions.

5.112 The Government aims that the proposed changes will make it quicker, easier and cheaper to build small-scale single-storey extensions and conservatories, while respecting the amenity of neighbours. Changes to permitted development rights will not apply in conservation areas, World Heritage Sites, AONB's or SSSI's and separate listed building consent will also be required.

5.113 This policy will therefore apply to all applications for development which are not covered by permitted development rights, although it also provides useful guidance, together with the SPD Achieving Well designed Housing, for extensions being constructed under permitted development rights.

Alternative Option

No alternative policy options were considered.

5. 114 Extensions and alterations to existing dwellings are a way of enabling a growing family to stay in their home, or adapt to their changing needs, whether to care for an elderly relative or make provision for someone with a disability. A significant number of planning applications are received each year for house extensions. These applications have the potential to add significantly in design terms to the street scene. However, poorly designed

extensions can have an impact on neighbours' privacy and amenity, and on the character of an area. This policy therefore provides a policy framework for making decisions on applications.

Which Local Plan policy is superseded?

5.115 This policy supersedes Local Plan Policy H11: Extensions to Existing Residential Premises in the Carlisle District Local Plan 2001-2016.

Houses in Multiple Occupation and Subdivision of Dwellings

What you told us:

Although not a specific question in the Issues and Options Paper, the issue of HMOs was raised at the Local Strategic Partnership meeting on 'The Future of Housing and Development in Carlisle' (22/11/11). The following two points were raised at this meeting:

- can the planners control the number of HMOs set up in an area?
- more student accommodation would free up HMO properties.

Policy 29 – Large Houses in Multiple Occupation and Subdivision of Dwellings

Proposals for the subdivision of dwellings and the creation of houses in multiple occupation will be acceptable providing that:

- 1. effective measures are proposed to minimise the effects of noise and other disturbance to neighbouring residential properties;*
- 2. adequate space is provided for the storage of refuse and recycling bins;*
- 3. the proposal would not adversely affect the character of the surrounding area, for example through increased on-street parking;*
- 4. the proposal does not lead to the creation of substandard units of accommodation.*

Additionally, within the area defined on the Policies Map no new HMO's will be acceptable.

Justification

5.116 A Large HMO is a house with more than six people sharing. These are unclassified by the Use Classes Order and in planning terms are described as being sui generis. This policy therefore applies to large HMOs. The General Permitted Development Order give Permitted Development rights for change of use from dwelling houses to small scale houses in multiple occupation. Small scale is defined in Circular 08/2010 as small shared houses or flats occupied by between three and six unrelated individuals who share basic amenities.

5.117 The Housing Act 2004 definition of a House in Multiple Occupation (HMO) is as follows:

- three or more unrelated people are sharing facilities;
- buildings comprising non-self-contained flats;
- houses converted to self contained flats before 1991 and not in accordance with the 1991 Building Regulations;
- a self-contained flat converted to 1991 Building Regulations standards (or later), if occupied by more than three unrelated persons.

5.118 The Act also makes provision for mandatory licensing of certain HMOs, and for such licensing schemes to be operated by the City Council.

5.119 Under the Act, HMOs which need to be licensed are those where:

- the HMO or any part of it comprises 3 storeys or more and
- the HMO is occupied by 5 or more persons and
- these persons are living in two or more single households

5.120 Where an HMO is situated in a part of a building above business premises, each storey of the business premises is included when calculating the number of storeys for the HMO.

5.121 Because of the shared occupancy of the properties, HMOs, such as bedsits and shared houses, require a higher standard of management than other private rented property and are subject to additional regulation. Some of these regulations relate to the management of the HMOs and this helps safeguard the health and safety of people who live in them who can be amongst the most vulnerable and disadvantaged members of the community. This type of housing is a valuable housing option for many people.

5.122 HMO licensing has been operated in Carlisle since 2006. For more information on HMO licensing, please contact the Private Sector Housing Team, at the City Council e-mail housing@carlisle.gov.uk.

5.123 Certain areas in Carlisle have a concentration of HMOs, in particular Warwick Square/AglionbyStreet/Warwick Road, and Chatsworth and Portland Squares. Whilst the nature of the buildings in these locations (three storey Victorian houses) can be successfully converted, there are often problems with lack of parking or sufficient outdoor space for storage of bins and recycling bags. This can have an unacceptable impact on the amenity of neighbours, and on the character of the street scene, especially in the conservation areas. As such no new large HMO'S will be acceptable within the area defined on the Policies Map due to the detrimental effect this has had on the area in terms of residential amenity and parking.

Alternative Option

5.124 There are clusters of HMOs within certain areas of the City where there are higher concentrations of three storey Victorian houses. These areas generally have a tight knit urban form and lack any off street parking. They are also covered by a large Conservation Area designation. Whilst HMOs can meet a specific housing need, there is also potential to change the character of an area, and have an unacceptable impact on the amenity of neighbouring occupiers. As such a policy to guide planning applications for HMOs is considered necessary.

Which Local Plan policy is superseded?

5.125 This policy supersedes Local Plan Policy H12: Subdivision of Houses and Houses in Multiple Occupation.

Special Needs Housing

The topic of special needs housing was not addressed in the Issues and Options paper, although Question H1 did indicate that selecting a lower housing target for the Plan would only aim to meet the broad range of local housing needs, including affordable, open market, the elderly and other special needs.

What you told us:

- meet the needs of the ageing population through supporting delivery of 'Homes for Life', Extra Care Units, supported housing and fit for purpose care homes and adaptations;
- the HNDS underestimates the amount of specialist housing needed;
- engage the private sector more regarding assisted living and older person schemes to rent;
- homeless are an important group, including those soon to be leaving care who are more vulnerable and at greater risk;
- lack of housing to meet specific needs particularly in respect of ageing population;
- need to make provision of housing for elderly in villages.

Policy 30- Special Needs Housing

Proposals for new housing development must also ensure adequate internal living space. In order to encourage new homes that are adaptable for the lifetime of the occupiers, proposals for dwellings meeting Lifetime Homes Standards will be supported by the Council.

Proposals for new development to meet a particular housing need, e.g. the elderly, or supported or other specialist accommodation will be acceptable where they are in suitable sustainable locations close to a range of services and facilities.

Justification

5.126 The Housing Need and Demand Study (Nov 2011) identifies that there are 24% of all households in the District where one or more members has identified needs requiring support. In addition, nearly one third of all households contain only older people. Carlisle has an ageing population which is expected to increase over the next 20 years. This poses a challenge in terms of delivering the right type of housing to meet the needs of this population.

5.127 Proposals for lifetime homes, or which include an element of lifetime homes, will help to ensure a supply of adaptable and accessible homes that can respond to the changing needs of individuals and families. In addition, housing for people with a range of special needs will also be necessary. The Cumbria County Council 'Adult

Social Care in Carlisle District Plan 2012-14' identifies extra care housing as a key form of support. Carlisle has a number of such schemes where people are offered support in extra care schemes, rather than residential care, enabling them to stay at home for longer.

Alternative Option

5.128 No alternative approach was considered. The proposed policy is consistent with government policy to deliver a wide choice of good quality homes. The NPPF requires local planning authorities to plan for a mix of housing, reflecting local demand.

Which Local Plan policy is superseded?

5.129 This policy supersedes Local Plan Policy H13: Special Needs Housing

Traveller Site Provision

What you told us:

The Issues and Options Paper referred to new site provision for Gypsies and Travellers and asked whether, depending on the level of need identified, a site for Gypsies and Travellers should be identified in or on the edge of Carlisle, or elsewhere. An update of the current Gypsy and Traveller Accommodation Assessment (GTAA) is underway and due for completion prior to the preferred options consultation. If the results of the GTAA conclude that there is a need for additional pitch provision a new site will be identified taking into account the comments received at Issues and Options stage plus the evidence in the new GTAA in respect of site location.

Some more general comments were received from stakeholders during the LDF workshops (May, Sept and Nov 2011) in respect of site provision for Travellers, these included:

- There is a need to ensure sufficient land is identified to meet the needs of the Gypsy and Traveller population within the District;
- Sites need access to facilities and services. This would give occupiers opportunities to integrate with society rather than be segregated.

Policy 31 - Traveller Site Provision

Proposals which will contribute to achieving the provision of additional pitches will be considered favourably where they meet the following criteria:

1. the site has reasonable access to key services and facilities including schools, shops, GP and health care and other community facilities;
2. the location of the site is such that it is possible to promote peaceful and integrated co-existence between the site and the local community;
3. there are opportunities to access these facilities by public transport, walking or cycling;
4. water and sewerage infrastructure connections are available or can be made available;
5. the site has existing landscaping, or can be landscaped to minimise any impact on surrounding countryside;
6. there would be no unacceptable impact on the amenity of adjacent land uses including residential uses;
7. site management measures are included within the proposals;
8. any additional business uses that are intended to be carried out on the site will not have an unacceptable impact on the residential use of the site or the amenity of any adjacent land uses.

Justification

5.130 The Housing Act 2004 places a duty on local authorities to carry out an assessment of the accommodation needs of gypsies and travellers in the district. In May 2008 the Cumbria Gypsy and Traveller Accommodation Needs Assessment (GTAA) was published to provide evidence of current provision and future need up to 2016. A review of the Cumbria GTAA is currently underway and will provide an up to date picture of need within the District and any site provision requirements up to 2030. This will ensure that any under provision is identified and can be addressed to ensure that an appropriate level of supply is maintained in places where travellers can access education, health, welfare and employment infrastructure. The review is due to be completed prior to commencement of the preferred options consultation therefore this policy will be updated once the findings are available.

5.131 Government policy on travellers is contained in the CLG document 'Planning policy for traveller sites' states that local planning authorities should make their own assessment of need for the purposes of planning. This will help in identifying land for sites and will also ensure that both plan making and decision taking help to reduce the number of unauthorised developments and encampments and make enforcement more effective.

5.132 There are currently a number of licensed gypsy sites in the district including: Ghyll Bank Park, Low Harker Dene, (which is owned by Carlisle City Council), and the privately owned Hadrian's Park and Hawthorns. There are also a number of pitches provided through personal consents to cater for the needs of single family units. Carlisle District also has a permanent site for Travelling Showpeople at Willowholme.

5.133 It is likely that there will be a continuing need for gypsy and traveller accommodation in the District. Research from the Equalities and Human Rights Commission (EHRC) indicates a national need to meet the current shortage of pitches in England. This will be evidenced by the findings of the GTAA.

Which Local Plan policy is superseded?

5.134 This policy supersedes Policy H14, Gypsies and Travellers and H15 Travelling Showpeople, of the adopted Carlisle District Local Plan 2001 – 2016.

Other Uses in Primary Residential Areas

Consultation so far/ What you told us:

There was not a specific question regarding other uses in primary residential areas in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 32 - Other Uses in Residential Areas

The amenity of residential areas will be protected from inappropriate development where that development:

1. is for a use inappropriate for residential areas; and/or
2. is of an unacceptable scale; and/or
3. leads to an unacceptable increase in traffic or noise; and/or
4. is visually intrusive.

Justification

5.135 One of the Core Planning Principles of the NPPF relates to ensuring a good standard of amenity for all existing and future occupants of land and buildings. The City Council therefore aims to protect and maintain the residential character of the areas identified as being primarily in residential use.

5.136 Within residential areas it is necessary to prevent development that would be detrimental to the surrounding residential area. In order to protect residential amenity, the City Council will resist any planning application which seeks to introduce a use which is clearly non-conforming and threatens the residential character of an area.

5.137 Certain proposals for non-residential uses within established residential areas including small local shops, public houses and small businesses may be acceptable provided the applicant can demonstrate that the benefits of the scheme will be in the community's interest.

5.138 There are uses, however, either through the type of use, its scale, or because it would generate an unacceptable level of traffic, noise or other adverse effects such as impact on the safety or health of residents that would result in an overall loss of amenity. Such development is not acceptable in residential areas and will not be permitted.

Alternative Option

No Residential Amenity policy in the Local Plan

5.139 Do not include a policy on residential amenity within the Local Plan. In not including a policy on this it would have to be ensured that the amenity of residential areas is safeguarded through the implementation of other policies within this plan. A design policy may go some way to ensuring residential amenity however it may not be able to block inappropriate development in these more sensitive areas.

Which Local Plan policies are superseded?

5.140 Local Plan Policy CP6: Residential Amenity

6 Infrastructure

Objective

To ensure the provision of efficient and integrated infrastructure networks needed to support new and existing development, facilitate economic growth and deliver the plan strategy.

6.1 Infrastructure is a key consideration for new development and will play a fundamental role in delivering the Local Plan strategy. The policies in this chapter aim to ensure key infrastructure provision is in place to allow new development to function in a sustainable fashion. They also seek to ensure that infrastructure to be included as part of development proposals is appropriate in scale and location. Policies will draw from the evidence contained within the Carlisle Infrastructure Delivery Plan (IDP) which identifies what infrastructure currently exists across the district, highlighting any deficits and the likely funding arrangements that will be needed to address them. Where deficits do exist, policies in this chapter will seek to meet them through viable and appropriate planning obligations.

Delivering Infrastructure

What you told us:

Infrastructure was discussed in the Core Strategy Issues and Options and a number of responses relevant to this policy were received. There was broad recognition that infrastructure should be sufficient and in place to support new and existing development. One infrastructure provider was keen to raise the need to ensure proposals in the Local Plan are deliverable in order to avoid the underuse of new infrastructure should anticipated levels of new development not be realised.

There were also a number of calls for the emerging Local Plan to recognise a broad definition of infrastructure that looks beyond highways and utilities to include things like cultural facilities, health and education, and green infrastructure.

Policy 33- Delivering Infrastructure

New development will not be permitted in areas where there is insufficient infrastructure available to support it or where it would place unacceptable strain on existing infrastructure, unless arrangements can be made for the delivery of required infrastructure as the development is progressed.

Where a development requires the creation of new infrastructure the Council will look to secure funding through planning obligations. Alternatively a fee may be sought as part of the Community Infrastructure Levy (CIL) to help address infrastructure deficits identified in the Carlisle Infrastructure Delivery Plan (IDP).

Justification

6.2 The NPPF states that planning policy should seek to identify and address potential barriers to new development such as gaps in infrastructure provision. Restricting development in areas until adequate provision of infrastructure is available in an area will ensure that what is required and viable is delivered through the planning process as a means of enabling development to go forward.

6.3 Key infrastructure that the Council would expect to see in place before a development can be progressed includes:

- Primary and secondary school placements
- Clean water supply
- Foul water drainage and network capacity

- Energy supply
- Adequate highway capacity and achievable access

6.4 Other infrastructure requirements may also need to be addressed before development is permitted. These requirements will likely be location specific and can include:

- Flood defences and mitigation measures
- Replacement or new open space/sports facilities
- Children's play areas
- Public transport accessibility
- Green Infrastructure connections (footpaths/cycleways)
- Broadband internet access
- Off street parking
- Electronic vehicle charging points
- Community facilities and services
- Health facilities
- Landscaping
- Replacement/New habitat

6.5 The Infrastructure Delivery Plan (IDP) will be used to identify any infrastructure deficits that may impact upon proposals for new development. Issues may also be raised during consultation on a planning application by relevant infrastructure bodies. New development which would likely put unacceptable strain on existing infrastructure, or which is proposed in an area where key infrastructure does not exist, will only be approved once the applicant has demonstrated how infrastructure requirements, to the satisfaction of the relevant infrastructure body, will be met before construction has been completed on the proposal site.

6.6 The IDP shall provide evidence for seeking developer contributions from applicants where a specific infrastructure issue would directly affect and/or result from a development proposal. The IDP will also provide supporting information for the introduction of a Community Infrastructure Levy, which would seek contributions from applicants towards wider infrastructure deficits that have been identified across the district.

Alternative Options

Allow development in areas with insufficient infrastructure

6.7 This would be a highly unsustainable approach which could cause significant problems for all new and existing development across the district. If no regard is given to infrastructure capacity then the deliverability of new development and, ultimately, the entire plan's strategic objectives could be brought into question. This option is therefore not considered a viable policy choice.

Which Local Plan Policy is superseded:

6.8 This is a new policy

Sustainable Transport Policy

What you told us:

As part of the Core Strategy Issues and Options consultation, Question Q1 1 asked where development should be focused, specifically whether it should be located in a way that would secure funding for new highway schemes (like the Southern relief road); or spread throughout the city to minimise the impact on existing infrastructure; or specifically restricted within areas with existing pressures on the network. Opinion was split with twenty respondents felt that development should be located in areas that would allow for investment in major new transport links, with twenty other respondents feeling a combination of all of the options would be most suitable. Other comments received during consultation suggested a desire to see more cycle ways and footpaths established across the district.

Policy 34 Sustainable Transport

In order to reduce reliance on the private car new development shall be focused into areas with the greatest availability of services and facilities or in locations with good public transport connections to service centers. Development likely to generate significant levels of transport within isolated and poorly accessible areas will normally be resisted unless an overwhelming environmental, social or economic need can be demonstrated.

New development that will be accessible to the public will be expected to provide safe and convenient access to cyclists and pedestrians

Cumbria Local Transport Plan (LTP):

Land identified for specific transport projects such as a Public Transport Interchange or new transport links (road, rail, cycleways, bridleways and footpaths) will be protected from unrelated development that could compromise the future viability of such schemes. Proposals in line with the aims and policies of the Local Transport Plan will be supported.

Travel Plans & Transport Assessments:

Development which triggers the size thresholds presented in Appendix 2 will be required to provide Travel Plans and/or Transport Assessments to support applications, showing:

1. how the needs of cyclists and pedestrians will be met and prioritised on site;
2. how the movement of freight and goods by rail will be maximised where possible and appropriate;
3. how the site will safely and conveniently connect to public and green transport routes;
4. how the accessibility needs of more vulnerable people have been taken into account;
5. how the impact of heavy goods vehicles accessing the site, where this is a required aspect of operations, will be minimised, including restrictions on operating hours and how route plans involving the movement of HGVs will avoid residential areas where possible; and
6. how all other sustainable transport concerns will be addressed.

Sustainable Vehicle Technology:

Developers will be encouraged to include sustainable vehicle technology such as electric vehicle charging points within proposals.

Justification

6.9 The NPPF states that planning policy should seek to promote proposals which would result in reductions in greenhouse gas emissions and congestion. Local Planning Authorities should ensure that new development is planned in such a way that reduces the need to travel and prioritises the movements of pedestrians and cyclists and other sustainable transport uses in order to achieve safe and secure access for all.

6.10 The NPPF suggests that Travel Plans and Transport Assessments should be used by LPAs to make sure that new development conforms to the principles of sustainable transport. Travel Plans will be used to assess whether development has made all practical steps to ensure that:

- The delivery and movement of goods and supplies is as efficient as possible (i.e. by rail);
- Pedestrians and cyclists have been given the highest consideration in terms of accessing the site and there is good access to the public transport network;
- Road and street layouts are designed to be safe and secure and minimise the conflicts between traffic and pedestrians and cyclists;
- Opportunities to incorporate facilities for electric vehicle charging points have been considered; and
- The needs of people with disabilities have been addressed

6.11 The Cumbria Local Transport Plan provides clear direction for district councils when creating transport policies in their Local Plans. The LTP states that transport policy should be sustainable, new development should be designed in ways that reduce the need to travel by being located close to service centres or public transport routes and prioritise green transport connections such as cycleways and pedestrian links.

6.12 Area specific proposals for the Local Transport Plan 3 are currently in draft, they mention key strategic links such as the Carlisle Southern Development Route as well as a number of sustainable transport projects including improving pedestrian access in the city centre, new cycle/foot ways and improvements to existing routes. Route plans for any of these projects are not yet in a form that could be mapped and safeguarded. Once they have been formalised by Cumbria Highways they shall be protected under this policy from any unrelated, compromising new development.

6.13 Proposals for development will be assessed inline with the size thresholds presented within the adopted LTP to trigger the requirement for travel plans and transport assessments to be submitted. They have been included in Appendix 2.

6.14 The Manual for Streets was produced by the Department for Transport in 2007 and provides valuable guidance on how to achieve accessible and well designed streets and neighbourhoods. In order to ensure a high quality living environment for residents, the Council will encourage its use within development proposals. In keeping with the Manual for Streets, the Council will expect new development to integrate well with existing development particularly regarding cycle and pedestrian access and connections. Foot and cycle paths will need to be both convenient and safe, not only from a traffic point of view but also through

ensuing that neither a sense of fear is created nor crime encouraged through the isolating of the route from other activities and street users, especially at night.

6.15 Electric vehicle technology is still in its infancy, there is however a strong push from national Government to encourage the development of infrastructure to support its growth. As of April 2013 there are no publicly accessible charging points within the Carlisle district. Points exist at Gretna services, Haltwhistle and at various places within the Lake District National Park (as part of the Park's drive to promote green tourism). Whilst there is not currently the level of demand for charging points within Carlisle to justify making their inclusion within development a requirement the Council would still seek to encourage an increase in provision wherever possible. As this technology grows in prominence this stance may need to be reviewed to ensure the providing of charging points is a mandatory part of development.

Alternative Options

1) Set Carlisle specific thresholds for Travel Plan/Transport Assessment requirement

6.16 Thresholds are currently set within the Cumbria Transport Plan and are used countywide by local planning authorities. Cumbria County Council is also the transport authority. There is no reason to detract from the highway authority's policy on this issue as they have both the technical expertise and supporting evidence for the justification of these thresholds as part of the LTP.

2) Make electric vehicle charging points a mandatory requirement

6.17 National policy is encouraging local planning authorities to give consideration to the requirement for including electronic vehicle charging points within new development. At present the Council does not consider there to be the demand for this technology within the district and would therefore not look to make such provision mandatory.

Which Local Plan Policy is superseded:

6.18 This policy supersedes Policies T5 – Rail Freight, T6 – Public Transport, DP5 – Trunk Roads and CP16 – Public Transport, Pedestrians and Cyclists in the Carlisle District Local Plan 2001-2016.

Car Parking

What you told us:

There were no specific questions on car parking provision in the consultation for the Core Strategy Issues and Options (Oct 2011). However, a number of responses mentioned car parking in passing when discussing other issues such as retail in the town centre or housing design. Responses were generally split, with some highlighting the need for new development within housing estates and the city centre to provide adequate levels of off-street parking, and others recognising that there is a need to discourage the use of the private motor vehicle and that fewer car parking spaces should be included within new development in order to encourage greater use of public transport.

Policy 35- Car Parking

Where appropriate, proposals for new development will be expected to provide a minimum number of parking bays per each new dwelling/sqm of floor space depending on type and location, in consultation with Cumbria County Council as the Highway Authority.

In areas suffering from significant on-street parking problems, greater provision may be sought. In all areas the need to encourage the use of alternative means of travel, other than the private car, shall be an important consideration when applying parking standards. Provision for convenient and secure bicycle parking will also be expected to be provided inline with standards. A minimum standard for disabled parking spaces within new development shall continue to be required.

Off and on street parking provision will be required to be well designed and appropriate for the street scene, particularly within conservation areas. Proposed car parking provision that would have a significant adverse impact upon the street scene, landscape or historical quality of an area will be resisted. The Council shall expect developers to have regard to the Manual for Streets when considering parking design.

Justification

6.19 The NPPF removes policy for national parking standards, leaving it up to each Local Planning Authority to set their own through their Local Plan. This will allow for authorities to better address local parking issues.

6.20 Parking standards for new development should take into account:

- The accessibility of the development
- The type, mix and use of the development
- The availability of and the opportunities for public transport
- Local car ownership levels; and
- An overall need to reduce the use of high-emission vehicles

6.21 Parking standards have, in the past, been set at a county level, in the Parking Guidelines for Cumbria (1997). These guidelines are maximum parking standards and as such are no longer inline with national policy. The Council, working with Cumbria Highways, will produce an SPD to set minimum parking standards for the district. New development will be expected to be in line with the standards presented within the SPD. Carlisle City Council is also working on a car parking strategy which will be used to inform car park provision, particularly within the city centre. This should be referred to once it is available.

6.22 Carlisle Parking Services have raised the issue of increasing levels of on-street parking in residential areas. There is a need to look at more appropriate off street parking requirements for new development. A minimum requirement for parking as opposed to a maximum allowance is considered a logical solution to this as it would help to ensure adequate provision of off street parking in new developments. Ultimately, more spaces are needed in new development; for residential development each dwelling should have at least two dedicated parking spaces associated with it. Where garages have been included within a residential proposal, they must be of adequate size to accommodate a vehicle before they can be counted as a parking space. Garages that are less than 6m in length and 3m in width are not considered large enough to comfortably accommodate the average modern family car and will not be counted as car parking spaces. For commercial and leisure areas, it may be acceptable for different uses to share parking space which can count towards meeting the required spaces for both businesses, assuming it can be adequately demonstrated that anticipated peak usage will occur at different times of the day as to avoid conflict.

6.23 Carlisle Parking Services have indicated that there are no capacity problems with current commercial car parks, where they exist. However, should proposals to build new offices for Cumbria County Council on the William/Cecil Street car park go ahead then significant off street parking capacity in Botchergate will be lost. Replacement provision will need to be identified and developed before any work starts in order to ensure on-street parking does not become an issue in the area.

6.24 There is virtually no off-street parking provision in some parts of the city, such as on and around Warwick Road, and this can result in significant issues with inappropriate on-street parking. There are also parking problems on the Kingstown industrial estate in the north of the city, where piecemeal take up of units has meant that insufficient parking spaces have been provided leading to congestion issues on the estate roads as people struggle to find a place to park

6.25 Issues also arise due to a lack of parking in the other larger settlement centres – particularly in Brampton where town centre spaces are used largely by workers rather than visitors or shoppers. Issues with commuter parking exist in Longtown and Dalston. However, a new car park has recently been established in Dalston which should alleviate some of the issues there.

Alternative Options

1) Encourage the use of maximum parking standards for new development in the district

6.26 Previously, maximum parking standards were used for new development, effectively limiting the amount of spaces that could be provided. It was considered that this would encourage the use of more sustainable transport by making it more difficult to access development using a private motor vehicle. Whilst this principle had merit in theory, it has created some issues within Carlisle in practice leading to a lack of available parking spaces to accommodate vehicles across different parts of the district. This has led to significant issues with obstructive and often inappropriate on-street parking within some areas. It is considered that a more flexible approach to parking standards, which ensures a minimum provision of off-street parking associated with new development, targeting problem areas and use types in particular, would be a more sustainable approach.

2) Do not set standards and use a case by case approach to assessing parking requirements in new development

6.27 This option would rely on professional judgement to assess the level of parking provision required on new development. Whilst this would be the most flexible approach to ensuring parking is provided, it could also introduce the risk of inconsistency. This approach could also lack transparency, where no clear standards are available for developers to consider, this could leave the Council open to challenge and is therefore not considered to be a viable option.

Which Local Plan Policy is superseded:

6.28 This policy supersedes Policy T1 – Parking Guidelines for Development and T2 – Parking in Conservation Areas and T3 – Parking Outside of Conservation Areas in the Carlisle District Local Plan 2001-2016.

Broadband Access

What you told us:

There was no specific question regarding broadband access during consultation on the Core Strategy Issues and Options however the importance of new development being able to connect to superfast broadband networks was raised in a number of comments relating to the wider infrastructure section.

Policy 36 - Broadband Access

New development must be able to demonstrate how it will contribute to and be compatible with local fibre or internet connectivity. Where appropriate a Connectivity Statement will be required to accompany a planning application detailing the anticipated connectivity requirements of the development, known nearby data networks and their anticipated speed (fixed copper, 3G, 4G, fibre, satellite, microwave, etc), and realistic assessments of connection potential or contribution to any such networks.

Wherever possible, new development should aim to connect to the internet with a minimum symmetrical speed of 25Mbps with realistic capacity for future upgrading. Where this can not be achieved proposals should still include, as a minimum, suitable ducting to accommodate fibre optic cabling, connecting to either:

- The public highway; or
- A community led local access network; or
- Another location that can be justified through the connectivity statement

Applicants proposing major development schemes are encouraged to engage with local broadband groups, where present, to explore how ducting and/or fibre can be provided to benefit the local community.

Justification

6.29 The National Planning Policy Framework recognises the vital role broadband technology plays in enhancing the provision of local community facilities and services. This policy therefore aims to support the expansion of high speed broadband across the district, particularly in rural areas where there has been a market failure regarding the viability of providing high speed and holistic connectivity.

6.30 The Fibre to the Home Council Europe (FTTH) reported that in 2012/13 the UK had not yet achieved 1% household coverage of superfast, fibre optic broadband (100Mbps), falling dramatically behind other European countries such as Lithuania (31%), Sweden (23%), Bulgaria (17%) and Latvia (17%). The Government has expressed its intention to invest in broadband networks across the country, aiming to ensure every household has access to at least 2Mbps and that 90% of homes have access to at least 25Mbps by 2015. It is widely recognised however that speeds of at least 100Mbps will be required to ensure the functionality of emerging workplace practices such as cloud computing.

6.31 Across the district broadband access varies significantly. Only a small part of the city, in and around the CA1 postcode area, has access to fibre optic cable broadband technically capable of speeds of up to 75Mbps. Average broadband speeds across the city are around 7.6Mbps, however in outlying areas such as Belah and Garlands speeds can drop significantly and struggle to achieve over 1Mbps. Rural parts of the district have generally much lower connection speeds. In Brampton the average speed is 3Mbps and in Longtown and the larger villages speeds struggle between 2 and 2.5Mbps. In the most rural parts of the district speeds are unlikely to be more than 500Kbps.

6.32 This policy seeks to balance the viability of new development with that of ensuring the wider, long term viability of the country in terms of access to superfast broadband. It also seeks to support community broadband initiatives. Provision needs to be made to ensure new development contributes towards the Government's target of 25Mbps by 2015. However, it would be remiss not to consider the likely requirements of homes and businesses over the 15 years of this plan and encourage applicants to consider ways of allowing for future upgrades to networks within their plans. Applicants will, in a Connectivity Statement, be required to actively demonstrate that they have considered broadband connectivity within their proposals and, where necessary, justify why they cannot achieve a 25Mbps connection on the site. Where they cannot achieve a 25Mbps connection they should still ensure the development is ready to embrace fast, fibre optic broadband once it is available by ensuring ducting, capable of carrying fibre cables, is provided up to the public highway or any community led broadband networks in the area.

Alternative Option

No broadband policy in the Local Plan

6.33 This would require policy to defer to the National Planning Policy Framework, which only briefly mentions the importance of broadband infrastructure. The NPPF does not provide a clear method for ensuring broadband connectivity is considered by applicants. This option is therefore considered both weak and unsuitable.

Which Local Plan Policy is superseded:

6.34 This is a new policy

Waste Minimisation and the Recycling of Waste

What you told us:

The issue of waste management and the provision of recycling facilities was not raised during the Issues and Options consultation for the Core Strategy. It was raised briefly in the wider comments addressing climate change issues. It was suggested that reference to the need to minimise waste production and facilitate the recycling of waste should be included within policy.

Policy 37 - Waste Minimisation and the Recycling of Waste

Development proposals should be able to demonstrate that they have taken every possible step to reduce the amount of waste likely to be produced by the development and, where appropriate, maximise the opportunities for the recycling and composting of waste to be produced, preferably on site.

All new development should follow the principles of sustainable waste management and must include details of facilities for the storage, collection and recycling of waste produced on-site for both during and after construction. On new housing estates developers should make provision for collective and accessible waste and recycling areas that create a single point for waste storage and collection to serve a number of dwellings.

Justification

6.35 The principles for sustainable waste management are set out in a range of national legislation and guidance, including the still current Planning Policy Statement 10: Planning for Sustainable Waste Management, the national Waste Strategy for England 2007 and, to a lesser extent, the National Planning Policy Framework – though work is underway on the National Waste Management Plan for England, which should provide up to date national guidance once it is published. Similar principles are set out in the Cumbria Minerals and Waste Development Framework, which is the main waste planning document for the county. Planning authorities should seek to reduce the amount of waste going to landfill. This means ensuring that every possible step has been taken by new development to ensure sustainable methods of waste disposal are encouraged and, on larger sites, required by planning policy.

6.36 Carlisle City Council currently aims to have at least 50% of all household waste disposed of sustainably either through recycling or composting. The Council is well on track to meeting this target with around 49.46% of all household waste in 2011/12 being recycled or composted. This figure has seen a significant increase in recent years with only 25.73% of waste being recycled or composted in 2004/5. To ensure that this trend is maintained all new development must be required to follow the principles of sustainable waste management. Developers will be expected to set aside areas on new housing estates for collective waste storage in order to provide a single point for collection. This should make it easier for refuse collection services to work on an estate and also alleviate levels of disturbance to residents

that may arise from refuse trucks travelling door to door. Recycling provision could also be provided along side these collective waste areas. Collective waste areas should be accessible and larger estates may require multiple sites.

Alternative Options

1) Require Waste Audits to accompany applications for major development

6.37 This was a requirement in the previous Local Plan (2008) policy CP14, which XXXX replaces. It was not a statutory requirement and it was rarely requested. It could be brought back into policy if it is considered to be still relevant and a worthwhile requirement to accompany planning applications.

2) Do not include a waste management/recycling policy within the Local Plan

6.38 This would mean that the requirement to demonstrate how waste will be managed in new development would be handled through the NPPF/PPS10. Having a Carlisle specific policy allows the Council to promote the principles of recycling on all new development during and after construction. Not having a clear idea of how waste will be managed over the lifetime of a development could lead to serious issues in the future.

Which Local Plan Policy is superseded:

6.39 This policy supersedes Policy CP14 – Waste Minimisation and the Recycling of Waste in the Carlisle District Local Plan 2001-2016.

Drainage on Development Sites

What you told us:

There was no specific question on this issue within the Core Strategy Issues and Options consultation. However, a number of responses referred to the importance of ensuring good foul water drainage on site and the need to ensure sewerage and treatment capacity to enable new development. One response did highlight that wastewater services are essential to the health and well being of the whole community.

Policy 38 - Drainage on Development Sites

Development will not be permitted where inadequate foul water treatment and surface water drainage infrastructure exists, or where such provision cannot be made within the time constraints of planning permission. Development which would involve surface water draining into the foul water sewerage network will not be permitted.

Where United Utilities can demonstrate that connection to the public sewerage system is not possible, alternative on-site treatment methods and septic tanks associated with a new development may be permitted provided they are of an environmental standard to the satisfaction of the Environment Agency.

Justification

6.40 The NPPF requires Local Planning Authorities to consider infrastructure when deliberating over planning applications. Working with other organisations, authorities are expected to ensure adequate provision of infrastructure, including waste water treatment and other utilities. In instances where utility capacity is an issue, authorities should look at ways of creating additional provision in order to ensure sustainable development can still be achieved.

6.41 Foul and surface water drainage are managed through two different systems and must be considered separately. Surface water must not drain into the foul water sewerage network as it can quickly overload the network's capacity. Applicants are expected to ensure adequate surface water drainage systems are in place and sufficient capacity exists within the sewer network before development can commence.

6.42 The quality of groundwater and surface waters and associated water-based recreation, fisheries and nature conservation must be protected against the risk of pollution from the inadequate provision of foul water sewerage and sewage treatment facilities. Development proposals which necessitate the use of septic tanks and sewage treatment package plants may, if not designed correctly or located appropriately, result in an increased risk of pollution to groundwater and surface waters. Such systems will only be permitted if it can be demonstrated that connection to the public foul water sewerage system is not feasible, taking into account cost and/or practicability.

6.43 United Utilities manage and monitor capacity within the waste water treatment network. The Council relies on feedback from them in order to ascertain whether sufficient capacity exists within the network to accommodate new development. At present, the Council has been made aware of critical capacity issues at the Wetheral and Great Corby waste water treatment works. Discussions with United Utilities have indicated that more capacity is unlikely to be made available until 2017 at the earliest.

Alternative Option

No Drainage policy in the Local Plan

6.44 This would require policy to defer to national guidance, which would not address directly the need to ensure utility capacity in terms of drainage, nor does it make reference to onsite provision such as septic tanks/package treatment plants. The NPPF also does not make the distinction between foul and surface water drainage, which must be kept separate. If there was no local policy on this there would be a policy gap, whereby the Council would not be able to influence the provision of foul and surface water infrastructure to be appropriately included within new development.

Which Local Plan Policy is superseded:

6.45 This policy supersedes Policy CP12 – Foul and Surface Water Sewerage and Sewage Treatment in the Carlisle District Local Plan 2001-2016.

Satellite Receiving Equipment

What you told us:

Satellite receiving equipment has not been mentioned in any of the consultation on the Core Strategy or Local Plan so far. It is not a critical issue, and for most would constitute permitted development, therefore strong community views on the matter are not expected.

Policy 39- Satellite Receiving Equipment

Satellite receiving dishes and antennas that fall outside of the definition of permitted development and, as such, require planning permission will be acceptable provided that the equipment:

1. Is sited to minimise its visual impact; and
2. Is sited so that no part of projects above the highest part of the roof or chimney; and
3. Would not result in significant cluttering of a building if other dishes/antenna are present; and
4. In conservation areas, is located so as not to be visible from any public view point.

Justification

6.46 There is no mention of the installation of satellite dishes or antennas within the National Planning Policy Framework. The Town and Country Planning (General Permitted Development) Order 1995 (as amended), however, describes how and when receiver equipment can and cannot be considered permitted development. This policy must be applied in cases where:

- The size of the dish or antenna (excluding any projecting feed element, reinforcing rim, mountings and brackets) when measured in any dimension would exceed:
 - i. 45 centimetres when installed on a chimney
 - ii. 90 centimetres when installed on or within the curtilage of a dwelling house, other than on a chimney
 - iii. 70 centimetres in any other case; or
- The highest part of a dish or antenna to be installed on a roof or a chimney would, when installed, exceed in height:
 - i. the highest part of the roof (if installed on a roof);

- ii. the highest part of the chimney (if installed on a chimney); or
- There is already a satellite dish or antenna on a dwelling house or within its curtilage; or
- In the case of land within an AONB, the Hadrian's Wall World Heritage Site or a designated conservation area, an application would consist of the installation of equipment on:
 - i. a chimney
 - ii. a building which exceeds 15 metres in height
 - iii. a wall or roof slope which fronts a highway.

6.47 The number and siting of satellite dish antennas in residential areas can have a major visual impact. As satellite television and broadband services increase in popularity and prevalence more dishes may be erected. This policy seeks to ensure that significant, adverse impact to street scenes, landscape or historical quality of a building does not occur as a result of over-cluttering of equipment on buildings, particularly on those comprising of multiple residences.

6.48 Listed building consent will be required before a satellite dish antenna may be placed anywhere on a listed building.

Alternative Options

1) No Satellite Receiving Equipment policy in Local Plan

6.49 This would require policy to defer to national guidance which currently does not mention satellite receiving equipment. Whilst there are regulations that detail when satellite dishes and antenna can and can't be considered permitted development there is no policy detailing how permission for equipment will be assessed in planning, should it be deemed necessary. Not having this policy would leave a policy gap.

2) Specify the number of dishes or antennas that would constitute over cluttering of a building

6.50 This option would specify how many dishes/antennas would be permissible on a building before additional equipment would be refused due to unacceptable levels of cluttering. This would be an inflexible policy, which would fail to take into account the individual circumstances and location of different applications. What might be acceptable in one location for a certain size of building may not be in another. It would remove the ability to assess each case on its own merit and is therefore not considered a suitable option to take forward.

Which Local Plan policy is superseded:

6.51 This policy supersedes Policy EC20 – Satellite Receiving Equipment in the Carlisle District Local Plan 2001 – 2016.

Planning Obligations

What you told us:

There were no questions concerning planning obligations during consultation on the Core Strategy Issues and Options. However, a number of responses wanted, and in some cases expected, developers to contribute to infrastructure that would either be required to support the development and/or would be of benefit to the wider community.

Policy 40 - Planning Obligations

The Council will consider the use of Planning Obligations (106 Agreements) in order to provide for local or community needs relevant to the proposed development as set out in other policies in this Plan. Planning Obligations will cover a number of issues such as affordable housing, green infrastructure, recreational space, art, transport/traffic improvements, community facilities, archaeology, amenity space/landscaping, training and employment, crime and disorder measures or any other infrastructure deficit identified in the Carlisle Infrastructure Delivery Plan (IDP).

Justification

6.52 There are a number of policies in this Plan which aim to improve the local environment for existing residents of the District and new occupants, In order to ensure that any new development proposals are integrated a number of measures will be considered. Planning Obligations are a way of integrating new development into the surrounding environment especially where development proposals may have a direct impact on others. Given the wide range of local issues which may arise the City Council is setting out its priorities for planning obligations in a separate document.

6.53 The Carlisle Infrastructure Delivery Plan (IDP) will identify any deficits in infrastructure provision in the district. It will also highlight what funding arrangements would be required to address these deficits. Where there are gaps in funding, it is likely that developer contributions will be needed to ensure infrastructure is provided where and when it is needed.

6.54 In accordance with the NPPF and to ensure that the Plan remains deliverable, planning obligations must not over burden developers and run the risk of making schemes unviable. Planning obligations must be economically viable. However, where there is a critical infrastructure deficit, which would be needed to support a new development, permission may be refused if the applicant is unwilling or unable to contribute to providing what is required.

Alternative Option

No Planning Obligations policy in the Local Plan

6.55 This would require policy to defer to national guidance which would lack any link to the Carlisle Infrastructure Delivery Plan, an important mechanism for ensuring infrastructure needs across the district are met through developer contributions.

Which Local Plan policy is superseded:

6.56 This policy supersedes Policy IM1 – Planning Obligations in the Carlisle District Local Plan 2001 – 2016.

7 Climate Change and Flood Risk

Objective

To reduce emissions of greenhouse gases and avoid inappropriate development in areas at greatest risk of flooding whilst allowing essential safe development in flood risk areas without increasing the risk of flooding elsewhere; therefore ensuring Carlisle is more resilient and less vulnerable to the impacts arising from climate change.

7.1 Carlisle City Council recognises the importance of protecting our environment and using the natural resources available to us to their fullest through renewable energy generation and energy efficient design and materials. Central to this is ensuring that the District is resilient to the effects of climate change through ensuring that new development is directed away from areas at risk of flooding and that new development manages its potential effects responsibly.

Renewable Energy

Consultation so far/ What you told us:

Renewable energy was considered across a number of policies within the Issues and Options Paper therefore comments were wide ranging, including the following;

- A positive approach should be taken to renewable energy proposals;
- Policies should positively encourage and set out different forms of renewable energy development (i.e. biomass, solar, wind energy and photovoltaic) whilst ensuring that proposals are fully assessed for their impact on the landscape and natural environment;
- Smaller sites should not have to adhere to onsite renewable energy targets;
- More renewable energy investment – smaller less impact wind chargers in industrial estates and more solar panels in residential areas;
- Maximise renewable energy generation schemes making sensitive use of the areas resources, including encouragement of community-led developments;
- Needs to be a real focus on developing renewable energy resources – wind, solar and tidal power;
- Provide more incentives for renewable energy systems such as small scale wind charges, solar water heating and solar panels on roofs for electricity;
- Need to address the impact of renewable energy solutions on rural communities e.g. wind farms.

Policy 41: Renewable Energy Policy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

1. there is no unacceptable visual impact on the immediate and wider landscape and townscape;
2. there is no adverse impact on biodiversity;
3. any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
4. measures are taken to mitigate any noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
5. any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;

6. there would be no unacceptable levels of harm to features designated as of local, national or international importance;
7. adequate provision can be made for access and parking and the development would not adversely impact on the road network;
8. there would be no unacceptable conflict with any existing recreational facilities or routes;
9. there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments, within and adjacent to Carlisle District.

Justification

7.2 The City Council has signed up to the Nottingham Declaration (2007) and in doing so acknowledged that climate change is occurring. It also committed the City Council to adapt to the impacts of climate change and to achieve a significant reduction in greenhouse gas emissions, both within its own activities and to encourage all sectors to do so. Renewable energy is the collective term used for repeatedly occurring natural energy sources. These include energy from the sun, wind, sea, the fall of water and biomass. Certain combustible industrial, agricultural or domestic waste materials are also regarded as renewable sources of energy. The Government is committed to sourcing 15% of its total energy (across the sectors of transport, electricity and heat) from renewable sources by 2020 alongside a UK carbon budget to reduce emissions by 80% from 1990 levels by 2050. Renewable energy sources can help to diversify energy supply and reduce harmful emissions to the environment, however most forms of renewable energy require specific environmental conditions and therefore can only be developed where the resource exists. The Overarching National Policy Statement for Energy (EN-1) advises that a diverse mix of all types of power generation is beneficial so that we are not dependent on any one type of power generation, therefore ensuring security of supply. Additionally the value of renewable energy generation is recognised as a means of achieving a low-carbon economy. National policy is central to the development of local policy and includes a strong message that local authorities should promote and encourage, rather than restrict, the development of renewable energy sources.

7.3 The Cumbria Renewable Energy Capacity and Deployment Study (September 2011) considers a range of renewable energy sources, translating potential into realistic deployable capacity up to 2030 in order for Cumbria to meet Government energy targets. It states that Cumbria needs to significantly increase its current level of deployment (of all types of renewable energy) if the County is to meet the target figure considered deployable by 2030. The study looks at the overall potential technical capacity from wind, biomass, energy from waste, hydropower, solar and

heat pumps. Applicants should have regard to this and any future studies in the formulation of development proposals.

7.4 Carlisle District contains a number of important landscapes. Proposals for renewable energy should ensure that they will not adversely affect their special character. Special consideration should be given to: Scheduled Ancient Monuments, Listed Buildings, Conservation Areas and Registered Historic Parks and Battlefields. Proposals for schemes close to the district's boundary with Northumberland National Park should take into account the impact of the development on the natural beauty and heritage of the area. Development in or likely to have an unacceptable impact on nationally and internationally designated sites will be restricted regardless of whether the policy criteria are met, however projects may be allowed in these areas if it can be demonstrated that the wider environmental, social and economic benefits outweigh any adverse effects. The Cumbria Landscape Character Guidance and Toolkit 2011, or any successor documents, should be used to assist in identifying areas that are capable of successfully integrating renewable energy developments. The Solway Coast AONB Management Plan and the North Pennines AONB Management Plan should be referred to when considering proposals which could have an impact upon these designations. Views from within and towards the Solway Coast and North Pennines AONBs as well as other public viewpoints should also be given consideration.

7.5 The Council is in support of the principle of renewable energy provided it meets the criteria set out in the policy. It will seek to foster community involvement in larger scale renewable energy projects, and recommends that developers of renewable energy projects engage in active consultation and discussion with local communities at an early stage in the planning process. The Council will also seek to consider, where appropriate, the opportunity for developing renewable energy projects in association with new large-scale developments, for example district heating networks. It will also support community-led initiatives for renewable and low carbon energy where they are in line with this policy.

7.6 Proposals for renewable energy developments will almost always have some local environmental implications. Any significant adverse impact will be weighed against the wider social, economic and environmental benefits including those of reducing emissions. Some renewable energy projects may be subject to an environmental impact assessment (EIA). This will be the case where a scheme is likely to have significant environmental implications for the surrounding area during its development and/or operation. Further information on EIA can be found in Planning for Renewable Energy: A Companion Guide to PPS22 or any subsequent revisions of this document.

7.7 Proposals for all renewable energy developments should consider the environmental effects of the distribution lines between the development and the point

of connection to the national grid. Consideration should also be given to the environmental impact of access tracks where these are required to construct and maintain the proposed development.

7.8 In addition to this Local Plan Policy, Policy 42 - Wind Energy provides further guidance to assess wind energy developments.

Alternative Options

1) Do not include a Renewable Energy policy within the Local Plan;

7.9 It is considered that a policy on Renewable Energy is valuable in drawing applicants' attention to the criteria contained within the policy which is specific to Carlisle District in terms of development of appropriate types of renewable energy. It is also important to recognise the contribution the District could make towards achieving national renewable energy targets and therefore it is vital to have a Local Plan policy to encourage and support this type of development.

2) Set a target percentage for on site renewable energy generation;

7.10 It is considered that setting a percentage target for on site renewable energy for new development will not be appropriate as there is no available evidence to support this policy direction. This is also not something that is supported at a national level.

Which Local Plan policies are superseded?

7.11 This policy supersedes Policy CP8 – Renewable energy in the Carlisle District Local Plan 2001 – 2016.

Wind Energy

Consultation so far/ What you told us:

Within the Issues and Options Paper a general question was asked regarding what specific measures are needed to help cope with climate change. The following comments were received regarding wind energy;

- A lot more investment in renewable energy especially wind power;
- Support for development of offshore wind farms;
- A policy relating to the delivery of sustainable energy development such as wind farms should be developed, acknowledging environmental, social and economic considerations that need to be balanced as part of this process;
- More renewable energy investment. More Wind Turbines in the Irish sea and smaller less impact Wind Chargers in Industrial estates and Residential areas;
- Businesses able to use renewable sources of energy for there own use. Communities able to invest in renewables as a community asset e.g. wind turbines;
- We need to be more positive about wind generation, where there is opposition there should be a reasoned response and negotiation;
- Develop a wind farm, providing cheap and possibly free electricity to the surrounding communities;
- Please do not fill the horizon with wind generators;
- Needs to be a real focus on developing renewable energy resources. The options we have locally are wind power, solar and tidal. Wind power is important. Although it is not a constant supply it is part of the mix that we have.

Policy 42 - Wind Energy

Proposals for the development of wind turbines need to consider their individual and cumulative effects and will be assessed against the following criteria;

- Location, scale and visual impact in relation to the character and sensitivity of the immediate and wider surrounding landscape and townscape;
- Local amenity in relation to noise, amplitude modulation, shadow flicker, low frequency sound or vibration, air quality/emissions;
- Effects on nature conservation features, habitats, biodiversity and geodiversity, including sites, habitats and species, avoiding significant adverse effects of sites of international nature conservation;
- Effects on the context of Hadrian's Wall World Heritage Site, Scheduled Ancient Monuments, listed buildings, historic structures, historic gardens, parks, battlefields or designated conservation areas (dependent on site specific assessment);
- Effects of any new structure on existing services such as highways infrastructure and telecommunications;
- Effects on civil or military aviation and/or other defence assets such as RAF Spadeadam, the Eskdalemuir Seismic Recording Station and the VLF transmitter at Skelton
- Cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments within and adjacent to Carlisle District.

Additionally it is expected that appropriate operational requirements have been satisfied (including accessibility and suitability of road network, ability to connect to the grid, proximity of any feedstock where relevant) and appropriate measures are included for the removal of structures and the restoration of sites, when sites become non-operational.

Justification

7.12 The Local Plan has a duty to encourage the use of renewable energy sources as a means of reducing greenhouse gas emissions and providing positive resilience to the impacts of climate change.

7.13 The Climate Change Act (2008) set legally binding carbon budgets for the UK which aim to reduce UK carbon dioxide emissions by 34% by 2020 and, in line with European guidelines, at least 80% by 2050. The UK Renewable Energy Strategy

2009 includes a target of delivering more than 30% of our electricity generated from renewable sources by 2020. In addition to these targets the NPPF includes a strong message that we should promote and support the delivery of renewable and low carbon energy and associated infrastructure in moving towards a low carbon economy. Wind energy is widely considered to be a proven, viable and rapidly developing energy technology, with the UK having access to 40% of the entire European wind resource (EN-1). This policy will play a role in contributing towards these reduction targets.

7.14 The Cumbria Renewable Energy Capacity and Deployment Study (September 2011) considers a range of renewable energy sources, translating potential into realistic deployable capacity up to 2030 in order for Cumbria to meet Government energy targets. It states that Cumbria needs to significantly increase its current level of deployment (of all types of renewable energy) if the County is to meet the target figure considered deployable by 2030 and encourages the continued deployment of commercial wind as it provides the cheapest option for energy generation and gives the highest carbon savings. Wind energy proved to be the largest single resource in Cumbria with Carlisle having a significantly lower capacity than other Districts within the County. The study takes into account the protection offered to landscapes within AONB's. The study provides general guidance in relation to capacity per square kilometre of large (125m to tip), medium (90m to tip) and small (65m to tip) turbine development. In relation to landscape capacity, the study identifies that Carlisle has 9% of the wind energy capacity for the County. Despite this, Carlisle is identified as having the highest potential capacity for accessible small scale resource due to the urban nature of the District.

7.15 The Cumbria Wind Energy SPD was adopted by the Council in 2008 to help guide the siting and design of turbines and to indicate the capacity of each landscape character type within Cumbria for wind energy. This document therefore provides a steer for the development of wind energy and will be used to guide development of this kind. It also reiterates that wind energy development can have wider landscape and visual effects than other forms of renewable energy development. Development proposals should take this document into account.

7.16 The Solway Coast AONB Management Plan and the North Pennines AONB Management Plan should be referred to when considering proposals which could have an impact upon these designations. Proposals for schemes close to the district's boundary with Scotland, Northumberland, Eden District and Allerdale Borough should also take into account the impact of the development on the landscape and heritage of the area. Additionally, the Cumbria Landscape Character Guidance and Toolkit 2011, or any successor documents, should be referred to as this helps to identify areas that are capable of successfully integrating renewable energy developments.

7.17 Proposals for renewable energy developments will almost always have some local environmental implications. Any significant adverse impact will be weighed against the wider social, economic and environmental benefits including those of reducing emissions and greenhouse gasses. Some renewable energy projects may be subject to an environmental impact assessment (EIA). This will be the case where the scheme is likely to have significant environmental implications for the surrounding area during its development and/or operation. Further information on EIA can be found in Planning for Renewable Energy: A Companion **7.18** Guide to PPS22 or any subsequent revisions/updates of this document. Additionally, within Carlisle District it should be noted that there are a number of landscape and functional constraints that may limit this type of development in certain locations, including within the North Pennines and Solway Coast AONB's, Carlisle Airport Safeguarding area, Eskdalemuir Seismic Recording safeguarding area and the MOD safeguarding zone.

7.18 It is important that new energy infrastructure does not significantly impede or compromise the safe and effective use of any defence assets. Where proposed development may have an effect on civil or aviation and/or other defence assets, an assessment of potential effects should be set out in an Environmental Statement (as outlined in EN1- Overarching National Policy Statement for Energy). This requires any applicant to have assessed the impacts of their proposed development upon civil and military aerodromes, aviation technical sites and other defence interests.

7.19 Proposals for the development of wind turbines are expected to provide supporting evidence including Landscape, Visual and Environmental Assessments and must demonstrate that any negative impacts can be satisfactorily mitigated. The must also take into consideration the Cumbria Wind Energy SPD, Cumbria Renewable Energy Capacity and Deployment Study 2011; the Cumbria Landscape Character Guidance and Toolkit (2011) and/or any successor documents.

7.20 Development in or likely to have an unacceptable impact on nationally and internationally designated sites will be restricted even if the above criteria are met, however projects may be allowed in these areas if it can be demonstrated that the wider environmental, social and economic benefits outweigh any adverse effects.

7.21 Proposals for all renewable energy developments should consider the environmental effects of the distribution lines between the development and the point of connection to the national Grid. Consideration should also be given to the environmental impact of access tracks where these are required to construct and maintain the proposed development.

7.22 The RSPB will be consulted where development has the potential to impact significant populations of sensitive birds species or their habitats.

7.23 Furthermore, England has no minimum separation distance in planning law or guidance, although noise limits suggest a minimum separation distance of 350 metres for a typical wind turbine. The Government has rejected the idea of a separation distance for England and as such it is considered inappropriate for the Council to stipulate a minimum separation distance. Separation distances will therefore be considered on a site-by-site basis, taking account of topography, orientation and residential amenity. If during the timeframe of this plan this changes, decisions will be made in line with national planning policy.

7.24 Applications for large wind farms with deployable capacity greater than 50MWe are not determined by the City Council; instead development consent must be gained from Secretary of State via submission to the Infrastructure Planning Commission.

Alternative Options

1) No Wind Energy Policy in the Local Plan

7.25 An alternative approach would be to have no wind energy policy in the Local Plan, relying on national policy and other Local Plan policies to guide development. This was rejected as it does not reflect the local importance of wind energy and would not promote national priorities or strategic objectives.

2) Wind Energy Policy included within wider Renewable Energy Policy

7.26 An alternative to not include a stand alone policy on wind energy and instead determine wind turbine applications using a renewable energy policy such as that contained within the Current Local Plan. It is clear that across the District there are a greater number of applications for wind energy than other renewable energy technologies. It is therefore considered that a stand alone policy on wind energy would be beneficial to applicants and officers in guiding development of this type to appropriate locations across the District.

3) Adopt a negative policy towards large scale wind

7.27 This was considered to address some community concerns regarding wind development by providing a clear message in policy. It was rejected as the preferred option as it would be against national policy and likely to fail the Government's 'test of soundness' as the approach is not informed by evidence and therefore would be very unlikely to be implemented. Additionally, the policy would not help promote national priorities or strategic objectives, as it would rely on other technologies to help meet national renewable targets, which is contrary to the findings of the evidence base.

4) Establish 'areas of search' for wind development

7.28 This alternative option was also considered, as it would provide additional policy material on wind development by establishing areas of search for wind development. Adopting such a policy would assess the District and identify those areas that would be appropriate for wind development and establish the potential capacity. This would reflect some local concerns about inappropriate developments in some areas, and provide certainty for developers while reducing their costs and time. This was not considered to be the preferred approach as it may not generate community support once areas have been identified and therefore would be difficult to implement. It would also focus applications for development primarily to these areas and may make applications for development in these locations difficult to oppose. It also makes a presumption that areas out with the identified areas of search would automatically not gain permission, which may in fact not be the case.

5) Include specific criteria indicating 'setback' distances from residential developments

7.29 Criteria could be developed to protect residential dwellings from commercial wind development close by. This approach was rejected because it would have to be evidence based, and as each potential site varies, setting one threshold for the whole of the District would be complex, difficult to justify and open to challenge. Furthermore, the preferred option has criteria to protect amenity and health on a case-by-case basis and this is considered to be the best method to protect dwellings from potential harm.

Which Local Plan policies are superseded?

7.30 This policy supersedes Policy CP8: Renewable Energy in the Carlisle District Local Plan 2001 – 2016.

Development, Energy Conservation and Efficiency

Consultation so far/ What you told us:

Renewable energy was considered across a number of policies within the Issues and Options Paper therefore comments were wide ranging, including the following;

- In the present economic climate and the state of the building trade (which may persist for the foreseeable future), it would discourage developers from building and add to their costs and selling price. Current standards are already significantly higher than in the recent past. A developer who on his own volition presents a scheme which meets these standards, (such as the Racecourse), could be recognised when considering their application.
- While encouragement should be given for delivery of homes to higher code levels prior to the published required dates; it is considered important that doing so does not hinder the viability of schemes. It may be beneficial not to seek higher levels in advance of the national start date for their provision.
- As high as possible, as soon as possible, and actively promote this policy nationally to level the playing field.

Policy 43- Development, Energy Conservation and Efficiency

Development should make the fullest contribution to climate change adaption. Development will be expected to seek to improve CO₂ emissions savings above the Building Regulations baseline and set out how improvements are achieved within a Design and Access statement or within an energy statement in cases of change of use, as part of the planning application. Developments not achieving improvements over the baseline energy standards will not be supported unless applicants can demonstrate that it is not feasible to do so.

Development proposals must take into account the need for energy conservation and efficiency in their design, layout and choice of materials. The principles should be introduced in the early stages of the design process in order to consider the orientation of buildings to maximise solar gain coupled with high levels of insulation to reduce heating costs. The efficient and effective use of land, including the reuse of existing buildings and the use of environmentally sustainable and recycled materials is also expected within the design.

Developers should also consider the possible incorporation of other small-scale sources of renewable energy like photovoltaic cells and will also be encouraged to include systems for collecting roof water to enable its re-use.

The Council will encourage all major developments to explore the potential for a District Heating Network or Decentralised Energy Network. Proposals for renewable, low carbon or decentralised energy schemes will be supported provided they do not result in unacceptable harm to the local environment which cannot be successfully mitigated.

Justification

7.31 The Council seeks to ensure the high quality of development proposals and to promote energy efficiency and sustainable sources of energy supply. The policy sets out a supportive framework for delivering low and zero carbon energy infrastructure to demonstrate the Council's commitment in delivering energy security and climate change initiatives. The Council is committed to ensuring that all new development maximises energy efficiency in its design and materials used, in line with the NPPF.

7.32 It is acknowledged that buildings, which are energy efficient and hence cheaper to run, have enhanced market appeal. The layout, location and design of a development can have a fundamental impact on energy efficiency. Higher density developments and south facing aspects can both help to produce milder urban microclimates as well as maximising natural light. Design should aim to maximise solar gain (where appropriate) as well as natural ventilation, utilising appropriate materials and increasing opportunities to recycle heat and rainwater. Energy efficient housing also has health benefits through providing warmer housing in winter months.

7.33 Applicants should be able to demonstrate how they have attempted to minimise energy use and heat loss through careful and imaginative design, location and construction techniques. The Council has produced a SPD on Energy Efficiency (March 2011) which provides further detailed guidance on energy conservation for developers in the consideration of development proposals.

7.34 The NPPF recognises the important role of planning in supporting a move to a low carbon future. As well as striving for energy efficiency improvements in existing and proposed buildings, the Government advises that local standards for building's sustainability should be consistent with the Government's zero carbon buildings policy and should adopt these nationally described standards.

7.35 Building Regulations set the minimum standards for the design and construction of new buildings (& extensions) with energy efficiency standards dealt with under Part L. Progress towards 'zero carbon' will be made through progressive tightening of the Building Regulations. The Government's target is for new homes to be zero carbon by 2016 with the ambition for non-domestic buildings to be zero carbon by 2019. There are proposed changes to energy efficiency standards in Part L of the Building Regulations however these have been consulted upon and no firm regulations have been produced as yet. Changes to Building Regulations and the move to zero-carbon buildings will increase energy efficiency and encourage greater use of decentralised and renewable energy, these changes are due in 2013. The requirement for development to demonstrate a higher standard than the current Building Regulation baseline will apply until a higher national or locally-determined standard is required. Where it is considered that it is not viable or feasible to exceed baseline carbon reduction targets or connect to a district heat network, this should be explained in full as part of the application. These standards will be applied robustly

but flexibly, should their achievement jeopardise the viability of a particular development. Developments not achieving improvements over the baseline energy standards will not be supported unless applicants can demonstrate that it is not feasible to do so.

7.36 The Code for Sustainable Homes and BREEAM's (Building Research Establishment Environmental Assessment Method) integrated approach to construction uses the principle of the energy hierarchy to maximise cost effectiveness and minimise fuel costs. Applicants will therefore be encouraged to use the Code and BREEAM as a mechanism to ensure that buildings are built to a standard that reduces carbon emissions. Despite this a set level of the Code will not be prescribed as the code is not mandatory. Instead Development will be expected to seek to improve CO₂ emissions savings above the Building Regulations baseline.

7.37 It is important to note that as well as planning to mitigate and reduce the impacts of climate change, we must also recognise that some level of climate change is now unavoidable. There is therefore a need to start adapting to the predicted impacts we are likely to see in the future.

Alternative Options

1) No Development, Energy Conservation and Efficiency policy within the Local Plan;

7.38 By not including a policy on this within the Local Plan applications would be guided by the NPPF and the Energy Efficiency SPD. Whilst this would provide some guidance to developers, it is considered important that a policy is included within the Local Plan in order to provide advice for developers locally specific.

2) Adopt a Local Plan Policy which sets binding targets in relation to energy efficiency;

7.39 This would be introduced using Code for Sustainable Homes and BREEAM prior to these levels being adopted nationally. It is considered that whilst this would help to demonstrate that the Council is committed to energy efficiency and a low carbon future; this may risk the viability of a number of schemes. It is also important that there is local evidence to support the approach in terms of viability. It is considered that at this time there is no available local evidence to support this.

Which Local Plan policies are superseded?

7.40 This policy supersedes Policy CP9: Development, Energy Conservation and Efficiency in the Carlisle District Local Plan 2001 – 2016.

Flood Risk and Development

Consultation so far/ What you told us:

There were 63 responses to the first climate change and flood risk question within the Issues and Options Paper which asked 'how do we reduce the risk of, and adapt to the changing pattern of flooding?' The options that respondents were asked to consider were;

- a) stricter standards; (32)
- b) allow some development where there is an overriding need; (14)
- c) incorporate design approaches that can tolerate or adapt to flooding; (39)
- d) policy for collection, storage reuse of rainwater in new developments; (35)
- e) contribution towards flood protection and elevation measures. (31)

The majority of respondents favoured more than one option outlined. Therefore it is considered that a policy should be included which incorporates each of the above measures.

In addition to this a number of comments made, you told us;

- Measures should be taken to enhance the natural ability of river catchments to absorb water. Floodplains are nature's means of providing resilience to flooding therefore a fully functional flood plain is the ideal to be aimed for;
- Use of Sustainable Urban Drainage Systems (SUDs) should be maximised as they are beneficial for reducing flooding events and for wildlife for increasing the amount of green and blue infrastructure in these areas;
- Developers that build in flood prone areas, or whose developments increase flooding events downstream should contribute towards flood protection and alleviation measures, including a contribution to flood attenuation ecosystem service development works upstream (e.g. restoration of water meadows and peat bogs, and woodland planting measures) as well as measures directly related to the proposed development;
- Proposals should be examined on a case by case basis, however flooding is both an urban and rural issue.

Policy 44 - Flood Risk and Development

The Council will seek to ensure that new development does not result in unacceptable flood risk or drainage problems by requiring new development to:

1. Be located away from Flood Zones 2 and 3 wherever possible, with the exception of water compatible uses and key infrastructure; and
2. Be supported by a Flood Risk Assessment for all proposals within Flood Zones 2 and 3 and for proposals within Critical Drainage Areas within Flood Zone 1 or on sites larger than 1 hectare within Flood Zone 1 to identify;
 - That no other lower risk alternative site exists; and
 - How access and egress can reasonably be maintained at times of flood risk; and
 - That adequate floodplain storage capacity can be provided and that the capacity of the water supply, drainage and sewerage networks can accommodate new development; and
 - Development will not interfere with flood flows; and
 - Mitigation measures will be provided where necessary; and
 - The development will not increase flood risk to people and property elsewhere
3. Take account of the Council's Strategic Flood Risk Assessment (Level 1 and 2) along with any advice or guidance from the Lead Local Flood Authority (Cumbria County Council), the Environment Agency and the NPPF; and
4. Satisfy the sequential and, if necessary, the exception test as set out within National Guidance, for proposals within Flood Zones 2 and 3 on sites that have not been allocated within the Local Plan; and
5. Where appropriate and feasible, incorporate sustainable drainage systems (SUDS); and
6. Take into account the potential impacts of Climate Change.

Justification

7.41 The Council recognises the impact that flooding has had on our District and the potential for flood events to occur more frequently as a result of climate change. The most significant flood event in recent years occurred in January 2005, when flooding affected approximately 2700 residential properties across the catchment, Carlisle City being badly affected. As well as high flood risk in the urban area, there is also significant risk of flooding in the rural area. It is therefore important that planning policies provide a framework to ensure that flood risk to people and property is not increased as a result of development.

7.42 Within the District the floodplain areas of the Rivers Eden, Caldew, Esk, Lyne, Irthing and Petteril, and their tributaries, have remained largely undeveloped and fulfil an important role as storage areas for floodwater. Therefore future development will continue to be directed away from floodplains and wider flood risk areas. The boundaries of indicative floodplains and flood zones are available on the Environment Agency's website, www.environment-agency.gov.uk and are regularly updated. The maps give a general indication of the extent of flood zones 1, 2 and 3 however they do not take account of the protection afforded by flood defences. Flood risk at any specific location may be influenced by local factors- such as existing formal or informal flood defences and the capacity of existing drainage systems or road/rail culverts. Flood defence works have been completed within the City along the Rivers Eden, Caldew and Petteril and in the rural area along the River Eden at Crosby-on-Eden. Elsewhere there are maintained flood embankments at Low Crosby and some privately owned flood embankments at Warwick Bridge.

7.43 Extensive areas of the District (both urban and rural) are within Flood Zone 3 (High Probability of Risk or Functional Floodplain). The safeguarding of the floodplains is all the more important because of concerns about climate change which may, in all probability, result in an increased frequency of severe weather events, increased winter rainfall and sea level rise which could affect the coastline and Solway Firth estuary and main rivers. Flood events are becoming more frequent and more widespread. Flooding of residential properties is also associated with risks to the health of the public. The Environment Agency will be consulted on

development proposals that are within, or close to, the boundaries of flood plains and on those proposals which are vulnerable in relation to their flood zone definition. Priority will be given to the development of sites in Flood Zone 1 (Low Probability of flooding).

7.44 New developments usually result in an increase in impermeable roofs and paving where they replace existing permeable surfaces. These changes can reduce percolation and increase surface water run-off with the potential to either create or exacerbate flooding problems elsewhere. In order to provide solutions to the potential negative effects of new development, a site-specific flood risk assessment (FRA) will be required for all proposals within Flood Zones 2 (Medium Probability of Risk) and 3 (High Probability and Functional Floodplain); and for proposals within Critical Drainage Areas within Flood Zone 1 (Low Probability) or on sites larger than 1 hectare within Flood Zone 1 to identify flood risk mitigation measures. The FRA should follow the guidance in the Technical Guide to the National Planning Policy Framework and the Environment Agency Standing Advice.

7.45 The City Council will encourage the use of Sustainable Drainage Systems (SUDs) as a means of reducing the overall flood risk, controlling pollution from urban run-off and, where possible, creating new wildlife habitats and amenity space. Applications for the use of SUDs will, in future, be made to Cumbria County Council as the SUDs Approval Body (SAB) who will adopt, inspect and maintain SUDs in all new development.

7.46 In certain circumstances it is necessary for a Sequential Test to be undertaken in order to steer new development to areas with the lowest probability of flooding. Here, development should not be allocated or permitted where there are reasonably available sites that are appropriate for the proposed development in areas with a lower probability of flooding. Where the Sequential Test has been undertaken but no suitable sites have been found in zones of lower probability of flooding, and there is an exceptional need for the development, the Exception Test should be applied as outlined within the NPPF. Allocated sites within the Local Plan have been sequentially tested and therefore a separate Sequential Test will not be required.

7.47 A Stage 1 Strategic Flood Risk Assessment (SFRA) has been produced for the whole District with a Stage 2 SFRA carried out for those parts of the City Centre that benefit from flood defences in order to provide breach modelling of the flood defences. The SFRA should be used during the preparation of Flood Risk Assessments in order to assess the risk of flooding to a site from all sources. A further part of the Level 2 study is required to be carried out later in 2013 when the Environment Agency complete new modeling for the City.

There are restrictions on development in close proximity to existing flood defences under the Environment Agency's Flood Defence Byelaws. There is a requirement to obtain consent from the Environment Agency for development within 8 metres of the foot of any artificial river embankment serving as a flood protection barrier or, if there is no embankment, within 8 metres of the top of the bank or wall which confines the river.

7.48 The policy outlined here effectively highlights the councils aim to steer new development away from flood risk areas where possible, in line with the NPPF and associated Technical Guide. Where development is considered to be acceptable in these areas, opportunities to reduce the causes and impacts of flooding will be taken.

Alternative Options

1) No flood risk policy in the Local Plan

7.49 An alternative to the preferred policy option is not to have a policy on flood risk and rely on the NPPF and associated Technical Guide to provide advice relating to flood zones. This is not considered to be a beneficial option due to flooding being a big issue across Carlisle District. It is therefore considered important to have a flood risk policy within the Local Plan in order to emphasise the importance of flooding in relation to new development.

Which Local Plan policies are superseded?

7.50 This policy supersedes Policies LE26: Undeveloped Land in Floodplains and LE27: Developed Land in Floodplains in the Carlisle District Local Plan 2001 – 2016.

Sustainable Drainage Systems

Consultation so far/ What you told us:

Although there was not a specific question about sustainable drainage systems in the issues and options paper, the following comments were received in response to the consultation:

- SUDs drainage systems are important for building natural resilience into developments;
- Use of Sustainable Urban Drainage Systems (SUDs) should be maximised as they are beneficial for reducing flooding events and for wildlife by increasing the amount of green and blue infrastructure in these areas;
- It is vital that the Environment Agency and Carlisle City Council work together to ensure that SUDs are incorporated into development proposals at the earliest possible stage in the preparation of a planning application.

Policy 45 - Sustainable Drainage Systems

Sustainable Drainage Systems (SUDs) should be incorporated as the drainage measure in the first instance.

SUDs should be incorporated into development proposals when the following conditions apply:

1. The development will generate an increase in surface water run-off; and
2. The rate of surface water run-off is likely to create or exacerbate flooding problems.

Where SUDs are incorporated the following details shall be provided:

- Include an indicative drainage strategy to demonstrate how sustainable drainage will be incorporated into the development, including; the type of SUDs; hydraulic design details/calculations; pollution prevention and water quality treatment measures together with details of pollutant removal capacity as set out in the CIRIA SUDs Manual C697 or equivalent and updated local or national design guidance.

Justification

7.51 Surface water flooding can be a serious problem in some areas. Sustainable Drainage Systems aim to reduce this by using devices or a series of complementary devices to control surface water run off as near to its source as possible. These can help to reduce the need for investment in flood management and protection measures by mitigating any additional flood risk that new development might generate. The NPPF and associated Technical Guide emphasise that the use of sustainable drainage systems should be given priority.

7.52 SUDs aim to reduce surface run off, to slow the velocity of run off and to allow settlement of contaminants such as dust, oil litter and organic matter which otherwise tends to flow rapidly into the sewer system, placing a burden on the sewerage network and increasing flood risk downstream as piped systems have limited capacity. SUDs help prevent this by mimicking natural features that slow down the rate that water drains away thereby reducing the amount of surface runoff entering into sewers. Examples of SUDs techniques include porous surfaces, filter drains and strips, trenches, ponds, wetland basins, soakaways, green roofs and swales or wide, shallow depressions.

7.53 SUDs can help to create enjoyable and high quality environments which encourage biodiversity and amenity, benefit water resources, reduce pressure on the sewer network and help to mitigate the negative impacts of climate change. They work effectively in both rural and urban areas and help support new development without adding to the risk of flooding or pollution. They will also contribute to achieving improvements to comply with the Water Framework Directive.

7.54 The use of SUDs should be considered at the earliest possible stage in the preparation of a planning application, in conjunction with the landscaping scheme. Applicants will be required to demonstrate that surface water disposal will be controlled so that pre and post development run-off rates are at least equivalent.

SUDs solutions will be appropriate on most types of development where the area or impermeable surface is to be increased, particularly in areas of the District where culvert capacity and floodplain constraint problems exist. The City Council will also support retrofitting of SUDs within existing developments to achieve integrated water management.

7.55 Under the Flood and Water Management Act 2010, Cumbria County Council is established as a Lead Local Flood Authority (LLFA). When finalised they will have new powers and duties for managing flooding from local sources, namely Ordinary Watercourses, surface water (overland runoff) and groundwater in the administrative area of Cumbria. One of the new roles of the County Council as LLFA will be to approve applications for drainage systems, in their capacity as SUDs Approving Body (SAB), and adopt, inspect and maintain SUDs in all new development over a prescribed threshold. This is an additional requirement to planning permission.

7.56 The Department for Environment, Food and Rural Affairs (Defra) has consulted on National Standards to be used in England in order to manage surface runoff in accordance

with Schedule 3 to the Flood Water and Management Act 2010. The National Standards set out what is required in order to obtain approval from the SUDs Approving Body (SAB) and for operating and maintaining SUDs which the SAB adopts. This guidance should be referred to, when finalised, in preparing SUDs for approval.

7.57 A Stage 1 and Stage 2 Strategic Flood Risk Assessment (SFRA) has been produced for the District which advocates that SUDs should be considered for every new development site. Additionally the SFRA provides advice relating to the use of SUDs and states that connecting new developments into the Untied Utilities drainage system is not sustainable and that effort should be made to attenuate surface water runoff on site so it does not put pressure on the existing drainage system or increase runoff into watercourses via the sewer network. The SFRA also identified that the permeability of the soil within Carlisle is mainly low with some small areas of medium and high permeability soils, therefore the implementation of SUDs may largely be restricted to attenuation systems however this is an indicative estimate and should be investigated at a site specific level.

7.58 Proposals for sustainable drainage systems should include provisions for future maintenance of these systems, and developers should consult the City Council, the Environment Agency and Cumbria County Council on such proposals.

Alternative Option

No Sustainable Drainage Systems policy in the Local Plan

7.59 In not including a policy within the Local Plan on drainage systems it should be relayed upon that when applications for new developments are submitted, the Council's internal Drainage Engineer will be consulted and will highlight any issues. Additionally Building Regulations monitor the type of drainage systems that are used in developments in order to sign these off. This is not considered to be a suitable option as where there may be issues with drainage there would not be a policy to refer to.

Which Local Plan Policies are superseded?

7.60 This policy supersedes Policy CP10: Sustainable Drainage Systems in the Carlisle District Local Plan 2001 – 2016.

8 Health and Wellbeing

Objective

To create a thriving, successful and healthy community for all

8.1 Carlisle's status as a WHO Healthy City adds additional focus to the health and wellbeing benefits that are attainable from good design and development. Health and wellbeing is a significant topic area. It covers a variety of issues, not all of which are traditionally considered to be within the remit or influence of the planning system. However, Carlisle City Council recognises the importance of protecting and enhancing the health and wellbeing of the District's population. The Local Plan guides development of different uses, scale and location. As such it is important that the policies contained within the plan aim to protect education, health and wellbeing and strive to ensure that it would not be compromised as a result of new development. For example, through the local plan, new development takes account of issues such as; enabling walking and cycling, the provision of formal and informal community meeting spaces and sports facilities and green spaces, the provision of local shops, reducing the fear of crime and supporting the development of education and health facilities. Health and wellbeing is therefore an underlying theme for which consideration will be given when applications for development are considered. The links between health and wellbeing and planning are also highlighted by the NPPF which states that 'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities'.

Doctors' Surgeries and Health Centres

Consultation so far/ What you told us:

Although there was not a specific question about Doctors' Surgeries and Health Centres in the issues and options paper, it did ask questions regarding health and wellbeing in relation to how the plan could influence these areas. There were a range of responses relating to improving access to open space and various suggestions as to how health and wellbeing could be improved. Access to doctors' surgeries and health centres is therefore a vital facility for the community. Responses relating to doctors surgeries and health centres included;

- a suggestion that there should be health clinics in all Local Service Centre's.

Policy 46- Doctors' Surgeries and Health Centres

Proposals for the development of further medical centres, health centres or doctors' surgeries will be judged against the following criteria:

1. The proposed location is well related to Carlisle, or in the rural area a larger village centre and is accessible by public transport;
2. Appropriate car parking standards can be achieved;
3. The amenity and quality of the surrounding environment, including residential amenity, is safeguarded;
4. Satisfactory access to the site can be achieved.

Development proposals must ensure that there is no reduction in the level of service to residents of the District.

Justification

8.2 Carlisle became a World Health Organisation Healthy City in 2009. Since then, the City Council has worked closely with organisations such as the NHS, Riverside and Carlisle Leisure and has gained from the Healthy City approach and network. A healthy city is one that continually creates and improves its physical and social environments and expands the community resources that enable people to mutually support each other in performing all the functions of life and developing to their maximum potential.

8.3 One of the core planning principles of the NPPF is that planning policies should 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services

to meet local needs'. This policy will therefore support development of health facilities through the above criteria.

8.4 In recent years planning approval has been granted for the development of a Primary Care Centre and pharmacy in the Stanwix area of the City. The new medical centre will comprise 3 medical practices including Stanwix Medical Centre, relocating from Scotland Road, and new branch surgeries for Fusehill Medical Centre and St Paul's Medical Centre. In addition there will be some Primary Care Trust facilities. The new development will provide flexible modern facilities to replace current inadequate facilities. It will be at the heart of the community which it serves. In addition to this, for the rural area, there has been an indication that a site for a medical centre will be required in Brampton over the course of the plan period. As such a site located off Carlisle Road has been identified for this purpose. It is expected that this will come forward through the delivery of new housing adjacent to the site.

Alternative Option

No Doctors' Surgeries and Health Centres Policies within the Local Plan

8.5 It is considered that whilst the NPPF is supportive of the provision of local health services, facilities and strategies, it is important that this is considered within a localised context and as such this policy is important for assessing any future proposals for such development within the District.

Which Local Plan policies are superseded?

8.6 This policy supersedes Policy LC13: Doctors' Surgeries and Health Centres in the Carlisle District Local Plan 2001 – 2016.

Educational Needs

Consultation so far/ What you told us:

Although there was not a specific question about educational needs in the issues and options paper, the following comment was received regarding education -

- Infrastructure should be considered when planning development i.e. Road network, sewage network, provision of education.

Policy 47 - Educational Needs

Proposals for the development of education facilities should be provided within existing educational sites. Where there is a need for new educational facilities outside of an existing site, the location should be close to the intended catchment in order to minimise travel in line with sustainable development principles.

Carlisle City Council will endeavour to work with the education authority (Cumbria County Council) to identify what new demand will be generated from development as well as helping to identify suitable new education sites should this be required.

Justification

8.7 There are currently 48 Primary schools within the District, 18 are located within the urban area with 30 located in the wider rural area. Most rural schools are located within villages, however there a number that are located in the open countryside which serve wide, yet sparsely populated rural communities. Cumbria County Council, the education authority, anticipates a significant increase in new starters at Primary Schools, based on recent birth rates. As these pupils progress through the education system the County Council anticipate that they will start impacting upon secondary school capacity from 2020 onwards. This is set to become a major issue, particularly in light of the city's ambitions to grow over the Local Plan period. Given the extent of new development that shall be built within the city over the next 15 years it is highly likely that a number of new primary schools will be required.

8.8 There are currently 6 secondary schools within the district. Four are located within the city itself, including a small Roman Catholic secondary school. There is one school located in the Key Service Centre of Brampton and one in the large village of Dalston, both serving the wider rural area. If Carlisle is to grow significantly over the next decade, inline with aspirations presented in the emerging Local Plan, then the strain on secondary schools towards 2019 may pose a significant issue for the district if Carlisle is to ensure a good standard of secondary education for all.

8.9 Where housing developments or the cumulative impact of a number of housing developments in an area gives rise to the need for extensions, refurbishment and/or remodelling to provide additional capacity (including nursery capacity, as appropriate) at existing schools, the County Council will look to the landowner/developer or a consortium of landowners/developers to fund the cost of providing the additional capacity at existing schools at the appropriate time, including the cost of acquiring additional land if necessary.

8.10 There are two options to overcome the issue of school capacity, either supporting the expansion of existing schools or securing the construction of an entirely new school to meet any need arising from significant levels of new development. Expanding schools may be the quickest and cheapest solution to immediate problems in the short-term but there are concerns that this would be merely a stop-gap measure and, whilst it could allow for capacity to meet the anticipated increase in pupil numbers from 2019 onwards, it would likely not account for the additional capacity requirements generated by significant levels of new development within the city over the course of the next 15 years.

8.11 Alternatively anyone can set up a free school. A free school (an all-ability state-funded school) could be set up by a wide range of proposers, including charities, universities, businesses, educational groups, teachers and groups of parents, as a result of what parents feel there is a demand for.

8.12 Over the last few years significant changes and investment have been made to the District's secondary schools.

8.13 The NPPF recognises the importance of ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities, and that Council's should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted. It is considered that this policy will contribute towards this.

8.14 In addition to school facilities, Carlisle College is the main provider of further education in the District. It provides education opportunities for students aged over 14 and vocational and skills training for a growing number of young and mature students and is helping to expand the skills base locally. Significant investment has been made and continues to be made to the College facilities. The college also provides courses in collaboration with the College of the Arts based at Brampton Road Campus of the University of Cumbria. This policy is therefore supportive of any future expansion plans for the college.

Alternative Option

No Educational Needs Policy within the Local Plan

8.15 It is considered important to have a policy on education within the Local Plan in order to demonstrate the current situation within the District and to help plan for future requirements.

Which Local Plan policies are superseded?

8.16 This policy supersedes Policy LC11: Educational Needs in the Carlisle District Local Plan 2001 – 2016.

Sustaining Rural Facilities and Services

Consultation so far/ What you told us:

Although there was not a specific question about sustaining rural services and facilities in the issues and options paper, the following comments were received in response to the consultation:

- We need more development in rural areas to support local rural services and schools;
- Support retention of rural facilities in all centres.

Policy 48 - Sustaining Rural Facilities and Services

The change of use of a rural shop, public house, doctor's surgery, dental surgery, school, bank, church/chapel, village hall or other facility considered important to the community will only be permitted where it can be demonstrated that:

1. Its current use is no longer viable and there is currently no scope for an alternative community use; and
2. There is adequate alternative provision in the locality to serve the local community, unless the facility is listed as an asset of community value; and
3. All options for their continuance have been fully explored.

Proposals for the development of or extension to rural services and facilities, including proposals which will assist in their retention, will be permitted provided that:

1. The scale and design does not adversely affect the local built environment and respects local landscape character; and
2. It does not have an adverse impact upon residential amenity; and
3. Appropriate parking and servicing arrangements can be made.

Policy Justification

8.17 Carlisle City Council will seek the retention of shops and services in rural areas in accordance with sustainability objectives. The value of such facilities to the local community is a material consideration when considering applications that would result in a loss of the resource.

8.18 Shops and facilities in rural villages are important for delivering a valuable service and social focus for the local community, particularly for those without access to private transport. However, one of the major challenges facing small rural settlements is their ability

to retain local services and facilities which are essential for maintaining villages as sustainable communities.

8.19 It is not always possible to prevent closure of shops, etc when it is uneconomic for their use to continue. Therefore, proposals involving the loss of local services will only be permitted where the Council is satisfied that the existing use is no longer viable and there is no market for the business as a going concern after proof of advertising it as such for a period no less than six months. Evidence should include for example, a record of numbers of enquiries to take over the business, evidence of viability and proof that the property has been adequately marketed in trade papers and advertisement boards. In circumstances where permission is granted, the Council will seek to retain the shopfront to enable the reinstatement of a shop in the premises if the future opportunity should arise. This policy does not restrict changes of use allowed under the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended).

8.20 One of the Core Planning Principles within the NPPF is supporting thriving rural communities. It is considered that the retention of this policy will help in achieving this. The NPPF also recognises that to achieve sustainable development, planning has a social role to play in supporting strong, vibrant and healthy communities, by ensuring there are accessible local services that reflect the community's needs and support its health, social and cultural well-being. In order to support a prosperous rural economy, the NPPF seeks to promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

8.21 Linked closely to this policy is the Community Right to Bid. This is a new right created through the Localism Act that gives community groups the right to prepare and bid to buy community buildings and facilities that are important to them including a village shop, pub, community centre, allotment, parks, library etc before they are privately sold. Here, Carlisle City Council has created a Community Asset Register to hold all of these 'assets of community value' identified by the community. If an owner of a listed asset wants to sell it they have to notify the local authority. The local authority then, in turn, has to notify any interested parties. If local groups are interested in buying the asset they have 6 months to prepare a bid to buy it before the asset can be privately sold. This came into effect in September 2012 and further details can be found on the City Council website.

Alternative Option

No Sustaining Rural Facilities and Services policy in the Local Plan

8.22 Without a policy advocating the retention and expansion of rural facilities and services, there is concern that this may lead to the loss of these facilities unnecessarily. Due to the requirement to show that there are no other alternative community uses available to take up the said unit, this provides a real incentive to advertise for other community uses. Without this policy this may be lost.

Which Local Plan policies are superseded?

8.23 This policy supersedes Policy EC13: Sustaining Rural Facilities and Services in the Carlisle District Local Plan 2001 – 2016.

Access, Mobility and Inclusion

Consultation so far/ What you told us:

Although there was not a specific question about Access, Mobility and Inclusion in the issues and options paper, comments were received relating to the lack of reference to the needs of disabled adults and children.

Policy 49 - Access, Mobility and Inclusion

Development proposals should make provision for easy, safe and inclusive access to, into, within and egress from buildings and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. The Council will have regard to the following criteria when assessing development proposals:

- The design of entrances and exits and ease of permeation through and between developments, street furniture, circulation areas and pedestrian routes;
- The location of any development proposal in relation to its potential users;
- Accessibility to all transport modes and provision of adequate parking with the appropriate number of parking bays designated for disabled people;
- Provision of on-site facilities such as public toilets and appropriate signage.

Additionally, where there is a requirement to submit a Design and Access Statement as part of a development scheme it should;

- a) demonstrate their approach to inclusive design; and
- b) acknowledge compliance with Part M of the Building Regulations (Access to and use of buildings) and refer to BS8300:2009 (British Standards - Design of buildings and their approaches to meet the needs of disabled people – Code of practice) where appropriate.

Policy Justification

8.24 The NPPF recognises the importance of planning positively for the achievement of high quality and inclusive design for all development to ensure that the built environment including buildings and surrounding spaces can be accessed and used by everyone. It also acknowledges that it is important that sites for new development are accessible and that securing high quality and inclusive design goes beyond aesthetic considerations. Development shall be designed to contribute to good place-making through high-quality and sustainable design which creates a strong locally-distinctive sense of place that is safe,

inclusive and accessible to all, and that promotes social interaction and a healthy and active lifestyle.

8.25 Carlisle City Council therefore considers that access to new buildings and public open space, their approach, space around them and space within them should be designed in a way to allow freedom of movement for all. Poorly designed buildings and surrounding spaces create insurmountable obstacles to people with various disabilities as well as the elderly and many others. Such obstacles can severely restrict everyday activities and reduce quality of life. The council is committed to creating an environment which is inclusive and accessible to all users. The Council also has a statutory obligation as a local planning authority to consider access in determining certain types of planning application.

8.26 Manual for Streets was produced by the Department for Transport 2007 and provides valuable guidance on how to achieve well designed streets and neighbourhoods. In order to ensure a high quality living environment for residents, the Council will aim to encourage its use within development proposals. All new development which would require access to the public highway must satisfy the Highways Authority in terms of design and the achievability of the access. Development that cannot achieve satisfactory access will not be approved.

8.27 Statutory requirements relating to the provision of access are contained within the Equality Act 2010 and Part M of the Building Regulations 2004 incorporating 2010 and 2013 amendments. Part M sets out minimum standards on the design and construction of buildings to make them accessible to all. However, the Council considers it desirable for access provision to be made beyond the minimum standards embodied within this legislation and will endeavour to achieve higher overall standards of access provision across the board.

8.28 Creating an inclusive 'barrier free' environment where everyone can participate equally and fully is an essential objective of sustainable development. The Equality Act 2010, reinforces this view giving disabled people important rights of access to everyday goods, services and facilities. This policy has been written with reference to 'Planning and Access for Disabled People: A Good Practice Guide' ODPM 2003 and ensures that the needs of people with varying needs are taken into account when proposals for development are considered. English Heritage have published Easy Access to Heritage Buildings (December 2012) in order to assist with improved access to listed and other historically important buildings.

8.29 It is recognised that in certain circumstances, such as the protection of particular buildings or the character of an area, the most satisfactory layout and design for accessibility and inclusion may not be practical. The onus in this situation will lie with the applicant to demonstrate to the Council, by way of a Design and Access Statement with their planning application how they have sought to balance these competing objectives. Consideration should also be given to the guidance 'Better Access' produced by Carlisle City Council, regarding building details and accessibility for all and BS8300:2009 BSI British Standards 'Design of buildings and their approaches to meet the needs of disabled people – Code of Practice'.

Alternative Option

No access, mobility and inclusion policy in the Local Plan

8.30 An alternative option would be to not include an access, mobility and inclusion policy within the local plan. This is not considered to be a suitable option as this would mean that in order to ensure sufficient thought has been made to creating developments that provide adequate access, mobility and inclusion for all, the only way to enforce this would be through the standards set in building control legislation, often after planning permission has been granted. It is considered that whilst this ensures that correct standards are adhered to, this is not suitable on its own as it is at the planning stage that access, mobility and inclusion can be wholly worked into a development proposal and not incorporated as an afterthought.

Which Local Plan policies are superseded?

8.31 This policy supersedes Policy CP15: Access, Mobility and Inclusion in the Carlisle District Local Plan 2001-2016

Planning Out Crime

Consultation so far/ What you told us:

Although there was not a specific question about crime in the issues and options paper, comments regarding lower crime rates were received in response to the consultation.

Policy 50 - Planning Out Crime

The design of all new development must contribute to creating a safe and secure environment, integrating measures for security and crime prevention and minimising the opportunity for crime.

The following points should be applied to all development proposals;

1. Developers should demonstrate how security measures form an integral part of the design;
2. Developments should be laid out and buildings positioned with the intention of creating active and vibrant neighbourhoods and maximising natural surveillance opportunities;
3. Public and private spaces should have clearly defined boundaries, utilising appropriate physical treatments and promoting the concept of defensible space;
4. Footpaths and cycleways should be designed to maximise legitimate use. Routes must serve the development and not present opportunities for concealment, unobserved access, or a choice of escape routes;
5. Good lighting is essential to deterring criminal and anti-social activity. Spaces must be evenly illuminated to an appropriate level, whilst avoiding nuisance, annoyance and unnecessary spill or pollution;
6. Landscaping schemes require careful and sensitive consideration to ensure that they do not create secluded areas, impede surveillance opportunities, or position elements that could be exploited as climbing aids;
7. Developers should indicate what physical security measures have been incorporated into the design to resist crime (for example, the specification of doors and windows compliant with BS PAS24 and BS 7950, provision of intruder alarm systems, etc);
8. The deployment of CCTV may be considered necessary in certain circumstances;

Developers should, at the earliest stage possible, consult the Police Crime Prevention Design Advisor for advice on measures to be incorporated for designing out crime. Advice will be given based on current crime trends or particular crime risk, in accordance with Secured by Design principles.

All Design and Access Statements should detail how crime prevention measures have been considered.

Justification

8.32 The NPPF recognises the role that planning policy can play in creating safe, secure and accessible environments through good design. This policy will help to ensure that developments create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The NPPF also advocates that the design of developments should encourage the active and continual use of public areas. This is something that the 'Delivering Safer and Stronger Communities' chapter of the Community Plan for Carlisle also strives to achieve in order to make the District a safer place to live, work and visit.

8.33 Section 17 of the Crime and Disorder Act 1998 makes it a duty for local authorities to exercise its various functions with due regard to the likely effect and to do all it reasonably can to prevent crime and disorder in its area. The Carlisle and Eden Community Safety Partnership is responsible for developing a crime and disorder reduction strategy and an audit every three years. The purpose of the strategy is to work together to make Carlisle (and Eden) a safer place in which to live, work and visit. The City Council takes an active role in the Carlisle and Eden Community Safety Partnership and will continue to use its planning policies to assist in this process.

8.34 The planning system can be instrumental in producing environments that are well managed, lively and attractive, which discourage crime and anti social behaviour, e.g. through overlooking and active frontages. The Council considers it important that people feel safe in the environments in which they live and move about in. Developers will therefore be expected to adopt designs for new development that take fully into account the security of property and people. However, the approach to design should still be sensitive to local circumstances. It is evident that insensitive approaches to crime prevention can result in an increased fear and perception of crime by creating environments which appear threatening and as such are avoided.

8.35 In 2009 the City Council adopted a supplementary planning document (SPD) 'Designing Out Crime'. The SPD seeks to improve the safety and security of developments and aims to strike a balance between the need to reduce crime and create a high standard of appearance in the design and layout of developments. This document provides advice to applicants relating to incorporating safety and security measures into developments and is used to assess and determine planning applications. The adopted SPD 'Achieving Well Designed Housing' (April 2011) focuses on the development of/within residential areas, it emphasises that designing out crime is a key consideration at the concept stage of any development. It seeks to promote safe and secure environments and to design spaces and networks which minimise opportunities for crime or anti-social behaviour.

8.36 Additional guidance on creating successful spaces and achieving good design is detailed within Manual for Streets and Manual for Streets 2 produced by the Department for Transport or successor documents.

Alternative Option

No planning out crime policy in the Local Plan

8.37 By not including a policy within the Local Plan on planning out crime, it would have to be ensured that developments take account of crime reduction measures as suggested within national policy (NPPF). Additionally it should be ensured that design and access statements highlight where appropriate crime prevention measures have been considered as part of the development.

Which Local Plan policies are superseded?

8.38 This policy supersedes Policy CP17: Planning Out Crime in the Carlisle District Local Plan 2001 – 2016.

Safeguarding Zones

Consultation so far/ What you told us:

There was not a specific question about safeguarding zones in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 51 - Safeguarding Zones

Within the Safeguarding Zones as shown in Appendix 3, development proposals of a certain type and scale (e.g. wind turbines) will be the subject of consultation with one or more of the following consultees; Ministry Of Defence (Eskdalemuir Seismic Research Station, RAF Spadeadam, MOD Longtown), Very Low Frequency (VLF) transmitter at Skelton, Carlisle Airport and/or National Air Traffic Services and the Coal Authority. Any proposals that impact upon the operations of these bodies will require mitigation where possible to minimise their impact, or where this is not feasible, permission will be refused.

Justification

8.39 The Local Plan recognises the role it has to play in protecting sensitive areas/uses from inappropriate development that may have an adverse impact on their operations. It is therefore considered appropriate to include a policy safeguarding such areas.

8.40 The NPPF highlights the importance of working with the Ministry of Defence's Strategic Planning Team to ensure that they have the most up to date information about defence and security needs in their area. This policy will therefore ensure that the MOD and the other relevant bodies listed above are adequately consulted on planning applications that may affect their operations.

8.41 Further information on the type, scale and location of development which would trigger consultations with these bodies can be found in appendix 3. The Local Planning Authority will identify where consultation is required and appropriate consultation will be carried out.

Alternative Option

No Safeguarding Zone policy in the Local Plan

8.42 If a policy on safeguarding zones was not included, it would have to be ensured, by some other means, that development will not have an inappropriate impact on these sensitive areas. This policy will help in making developers aware of the requirements that their proposals may trigger in these areas and who will be consulted on these applications. This policy will allow planning officers to support the views of their consultees where the development would have an effect on their operations. It will help planning officers in justifying their reasoning to the applicant and highlights the importance of considering the opinions of these consultees and the safety of the public when determining applications.

Which Local Plan policies are superseded?

8.43 This policy supersedes Policy LE23: MOD Safeguarding Zone in the Carlisle District Local Plan 2001 – 2016.

Pollution

Consultation so far/ What you told us:

Although there was not a specific question about pollution in the issues and options paper, a number of people provided advice as to how to address this through the Local Plan. Comments included;

- Cleaner and healthier, odours and noise need to be addressed;
- Reduce car use as pollution due to mass traffic is a key issue;
- Improve water quality.

Policy 52 - Pollution

Development will not be permitted where it would generate, either during construction or on completion, significant levels of pollution (from contaminated substances, odour, noise, dust, vibration, light and insects) which can not be satisfactorily mitigated within the development proposal or by means of planning conditions.

Justification

Construction and Demolition Sites – Noise, Dust and Light Management

8.44 It is essential to have effective noise and dust emission control measures in place for every activity carried out on site, not only to protect the health and safety of the on-site workforce, but also local residents and members of the public in the locality. In order to successfully control demolition and construction activities, it is important to evaluate the risk from pollutants emitted from site. It is envisaged that this approach will bring additional benefits, such as a reduction in the number of nuisance complaints; the majority of which relate to dust and noise emitted from construction activities.

Applications for development proposals which, by virtue of the nature and/or scale are considered by the Council to be likely to give rise to an adverse impact during construction, demolition and/or generate construction waste, will be expected to be accompanied by a Construction Management Method Statement.

Planning and noise

8.45 The National Planning Policy Framework (March 2012) states that planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

8.46 Effective land use planning can help prevent or mitigate potential noise impacts. The express inclusion of noise in the National Planning Policy Framework means that it will be a material consideration in local planning decisions. Where noise may be an issue, a noise impact assessment may be required as an integral part of the process for making those decisions and should be sought at the earliest possible stage of the planning process.

8.47 By avoiding the location of noise sensitive uses near to noise-producing premises, noise problems can often be prevented. Where this is not possible, noise controls need to be incorporated into new noise-producing developments and mitigation measures may be prudent for new noise sensitive developments such as housing, schools, hospitals, nursing homes and places of worship.

8.48 While a grant of planning consent cannot excuse any nuisance subsequently caused by the development, applicants for schemes which may give rise to noise issues are strongly advised to discuss their proposals with their local environmental health department at an early stage.

Air Quality

8.49 The Environment Act 1995 established the current framework for the National Air Quality Strategy and placed statutory duties upon local authorities in respect of Local Air Quality Management. Since 1996 Carlisle City Council has been monitoring air pollution levels in Carlisle and comparing the results with the national air quality objectives.

8.50 For the majority of key pollutants measured across the district the concentrations have been found to be well below the government's health based objectives. However the nitrogen dioxide (NO₂) annual average concentrations have been found to be currently above the health based objective level in 6 areas of the City.

Six Air Quality Management Areas (AQMA's) have been declared in Carlisle since 2005 as a result of NO₂ exceedences. The declaration of these AQMA's placed a duty on Carlisle City Council to draw up an Air Quality Action Plan, which details the local measures from which air quality improvements can be realistically achieved.

8.51 The highest concentrations of nitrogen dioxide have been found in areas of congested, slow moving vehicles. Traffic derived air pollution can be addressed through efforts to reduce dependency on private cars and in turn reduce congestion. Reducing HGV movements in built up areas, improving the road network and utilising cleaner engine technology will contribute to delivering air Quality objectives.

8.52 Developers must have regard for the Air quality implications of new developments. Large new developments often require the preparation of an Air Quality Impact Assessment to accompany the planning application. Developers must consider all aspects of the development including emissions to air and the increased traffic volume that the development may create. Planning applications should include mitigation measures to offset the negative impacts and financial contributions may be necessary for further progression such as improvements to the local transport infrastructure. Air Quality information is available on the Council's website with a guide for developers.

Artificial Light

8.53 Over the last decade there has been a greater awareness of the adverse effects of light pollution. There are three main types of light pollution: sky glow, glare and light trespass. Intrusive light can cause road safety problems, harm wildlife and create physiological problems for residents. Such pollution wastes energy and results in the burning of unnecessary fossil fuels by power stations which is unsustainable. The Campaign for the Protection of Rural England (CPRE) has given publicity to the evidence from satellite data of the spread of light pollution across the country especially into rural areas. This is caused by extensions of street lighting with new developments, floodlights for sports pitches and buildings, and by security lights on buildings. The Government has made it clear that the intrusiveness of lighting particularly in the countryside should be kept to a minimum and has urged that Local Planning Authorities recognise the cumulative adverse impacts of lighting on countryside character which decreases the sense of remoteness and blurs the distinction between urban and rural areas. Lighting should be as energy-efficient as possible or run off renewable energy and minimise upward light pollution. Landscaping measures such as

mounding and planting may in some situations help to protect residential amenity and reduce light spillage and glare.

Insects

Likely sources of insect nuisance

8.54 It is expected that the following developments will generate most complaints of insect nuisance:

- Poultry houses / farms
- Sewage treatment works
- Manure / silage storage areas
- Animal housing
- Stagnant ditches and drains
- Landfill sites / refuse tips
- Waste transfer premises
- The commercial parts of mixed commercial / residential blocks of buildings (i.e. excluding the residential premises contained therein)
- Trade or business premises (e.g. contaminated goods, kitchen areas)
- Slaughterhouses
- Used car tyre recycling businesses

Applications for these developments may require planning conditions agreeing methods and strategies to control insect populations.

Alternative Option

No pollution policy in the Local Plan

8.55 By not including a policy on pollution within the local plan, it should be ensured that applications that will be affected by/will cause pollution of any type will be determined after consultation with the Council's Environmental Health department the Environment Agency. Without a pollution policy within the Local Plan, this may lead to developments that could have an adverse effect on the environment and associated ecological features.

Which Local Plan policies are superseded?

8.56 This policy supersedes Policy CP13: Pollution in the Carlisle District Local Plan 2001 – 2016.

Protection of Groundwaters and Surface Waters

Consultation so far/ What you told us:

Although there was not a specific question about the Protection of Groundwaters and Surface Waters in the issues and options paper, statutory consultees including the Environment Agency and United Utilities provided comments relating to ground water and surface water which have been used to inform this policy.

Policy 53 - Protection of Groundwaters and Surface Waters

Proposals for development which would cause demonstrable harm to the quality, quantity and associated ecological features of groundwater and surface waters will not be permitted.

Justification

8.57 The supply of water is a material consideration in determining planning applications. Planning permission may be refused where inadequate water supplies exist or cannot be provided within the time constraint of the planning permission. Where such provision is possible planning conditions may be imposed to ensure that suitable arrangements are in place for this service. New developments will need to be located and designed so that they will minimise or eliminate the environmental impact of additional demand, thus making a contribution to sustainable development. The wider effects of an increased demand as a result of development will need to be considered together with the availability of resources.

In line with the NPPF it is important to ensure that permitted operations do not have unacceptable adverse impacts on the flow and quantity of surface and groundwater.

8.58 Climate change could affect both the demand for water and its availability. Changes in climate will also affect groundwater resources and river regimes, which will influence the availability of water for abstraction.

8.59 Groundwater resources are an invaluable source of water for public supply, industry and agriculture, as well as sustaining the base flows of rivers. The Permo-

Triassic Sherwood Sandstone formation comprises a major aquifer in the District together with abstractions from the Rivers Eden and Gelt. These sources are under pressure from excessive extraction and from pollution and once polluted they are difficult to rehabilitate leading to a long term deterioration in the quality of the receiving watercourse. Samples of main river water quality from the District's Rivers Eden, Caldew, Roe, Petteril and Lyne have recorded very good/good classifications, while the Esk was recorded as very good. Demand for water is increasing as a result of growth of population and industrial/commercial activity. Initiatives that result in water re-use and will be encouraged.

The Eden and Esk Abstraction Licensing Strategy (2013) gives information about how much surface water and groundwater is available for further abstraction from the main rivers and tributaries. It also outlines the strategy for managing water resources through abstraction licensing.

8.60 The Environment Agency has statutory responsibility for managing water resources and has developed a strategy for the proper management and protection of the groundwater resource ('Underground, Under Threat – The State of Groundwater in England and Wales'). This (or any successor documents) will be used as a guide to determine the suitability of developments in relation to groundwater impact. The Environment Agency has also established Source Protection Zones for public water supply and other human consumption uses.

8.61 Additionally, Carlisle City Council is currently working with the Environment Agency and United Utilities to develop a Water Cycle Study. This document will inform this Local Plan policy and will provide an evidence base to determine the impact that new development could have on groundwaters and surface waters.

8.62 The Flood and Water Management Act 2010 created Lead Local Flood Authorities (LLFA) in Flood Risk Management. The management of flood risk from surface water, ground water and ordinary watercourses ('local' flood risk) will be the responsibility of the Lead Local Flood Authority, in Cumbria that will be Cumbria County Council.

8.63 In instances where it is considered that development may have a negative effect on the quality of surface waters and/or groundwater, especially in relation to certain agricultural practices including the development of slurry lagoons, where these are clay lined, the Environment Agency will be notified, as a statutory consultee, and will assess whether the development fully complies with the terms of the Control of Pollution (Silage, Slurry and Agricultural fuel oils) Regulations 1991 (as amended 1997) and Protecting our Water, Soil and Air – the Code of Good Agricultural Practice for Farmers, Growers and Land Managers.

Alternative Option

Do not include a Protection of Groundwaters and Surface Waters Policy in the Local Plan

8.64 Without a policy outlining the importance of the protection of groundwaters and surface waters within the Local Plan, this may lead to developments that could have an adverse effect on the watercourse and associated ecological features. This would help to ensure that development is directed to the most sustainable sites.

Which Local Plan policies are superseded?

8.65 This policy supersedes Policy CP11 – Protection of Groundwaters and Surface Waters in the Carlisle District Local Plan 2001 – 2016

Hazardous Substances

Consultation so far/ What you told us:

There was not a specific question about hazardous substances in the issues and options paper, this is therefore the first time that this policy has been consulted upon.

Policy 54- Hazardous Substances

Planning permission will not be granted for new development which would be subject to risk from existing hazardous installations. The same consideration will apply to proposals for new installations that would involve the use, movement or storage of hazardous substances (e.g. certain gases, liquids and explosive chemicals) and pose an unacceptable risk to the health or safety of users of the site, neighbouring land and/or environment.

Justification

8.66 Within the Plan area there are a number of notifiable hazardous substance installations, including high pressure pipelines and major hazard sites. Whilst these are subject to stringent controls under existing health and safety legislation it is considered prudent to control the kinds of development in the immediate vicinity of such installations. To ensure adequate separation of hazardous installations and housing or other incompatible uses, the City Council will take into account the advice of the Health and Safety Executive concerning off-site risks to the public arising from any proposed development which would introduce one or more hazardous substances.

8.67 Applicants should have regard to Planning Advice for Developments near Hazardous Installations (PADHI) which provides the Health and Safety Executive's advice on land use planning near hazardous installations. The aim of this is to manage population growth close to such sites to mitigate the consequences of a major accident should one occur. When determining applications for development around major hazards the Council will consult with the Health and Safety Executive.

Alternative Option

No hazardous substances policy in the Local Plan

8.68 By not including a hazardous substances policy within the Local Plan, the NPPF would be relied upon for guidance relating to Hazardous Substances. Whilst there is some information contained herein, it is considered important that a local plan policy is included in order to highlight this as there are a number of major hazard sites and major hazard pipelines within the Local Authority area.

Which Local Plan policies are superseded?

8.69 This policy supersedes Policy LE31: Hazardous Substances in the Carlisle District Local Plan 2001 – 2016.

Land Affected by Contamination

Consultation so far/ What you told us:

Although there was not a specific question about contamination in the issues and options paper, our Statutory Consultees and internal departments commented in relation to the presence of contaminated land within Carlisle District and provided us with some advice as to how to address this through the Local Plan. The Environment Agency specifically highlighted that contaminated land is one of the EA's priorities that they feel will affect Carlisle.

Policy 55 - Land Affected by Contamination

Development will be acceptable on land that is contaminated or where contamination is suspected, subject to other policies contained within this plan if:

- 1) Adequate contaminated land assessments prepared by a suitably competent person are submitted prior to any planning decision being taken, to determine whether or not unacceptable risks to human health or the environment arise from the proposals; and
- 2) Where necessary, suitable remediation is carried out to ensure safe development.

As a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

Justification

8.70 Within the District there are many historic and current land uses that have the potential to impact on the quality of the land and result in land contamination concerns. Former industrial and commercial processes, lower environmental standards, poor waste management practices together with accidental or deliberate release of chemicals into the environment may all result in land contamination. The NPPF encourages the re-use of existing resources, including the conversion of existing buildings and the effective reuse of land that has been previously developed (brownfield land). It also promotes consideration of development on land of lesser

environmental value. All of these aspects support the redevelopment of potentially contaminated sites.

8.71 The NPPF states that:

- Where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner;
- After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- Adequate site investigation information, prepared by a competent person, is presented.

8.72 Development of a site with land contamination considerations is an ideal way to secure an improvement in the environment providing that it results in a safe development that creates no unacceptable risks to human health or the environment. Certain types of development are particularly sensitive to land contamination e.g. housing, schools, hospitals, allotments and children's play areas. It is imperative that all developers have a comprehensive understanding of the history of a site; not just knowledge of the current or immediately previous use in the case of a derelict site. This will assist both the developer and the LPA in determining the likelihood of risks from potential land contamination and ultimately save costs.

8.73 Identification of potential problems at an early stage can assist with the processing of planning applications and accelerate the development of sites. Since remediation of land contamination can incur significant costs it is important that the risks are identified and understood both by the developer and the LPA before a planning decision is taken. It is strongly recommended that pre-application advice is sought from the LPA and the Council's Environmental Health Department regarding potential contaminated land issues. This will prevent unnecessary works being carried out and may also prevent delays in the application process and development commencing.

8.74 The requirement for a development to be sustainable and viable also extends to the remediation technology to be applied. For some developments, the technology required may impact on the design of the proposed development. If potential land contamination issues are not identified and an assessment of the risks undertaken this may result in refusal of permission. The LPA must be satisfied that:

- Where there is information available to the LPA that suggests the possibility of contamination or of unacceptable risk these concerns have been addressed or excluded within supporting information submitted with any application;
- Any unacceptable risks identified can be adequately dealt with in order that the completed development is suitable for its intended use and no unacceptable risks remain either to human health or the wider environment;
- Any steps needed to deal with unacceptable risks are either already in place or can be secured through suitable planning conditions.

8.75 The assessment of potentially contaminated sites should be carried out through a phased process. Ongoing dialogue with the LPA at each phase is recommended to ensure that the work undertaken is sufficient and necessary.

8.76 Where development is proposed on a site known to be contaminated or have the potential to be contaminated as a result of industrial activity (e.g. gasworks, petrol stations, filled ground, steelworks, railway land) a preliminary risk assessment will be required. This must be carried out by a suitably qualified person to the current British Standards and approved guidance.

Alternative Option

No land affected by contamination policy in the Local Plan

8.77 By not including a policy on this within the Local Plan this would rely on the information contained within national planning policy guidance. Whilst this supports the remediation of contaminated land it is considered that it is important to include a policy on this within the Local Plan as our statutory consultees highlight that this is a priority for Carlisle and also as the actual or possible presence of contamination is a material planning consideration. The exclusion of a contaminated land policy from

the Local Plan would not provide the necessary clarity to developers and may lead to unnecessary delays in the application process.

Which Local Plan policies are superseded?

8.78 This policy supersedes Policy LE29: Land Affected by Contamination in the Carlisle District Local Plan 2001 – 2016.

Location of New Cemetery

Consultation so far/ What you told us:

Although there was not a specific question about cemetery provision in the issues and options paper, the Local Environment Directorate commented relating to future requirements for cemetery provision in Carlisle District, specifically noting that Stanwix Cemetery and Upperby Cemetery are nearing capacity and as such there will be a requirement for a site for this use over the longer term of the Local Plan as the closure of these sites would place additional pressure on Richardson Street Cemetery.

Policy 56 - Location of New Cemetery

Proposals for the development of new cemetery grounds will be judged against the following criteria:-

- The proposed site should be of a sufficient scale to accommodate burial needs for the foreseeable future, with a clear rationale for the size of the site proposed;
- The site should be in an appropriate location, away from flood risk and with suitable ground conditions;
- There will be convenient access to the site from across the City by a choice of sustainable transport options;
- The use of the site and its operation is acceptable in terms of impact on adjoining uses;
- There is no, or minimal, visual impact of cemetery use on the landscape and/or townscape;
- There must be good reasons to expect that the site will be available for burial purposes within a reasonable timescale and that competing uses will not preclude its use for that purpose.

Justification

8.79 Proposals elsewhere in this Local Plan encourage the growth of Carlisle as a place to live and work. It is therefore important that the City is able to provide facilities for its people over their whole life cycle.

8.80 The aim of this policy is to enable the delivery of cemetery ground(s) across the city to meet the identified future need for this type of facility. Currently there are three cemeteries within the City, the largest being Carlisle Crematorium and Cemetery (Richardson Street) with smaller cemeteries at Upperby and Stanwix.

8.81 Whilst there may be some potential for small scale expansion at Richardson Street and to some extent at Upperby, Stanwix is completely landlocked. It is therefore imperative that additional cemetery ground is identified within this plan period to cater for future need.

8.82 The NPPF recognises that planning has a social role to play in creating accessible local services that reflect the communities needs and support its health, social and cultural well-being. This type of community development is therefore supported by the NPPF in order to meet the development needs of the area.

Alternative Options

1) No cemetery policy in the core strategy

8.83 If a policy on new cemetery sites was not included within the Local Plan, this may make it difficult in planning terms for a site to be identified for this use in the future when a need is more imminent. The Council has a duty to provide and maintain such facilities to cater for its population, therefore without a policy regarding this in the local plan, the Council would not be fulfilling its duty effectively.

2) Adopt a policy that continues the use of existing cemeteries until a time when capacity is reached and a new site will be located at that time as per the Local Plan

8.84 As described above in the policy justification, whilst there remains short term provision of burial ground within the City, this is set to decrease significantly during

the timeframe of this plan. It is important that a new site is identified prior to capacity being reached in order to identify a site and have appropriate infrastructure in place prior to capacity being reached.

Which Local Plan policies are superseded?

8.85 This is a new policy

9 Heritage

Objective

To conserve, enhance and promote Carlisle's heritage and opportunities provided by the historic landscape to generate maximum social and economic benefit whilst ensuring that proposals are sympathetic to the elements that make Carlisle and Cumbria special.

9.1 Carlisle City Council recognises the value of its heritage assets and their importance in giving the area a strong, distinctive identity and real sense of place. The following policies therefore seek to support proposals which protect and enhance the District's historic resources whilst enabling them to be utilised to their full potential.

Hadrian's Wall World Heritage Site

What you told us:

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon. Heritage was however an issue that was consulted upon during the key issues and issues and options stages and an overwhelming majority of respondents felt that the Core Strategy should adopt a pro-active approach to managing heritage assets. Heritage is a major factor to consider within the Local Plan due to the District's rich heritage and large number of Listed buildings, Conservation Areas, Scheduled and other ancient locally significant buildings. Below are some key comments raised regarding Hadrian's Wall World Heritage site:

- the Hadrian's Wall corridor may present an opportunity to further develop Carlisle's rural tourism offer linked to walking and cycling;
- Hadrian's Wall World Heritage Site is of strategic importance to Carlisle and Northumberland owing to its international status and world wide reputation;
- the Hadrian's Wall path and cycle trail has shown the potential opportunities for tourism related businesses in the rural communities along the route;
- the district has potential due to natural, geographic, heritage, and transport assets;
- heritage sites need appropriate, pro-active management and protection from the wear and tear impact that tourism has on them;

Policy 57 - Hadrian's Wall World Heritage Site

There is a presumption in favour of preserving the fabric, integrity and authenticity of archaeological sites that form part of the World Heritage Site. Development will not be permitted where there is an unacceptable impact on the Hadrian's Wall Military Zone World Heritage Site.

Proposed development in the Buffer Zone should be assessed for its impact on the Outstanding Universal Value of the World Heritage Site, and particularly on key views both into and out of it: development that would have an adverse impact on Outstanding Universal Value should be refused; and

Proposed development outside the boundaries of the Buffer Zone will be carefully assessed for their effect on the Outstanding Universal Value, and any that would have an adverse effect on it should be refused.

New development will not be permitted on currently open land on the line of the wall.

New development within the Hadrian's Wall World Heritage Site and its buffer zone, which enhances or better reveals its significance will be supported.

Justification

9.2 The NPPF defines a World Heritage Site as a designated heritage asset of the highest significance. Substantial harm to, or loss of such a site should be wholly exceptional. Local planning authorities are encouraged to look for opportunities for new development within world heritage sites and their settings to enhance or better reveal their significance.

9.3 Hadrian's Wall is an internationally known icon of the north of England, valued by those who live and work in the area as part of their geographic and social identity, and visitors to the area. It has recreational, social and economic value. The Hadrian's Wall Path National Trail and the Hadrian's Cycleway provide significant access opportunities for large numbers of cyclists and walkers.

9.4 A five year rolling management plan is a Government requirement for a world heritage site. The current plan covers the period 2008 – 2014. It provides an essential framework for the management of the site to ensure its preservation for present and future generations. The Plan encompasses the wall itself and a 10 mile buffer zone on either side.

9.5 The buffer zone for Hadrian's Wall World Heritage Site was established in the 1996 Management Plan. In the City of Carlisle it highlights areas where non-scheduled archaeological remains can be given focussed protection through the implementation of this policy. It also protects the visual setting of the site, particularly in the rural areas, although it is also important to have regard to the possible impact of major developments outside the defined buffer zone.

9.6 Those parts of Hadrian's Wall that are not scheduled are not included as part of the world heritage site, although they lie within the buffer zone.

9.7 Formal Environmental Impact Assessment (EIA) will be required for significant developments affecting Hadrian's Wall World Heritage Site and its buffer zone.

Alternative Options

9.8 The NPPF states that Local Planning Authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment. A world heritage site is classed as a heritage asset of the highest significance. As part of the development of the first Hadrian's Wall Management Plan, all the partnership local planning authorities agreed a three level policy approach, as set out in the above policy.

Which Local Plan Policy is superseded?

9.9 This policy supersedes Policy LE5 – Hadrian's Wall World Heritage Site and LE7 – Buffer Zone on Hadrian's Wall World Heritage Site of the adopted Carlisle District Local Plan 2001-2016.

Scheduled and Other Nationally Important Ancient Monuments

What you told us:

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon. Heritage was however an issue that was consulted upon during the key issues and issues and options stages and an overwhelming majority of respondents felt that the Core Strategy should adopt a pro-active approach to managing heritage assets. Heritage is a major factor to consider within the Local Plan due to the District's rich heritage and large number of Listed buildings, Scheduled and Other Nationally Important Ancient Monuments, Conservation Areas and locally significant buildings.

Policy 58 -Scheduled and Other Nationally Important Ancient Monuments

Development will not be permitted where it will have an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

Development will be permitted on other known sites and monuments of archaeological significance, together with land for which there is no archaeological information, but where there are reasonable grounds for believing remains to be present, provided that the site can be adequately preserved or appropriate arrangements for excavation and recording can be made.

All proposals will be required to include a description of the significance of the heritage asset affected, including any contribution made by their setting. In addition, developers will be required to submit a desk based assessment, and where necessary a field evaluation, of the archaeological interest.

Justification

9.10 The NPPF defines scheduled monuments as 'Heritage Assets'. These have a degree of significance meriting consideration in planning decisions, because of their heritage interest. They include designated heritage assets and those identified by the local planning authority.

9.11 Scheduled monuments are valuable as a resource for research, education, leisure, tourism and regeneration, and for their influence on perceptions of identity and sense of place. However, they are also a finite, irreplaceable and fragile

resource and are vulnerable to a wide range of human activities and natural processes.

9.12 The Ancient Monuments and Archaeological Areas Act 1979 makes provision for the designation of scheduled monuments. The Act places a duty on the Secretary of State for Culture, Media and Sport to compile and maintain a schedule of 'monuments', (in consultation with English Heritage). Once included in the schedule, a monument (together with land in or on which it is situated, plus any land essential for its support and preservation) has legal protection.

9.13 The process of scheduling must have regard to the non-statutory criteria for determining national importance. Scheduling may not be the most appropriate way of securing the long-term preservation of a monument for the benefit of future generations, even if it otherwise meets the statutory definition and non-statutory criteria.

9.14 For example, depending on the nature of a monument and the threats to which it is subjected, the Secretary of State may decide that it is adequately protected if it is already designated under another statutory regime (such as those designed to protect military remains or nature conservation interests) or that its conservation could be adequately managed through the planning system.

9.15 Therefore, the fact that a monument is not designated as a scheduled monument does not necessarily imply that it is not nationally important. Nationally important, but non-scheduled monuments are therefore subject to this policy, as are other sites within the district which are known to have archaeological interest, but are not scheduled.

9.16 Scheduled monument consent (SMC) is separate from the statutory planning process. However, the two processes may run in parallel when the granting of planning permission is required. Development affecting the setting of a scheduled monument is dealt with wholly under the planning system and does not require SMC.

Alternative Options

9.17 There are no reasonable alternative options considered for this policy.

Which Local Plan policy is superseded:

9.18 This policy supersedes Policies LE6 – Scheduled/Nationally Important Ancient Monuments; LE9 – Other Known Sites and Monuments of Archaeological Significance; LE8 – Archaeology on Other Sites and LE10 – Archaeological Field Evaluation in the Carlisle District Local Plan 2001-2016.

Local Listings

Consultation so far/ What you told us:

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon. Heritage was however an issue that was consulted upon during the key issues and options stages and an overwhelming majority of respondents felt that the Core Strategy should adopt a pro-active approach to managing heritage assets. Heritage is a major factor to consider within the Local Plan due to the District's rich heritage and large number of Listed buildings, Conservation Areas and locally significant buildings.

Policy 59 - Local Listings

Throughout Carlisle District there are a number of buildings and structures of historic and architectural significance that help to create the locally distinctive character of the area. The Council recognises the positive contribution these structures make to Carlisle's townscape and landscape and there will be a presumption in favour of their retention when considering development proposals.

Only in exceptional circumstances will the loss of a local list building/structure be permitted, where this is the case the following may be required:

- An appropriate level of survey and recording which may also include archaeological excavation;
- Provision of replacement buildings of comparable quality and design;
- The salvage of special features for reuse in the replacement development;
- The use of road or building names in any new development which reflects the historic origins of the area, maintaining a link with the past.

Justification

9.19 Within the City and in other locations there can be pressure for redevelopment potentially resulting in the loss of unlisted structures that whilst not of national importance may be of local heritage or townscape significance.

9.20 The Council have identified a number of buildings/historic structures which are of importance because of their contribution to the townscape of a particular area, or their local historic or architectural interest. Local lists play an essential role in protecting and reinforcing a sense of local character and distinctiveness by identifying those assets which whilst not listed by the Secretary of State are considered by the Council to be an important part of

Carlisle's heritage. Local List buildings which make a particularly strong 'townscape' contribution are identified as 'key townscape frontage' on the local plan policies map. These include buildings which make a contribution to the character of the City's rural and urban conservation areas and many of the district's diminishing stock of vernacular buildings. Together these buildings and structures form a significant part of the districts built heritage which the Council consider is worthy of being retained. In order to limit the damage to those buildings and structures which form the areas locally distinctive character, proposals which would have an unacceptable impact on them will be resisted.

9.21 The local list will continue to be added to and monitored against assessment criteria guided by English Heritage's Good Practice Guide for Local Listings, to ensure a consistent approach is applied in the identification and management of Carlisle's significant local heritage assets.

Alternative Options

9.22 The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment within their Local Plans, therefore it is considered necessary to recognise the importance of locally significant buildings within the local plan rather than relying solely on the policy within the NPPF. It may however be considered appropriate for the detail of the local list i.e. assessment criteria to be included within a local listings supplementary planning document.

Which Local Plan policies are superseded?

9.23 This policy supersedes Policy LE16: Historic Structures and Local Listings in the Carlisle Local Plan 2001-2016

Development affecting Conservation Areas

Consultation so far/ What you told us:

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon. Heritage was however an issue that was consulted upon during the key issues and options stages and an overwhelming majority of respondents felt that the Core Strategy should adopt a pro-active approach to managing heritage assets. Heritage is a major factor to consider within the Local Plan due to the District's rich heritage and large number of Listed buildings and Conservation Areas. Consultation also highlighted the links between balancing the promotion of tourism development whilst ensuring that the historical assets are responsibly managed.

Policy 60 - Development affecting Conservation Areas

Any new development or alterations to buildings in conservation areas should harmonise with their surroundings and be sympathetic to the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas.

Within Carlisle's conservation areas there are a number of buildings which detract from their quality. The City Council will encourage the redevelopment or improvement of these buildings identified on the proposals map as townscape improvement areas.

Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

1. The development should preserve or enhance all 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;
2. The development should not have an unacceptable impact on the historic street patterns, roofscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
3. Development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
4. Wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials avoided;
5. Individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shopfronts, garden walls, railings, cobbled or

flagged forecourts, sandstone kerbs, trees and hedges etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;

6. Proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to the character of the conservation area;
7. Proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

Applications for outline planning permission will not be acceptable for proposals in conservation areas.

Demolition

There will be a general presumption in favour of the retention of buildings which make a positive contribution to the character/appearance of a conservation area. Applications for planning permission/conservation area consent for development proposals that would require the total demolition of unlisted buildings in conservation areas, must be accompanied by details of redevelopment and will be assessed against the following criteria:

1. The contribution of the building to the landscape/townscape; and
2. The structural condition of the building; and
3. The suitability of the building for an alternative viable use; and
4. The contribution which the demolition /redevelopment would make to broader conservation objectives.
5. The inclusion of the building on the local list.

Proposals to utilise vacant land for car parking for interim or longer term use within Conservation areas, will be resisted except in exceptional circumstances.

Justification

9.24 Carlisle District is a large and diverse area comprising the City of Carlisle and its rural hinterland. These settlements have evolved organically over centuries to become areas of outstanding architectural and historic interest. This is reflected in many of the rural settlements and parts of the urban area being designated as conservation areas.

9.25 There are many opportunities for the enhancement of conservation areas and these should be taken wherever possible. For example, the repair and refurbishment of buildings, revitalising vacant and underused buildings, or the carrying out of tree planting and paving works and other public realm improvements. Proposals for new buildings in conservation areas should be of high design quality and should be developed to complement and

enhance their context. In order to promote the enhancement of conservation areas the City Council will carry out appraisals for each area highlighting the special characteristics of the area as well as any existing problems and make suggestions regarding their solution within an action plan.

9.26 The Council will also continue to review existing and designate new conservation areas in accordance with the NPPF, to ensure that the areas continue to justify their conservation areas 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. A series of management plans for each conservation area will 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.

Alternative options

9.27 The NPPF states that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment within their Local Plans. Carlisle has a number of conservation areas which add greatly to the Districts attractiveness, it is therefore considered necessary to recognise the importance of these areas within the local plan and provide a specific local policy to guide the management and decision making for proposals in these areas rather than relying solely on the policy within the NPPF.

Which Local Plan policies are superseded?

9.28 Following discussion with the Development Management officers it was felt that policies LE17, LE19 and LE21 are useful in the determination of planning applications. Therefore the policy wording has been retained and refreshed and combined into one overarching policy.

Proposals affecting Listed Buildings, Historic Parks and Gardens and Battlefields

Consultation so far/ What you told us

Consultation to date has been focused on the strategic policies that were being drafted for the pre-NPPF Core Strategy. Now that the NPPF advocates a 'Local Plan' approach, detailed development management policies are being drawn up and included within the plan. This is therefore the first time that certain policies, including this one, have been consulted upon. Heritage was however an issue that was consulted upon during the key issues and options stages and an overwhelming majority of respondents felt that the Core Strategy should adopt a pro-active approach to managing heritage assets. Heritage is a major factor to consider within the Local Plan due to the District's rich heritage and large number of Listed buildings and Conservation Areas. Consultation also highlighted the links between balancing the promotion of tourism development whilst ensuring that the historical assets are responsibly managed.

Policy 61 - Proposals affecting Listed Buildings, Historic Parks and Gardens and Battlefields

Applications for works to Listed Buildings or historic parks ,gardens and battlefields of special historic interest including: alterations or extensions, changes of use, or new development within the curtilage/or its setting must have regard to:

- 1.the importance of the heritage asset, its intrinsic architectural and historic interest and rarity, and its significance to the local distinctiveness and character of the district;
- 3.the setting of the heritage asset and its contribution to the local scene;
4. the extent to which the proposed works would bring substantial benefits for the community.
5. the present or future economic viability or function of the heritage asset

Additionally in the case of Listed Buildings:

1. the physical features of the building in particular scale, proportions, character and detailing (both internally and externally) and of any windows and doorways.

Any new development within the locality of a heritage asset should preserve its character and setting. The City Council will expect any new development to be sympathetic in scale, character and materials.

Demolition of listed buildings

There will be a strong presumption in favour of the preservation of listed buildings. Development proposals which would result in the total or substantial demolition of a listed

building must include details of redevelopment and will only be approved in exceptional circumstances taking into account:

- The intrinsic quality of the building and its contribution to the landscape/townscape;
- The structural condition of the building
- The efforts made to retain the building in its current use, or to find compatible alternative uses;
- The cost of repair and maintenance in relation to the importance of the building;
- The merits of the proposals for redevelopment.

Justification

9.29 The Local Plan has an important role to play in protecting the registered heritage assets from inappropriate works that may have an adverse impact on their special character. It is therefore considered necessary to include a policy to provide clear and detailed guidance in addition to the NPPF.

9.30 The NPPF highlights the importance of conserving and enhancing the historic environment by stating that LPAs should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment.

9.31 The Council places great value on the significance and quality of the historic environment and its ability to promote tourism, commerce, business and a desirable environment to live, work, visit and enjoy. Therefore proposals utilising our historic resources should be supported where appropriate to allow maximum benefits to be gained from the assets to develop local distinctiveness and a sense of place that will underpin regeneration and economic development opportunities.

9.32 The Council will expect development proposals to demonstrate an understanding of the significance of heritage asset affected and to show how proposals minimise any adverse impacts on the asset and its setting. This will be set out in the form of a Heritage Statement to support any application for planning or listed building consent.

The Local Plan area contains several parks and gardens of visual and/or historic interest. These include the grounds of Corby Castle, which are listed in English Heritage's Register of Parks and Gardens of Special Historic Interest. English Heritage also hold a Register of Historic Battlefields of Special Historic Interest which includes an area of land within Carlisle District identified as the site of the Battle of Solway Moss. The historic significance of these assets must be protected, therefore any proposals within or adjacent to such areas must be sensitive to the existing landscape and consistent with their preservation and enhancement. The Council considers that similar consideration should also be given to development proposals within or adjoining historic parks and gardens of local significance in order to ensure the protection of the District's valuable historic environment.

9.33 Carlisle's finite historic environment should be promoted and protected. The Districts heritage assets are significant with the presence of a world heritage site, numerous scheduled ancient monuments and a large number of Listed Buildings, the presence of these assets make a significant contribution to the areas environmental quality.

9.34 Heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. The destruction of historic buildings is very seldom necessary for reasons of 'good planning', and is more often the result of neglect, or of failure to make imaginative efforts to find new uses for such buildings or to incorporate them into new development.

9.35 Given the importance of Carlisle's heritage, development that would involve the loss of designated heritage assets requires clear and convincing justification and must be wholly exceptional; this view is supported in the NPPF. Any proposals for the demolition of such assets must be justified either on the grounds that the harm is necessary to deliver public benefits that significantly outweigh that harm. Proposals for redevelopment must be able to provide clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses and that there would be substantial benefits for the community which would decisively outweigh the loss resulting from demolition.

Alternative Options

9.36 As the National Planning Policy Framework (NPPF) states that local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Carlisle has numerous important heritage assets that make a significant contribution to the environmental quality of the District. Relying only on the NPPF and listed building legislation is not an acceptable or reasonable option.

9.37 The only alternative approach would be to provide two separate policies one to cover listed buildings and one policy for historic parks and gardens and battlefields.

Which Local Plan policies are superseded?

9.38 It is proposed that Local Plan policies LE12, LE13, LE15 and LE22 be merged and amended as there was considered to be an overlap in the policy guidance currently contained within the existing policies and references need to be updated to ensure that the policy is in compliance with the NPPF.

10 Green Infrastructure

Objective

To protect, enhance and increase the provision of the green and blue infrastructure across the District for benefit of residents, visitors and the wider natural environment without compromising opportunities for future development

10.1 Green infrastructure is a broad concept that ranges from the strategically planned parks and open spaces of the city through to the rolling, open landscapes of the rural area. It covers both built networks for sustainable transport (public rights of way, cycle paths and bridleways) and naturally occurring wildlife corridors and ecosystems. The policies in this chapter aim to deliver the objectives of the Carlisle Green Infrastructure Strategy: The Big Green City, which recognises the fundamental role green infrastructure and the natural environment play in creating an identity for the district and for Carlisle as a green city. Biodiversity, landscape and green spaces are to be protected, ultimately for the sake of their own natural value, but also for the well being and good health of the district's citizens and visitors. The policies in this chapter also reflect the fact that the district's economy depends on the vitality of its natural environment and, as such, ensure that its preservation and enhancement are of the upmost importance.

Landscapes

What you told us:

Based on feedback from consultation on the Issues and Options it is clear that there is community support for introducing a criteria based policy that looks to protect and enhance all landscapes and their locally important characteristics, not just those traditionally covered by national and international designations. A policy which defers to evidence base documents like the Cumbria Landscape Character Assessment Toolkit would achieve this. It would require the Planning Authority and potential developers alike to consider the local impact development would have on a particular landscape character area and that area's capacity to support and accommodate change. It would send a clear policy message that Carlisle values all of its landscapes and the important role they play in creating a sense of place for local people and visitors alike.

Whilst there was limited support for the option to retain the current Urban Fringe Landscape designation there was still a key message of concern that emerged during consultation, namely the issue of losing important areas of open and green space on the edges of the city to urban sprawl. This should not be an issue with a criteria based policy, however, as this approach will allow for those sensitive parts of the urban fringe landscape which could not support new development without being damaged to continue to be protected, whilst at the same time allowing for appropriate levels of development on those parts of the urban fringe that are able to accommodate and support it, thus allowing the city to grow sustainably.

Policy 62 - Landscapes

All landscapes are valued for their intrinsic character. Proposals for development will be assessed against the criteria presented within the Cumbria Landscape Character Assessment Toolkit (or successor documents) with regard to a particular Landscape Character Area's key characteristics, local distinctiveness and capacity for change. The Council shall seek to protect all landscapes from excessive, harmful or inappropriate development, particularly those areas less able to accommodate significant change. Where the opportunity arises, the Council may seek the appropriate enhancement and restoration of valued landscapes should it be considered pertinent to do so.

Areas valued for their tranquility will be identified and protected from excessive noise and/or traffic generating development. Landscapes valued for their intrinsically dark skies, such as the area around Kershope Forest in the rural north-east of the district, will be strictly protected from the adverse impact of artificial light pollution.

Justification

10.2 Inline with the National Planning Policy Framework this policy sets criteria based policies against which proposals for any development on, or affecting, landscape areas will be assessed. It also seeks to protect areas of tranquillity from excessive noise pollution and

limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes.

10.3 The district is characterised by high quality and diverse landscapes from the remote upland moors and forests in and around Bewcastle, which offer some of the most intrinsically dark skies in Britain, to the lowland river valleys and farmland around Carlisle, all of which are valued and worthy of some degree of protection and enhancement. There are also two Areas of Outstanding Natural Beauty within the district – the Solway Coast AONB and the North Pennines AONB.

10.4 In 2011 Cumbria County Council, in association with the Cumbrian district planning authorities, produced the landscape character assessment toolkit for the whole of Cumbria. This toolkit provides decision makers with a means to assess the impacts of a development on any of the different landscape character areas found across Cumbria. The core principle is that all landscapes matter, not just those that form part of national designations. Every landscape character area is important and, whilst some may be more sensitive to change than others, the planning process should seek to protect all landscapes from harmful development. It is important to note, however, that this does not mean that development which incurs changes to landscapes should be resisted. Rather that new development should be appropriate to its surroundings be suitably accommodated within the landscape.

10.5 The toolkit suggests that planning policy at a local level should take a criteria based approach to assessing the appropriateness of a development within a given landscape character area.

10.6 There are two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving landscape issues.

Alternative Options

1) No landscape policy in the Local Plan

10.7 This would require policy to defer to national guidance, which only offers policy protection to landscapes of national importance (i.e. Solway Coast/North Pennines AONB), leaving it to Local Authorities to protect locally important landscapes themselves. This approach may lead to the erosion of the visual quality of landscapes lying outside of these areas – lack of policy guidance would undermine the ability to protect and preserve.

2) Adopt a policy that continues the use of local landscape designations including the continued use of Urban Fringe Landscape as per the 2008 Local Plan

10.8 Local designations only cover areas identified on a map; there is no protection offered for areas outside these designations. Current local landscape designation boundaries do not fully reflect the areas defined in the Cumbria Landscape Character Guidance document and

would thus make it difficult to refer to the evidence base for landscape impact assessment. This option is not in line with the NPPF, which favours a more criteria based approach over local landscape designations. The Cumbria Landscape Character Assessment Toolkit is an up to date and comprehensive resource and, as such, the local landscape designation approach cannot be justified. An urban fringe designation would also serve to restrict sites within developed areas of the urban fringe which would otherwise be suitable and sustainable locations for development.

Which Local Plan Policies are superseded?

10.9 Policies DP10 Landscapes of County Importance, CP1 Landscape Character and LE1 Urban Fringe Landscape in the Carlisle District Local Plan 2001-2016.

Nationally Designated Landscape Areas

What you told us:

Responses revealed support for allowing appropriate and sensitive development within Areas of Outstanding Natural Beauty. Local communities and economies within AONBs should not be allowed to stagnate. Appropriate development within AONBs should also be used to secure funding through legal agreements and developer obligations to improve and enhance local aspects of the landscape. The policy option could achieve this through application of the afore mentioned criteria based policy, encouraging the use of both the Cumbrian Landscape Toolkit and also more locally specific documents such as the Solway Coast AONB Landscape Character Assessment and the AONB Management Plans, and by emphasising the continued high degree of protection that will be given to AONB Landscapes in policy.

Policy 63 - Nationally Designated Landscape Areas

Within the Solway Coast and North Pennines Areas of Outstanding Natural Beauty (AONB) the protection of the natural beauty and historic integrity of the landscape will be afforded the highest priority. Only development that is locally sensitive and of high quality design or which actively seeks to enhance or protect landscape character or is otherwise of high national importance will be permitted within these national designations.

Justification

10.10 Protection of the landscape and scenic beauty of Areas of Outstanding Natural Beauty is given great weight when considering development proposals in these areas. Only in exceptional circumstances should major development be approved within an AONB and only when it can be demonstrated that the development is in the public or national interest

10.11 The district has a rich and varied landscape. There are two Areas of Outstanding Natural Beauty (AONB) in the district; The Solway Coast and the North Pennines. Both AONBs have adopted and up to date Management Plans. The Solway AONB also has its own locally specific Landscape Character Assessment document which supersedes the Cumbria Landscape Character Assessment when considering development within the AONB boundary. The prime purpose of an AONB designation is to protect the landscape rather than restrict development within the villages and towns that are located within it.

10.12 Proposals for development that are inline with or actively working towards delivering the objectives and outcomes of the Solway Coast and North Pennines AONB Management Plans shall be considered favourably.

10.13 The Council has adopted two Supplementary Planning Documents (SPDs) that address planning issues within the North Pennines AONB; The North Pennines AONB Planning Guidelines SPD and the North Pennines AONB Building Design Guide. Appropriate development inline with the aims and guidance in these documents will be supported.

10.14 Development proposals within the Solway Coast AONB or its setting should refer to the Solway AONB Landscape Character Assessment when assessing the potential landscape impact of a scheme. The core principle of this document is that all landscapes within the AONB are important and, whilst some may be more sensitive to change than others, the planning process should seek to protect all landscapes within the AONB from harmful development. It is important to note, however, that this does not mean that development which incurs changes to landscapes should be resisted. Rather that new development should be appropriate to its surroundings be suitably accommodated within the landscape.

10.15 The relevant AONB management teams should be consulted on proposals within or close to AONBs. Any application for development with the potential to impact upon the setting of any Scottish National Scenic Areas should likewise be consulted upon with the appropriate NSA management teams north of the border

10.16 There are two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving landscape issues.

Alternative Options

1) No landscape designation policy in the Local Plan

10.17 This would require policy to defer to national guidance, which, whilst offering some protection to areas of outstanding national beauty, would fail to provide for local context addressing the particular issues facing the designations with Carlisle District. There would also be no scope to provide specific mention of the Solway's Landscape Character Assessment or to provide support for the implementation of the management plans of the two AONBs within the district.

2) Restrict all development within Areas of Outstanding Natural Beauty

10.18 This option would be overly restrictive and could cause settlements and communities within AONB boundaries to stagnate, hampering growth that may be required to support existing services and removing potential funding from developer contributions for landscape improvements or habitat creation in the locality. It would ultimately be unsustainable.

Which Local Plan Policies are superseded?

10.19 Policy DP9 Areas of Outstanding Natural Beauty in the Carlisle District Local Plan 2001-2016.

Biodiversity and Geodiversity

What you told us:

The consultation on the Core Strategy Issues and Options did not carry a specific question for biodiversity. However, a number of comments were received during consultation, which suggested that the need to protect and enhance biodiversity and geodiversity should be addressed within the Local Plan.

Policy 64 - Biodiversity & Geodiversity

Biodiversity and geodiversity assets across the district shall be protected and, where possible, enhanced.

International Designated Sites:

Internationally designated sites of biodiversity conservation, including the Natura 2000 designations of Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar Sites will be afforded the highest levels of protection. Development which would adversely affect or harm the integrity of such sites shall be resisted unless an overwhelming need for the development or vital national interest can be demonstrated. Proposals which may have an impact upon a Natura 2000 site must be accompanied by a Habitats Regulation Assessment (HRA). Any site subject to a HRA will not be subject to the presumption in favour of sustainable development.

National Designated Sites:

Nationally designated sites such as Sites of Special Scientific Interest (SSSI) will be strictly protected from new development. Any proposal which would adversely impact upon the scientific interest of the site will be resisted, unless an overwhelming socio-economic need for the development or pressing national interest can be demonstrated.

Local Designated Sites:

Local wildlife designations such as County Wildlife Sites, Local Nature Reserves and Ancient Woodlands, as well as Regionally Important Geological/Geomorphological Sites (RIGGS) shall also be afforded a high degree of protection from harmful development, unless a strong socio-economic need can be demonstrated or the development would otherwise be in the national interest.

Development affecting Biodiversity and Geodiversity:

All proposals for development that may impact upon habitat, species or geodiversity should, where appropriate:

- Maintain, and where appropriate enhance, conditions for priority habitats and species identified in the Cumbria Biodiversity Action Plan
- Maintain, and where appropriate enhance recognised geodiversity assets identified in the Local Geodiversity Action Plan for Cumbria
- Ensure satisfactory and appropriate integration of wildlife corridors on site

- Seek to make species appropriate provision on site to encourage an increase in biodiversity where it is practical and viable to do so

Mitigation:

Where significant and overwhelming social or economic benefits and need can be demonstrated, which may then allow for the potentially harmful development of a wildlife site, proposals should only be approved once the Council and relevant partner organisations are satisfied that any necessary impacts can be mitigated through appropriate habitat creation, restoration or enhancement on site or elsewhere via planning conditions, agreements or obligations.

Justification

10.20 The NPPF states that biodiversity should be planned for at a landscape-scale, across local authority boundaries. The components of local ecological networks, including international, national and local sites of importance for biodiversity, as well as any areas identified by local groups for habitat restoration and creation, have been identified and mapped.

10.21 This Local Plan aims to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the recovery of priority species populations through policy. The protection of geological conservation interests will also be considered in response to new development proposals.

10.22 When considering planning applications and the need to conserve and enhance biodiversity, the following principles apply:

- Permission for development will be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for;
- Proposals where the primary objective is to conserve or enhance biodiversity will be approved;
- The incorporation of biodiversity in and around developments will be encouraged, wherever the opportunity arises;
- Development which would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland will be refused unless the need for, and the benefits of, the development in that location clearly outweigh the loss

10.23 Any development likely to have a significant adverse effect on sites protected under the Birds and Habitats Directives would not be sustainable under the terms of the presumption in favour of sustainable development.

10.24 The Cumbria Biodiversity Action Plan (BAP) (Updated 2009) addresses how national biodiversity targets will be met at a local level. It outlines those key species and habitats for

the county, detailing how they should be protected, preserved and enhanced. Key and endangered species present within Carlisle include:

- Bats (all species)
- Red Squirrel
- Water Vole
- Barn Owl
- Song Thrush
- Great Crested Newt

10.25 It is a criminal offence to harm or disturb protected species, including the destruction of nests, roosts and dens. As such, the protection of these species should be given a high priority within planning policy.

10.26 The extent of important habitats across the district has been mapped by the Cumbria Biological Data Network (CBDN) team based at Tullie House Museum. Key habitat is important to protecting and enhancing biodiversity, and can be important to animal species beyond the key protected species listed above. Its loss should be prevented. Where resources allow the Council may, in consultation with Natural England, the Cumbria Biological Data Network and other relevant stakeholders, identify sites of significant biodiversity value or for the restoration and/or creation of new habitat to assist in revitalising key species within the district. Such sites will be protected from inappropriate development.

10.27 There are also two Local Nature Partnerships (LNPs) currently operating within the plan area that have been established to provide local support and expertise on natural environment issues. The Council shall continue to engage with both the Cumbria and the Northern Upland Chain LNPs and shall actively consult with them on planning applications involving biodiversity and geodiversity issues.

Alternative Options

1) Do not include biodiversity/geodiversity policy in the Local Plan

10.28 This option is not considered reasonable as it would not be in accordance with national policy, would fail to recognise the importance of biodiversity/geodiversity within the Carlisle plan area and could lead to the unacceptable and avoidable loss of natural assets. It is also contrary to comments received during issues and options consultation which request the Council to proactively consider biodiversity and geodiversity within strategic planning policy.

2) Resist all development that may potentially harm biodiversity and geodiversity assets

10.29 Though well intended, this option may have an adverse impact on the enhancement of natural assets as it would limit the opportunity to secure funding through planning obligations and agreements and would also remove the ability of developers to proactively make

provision for wildlife on redeveloped sites. It may also prevent development from occurring in circumstances where satisfactory mitigation or compensatory measures could be implemented.

Which Local Plan Policies are superseded?

10.30 Policies DP7 European Natura 2000 Sites, CP2 Biodiversity, LE2 Sites of Special Scientific Interest and LE3 Other Nature Conservation Sites.

Open Space

What you told us:

There were no direct questions posed to the public and stakeholders on the provision of open space and primary leisure areas in the consultation on the Core Strategy Issues & Options paper, although a section on Green Infrastructure did touch on it. Consultees were asked whether developers should be expected to contribute towards green infrastructure resources, which would key leisure areas such as formal parkland. A considerable majority of responses felt that all development should take into consideration the provision of parkland, hinting at the value placed on green spaces by the community. This was backed up by a number of specific comments both requesting and expecting the Council to protect and enhance green spaces through planning policy.

Policy 65 – Open Space

Development affecting Open Space

Proposals within designated areas of open space, as defined on the Policy Map, that relate to and complement the existing leisure use, and are appropriate in character and scale to the surroundings, will generally be acceptable. Development that would result in a partial or total loss of, or would otherwise constitute a change of use within an area of open space to non-sport or recreation uses shall not be permitted unless:

- An up-to-date needs assessment has been completed and clearly shows a surplus of primary leisure areas within a given locality; or
- It can be demonstrated that alternative provision of the same or greater size, quality and accessibility will be provided nearby; or
- Development of a small part of the area of open space would enable investment to improve the quality of the rest of the site; or
- There is a strong and justifiable social or economic need for development and the open space is otherwise of low quality and has little community value.

Strategic Areas of Open Space

All new dwellings should be within 1km of a high quality and accessible area of open space of between 5 and 20 hectares and within 3km of an open space greater than 20 hectares which provide general facilities for recreation provision within a landscaped setting. Development which does not fulfill this requirement will be expected to contribute towards the upgrading of an existing open space to improve its accessibility or the creation of a new one to these standards.

Provision of Open Space

Standards for open space provision will be informed by an assessment of need and demand for the various types of open space, ensuring there is an adequate supply of accessible and high quality spaces across the district. Where deficits are identified new development may be expected to contribute to creating new open spaces or to upgrading an accessible area nearby.

Recreation spaces within new development

New housing developments, where appropriate, will be required to include informal space for play and general recreation on site according to the size of the proposal. Agreement will be sought from the developer that they will make arrangements to ensure any play equipment, grass cutting, and other grounds work is maintained in perpetuity.

On smaller housing sites, where on site provision is not appropriate the developer may be required to make commuted payments towards the upgrading of open space provision in the locality, especially if a deficit has been identified.

Justification

10.31 In line with national policy, existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

10.32 The NPPF highlights the importance of having an open space needs assessment as part of the evidence base for the Local Plan. A needs assessment is vital in identifying both deficits and surpluses of particular open space types across the district. Work on a Carlisle needs assessment is underway, and draft data regarding the need and demand for sports pitches and grounds already exists in the draft Playing Pitch Strategy (Feb, 2013). Further work needs to be carried out to assess the need and demand for other types of open space. Such an assessment will identify areas of both surpluses and deficits in open space provision, and will also attempt to anticipate how demands for new areas of recreational land will grow over the course of the plan period.

10.33 Open space includes:

- parks
- gardens

- amenity green space
- playing fields
- play areas
- outdoor provision for teenagers and young people
- allotments
- cemeteries and churchyards

10.34 An audit of open space across the district was completed in the 2005, though this now needs updating it can still be considered indicative of provision.

10.35 In some cases, where local deficits in open space provision exist, contributions may be sought from new development. However, the establishment of a new area of open space may not always be appropriate within a development site or land nearby may not be available to be used as open space. In these cases a developer may be asked to contribute to upgrading existing local space to improve either its quality or accessibility. This could involve planting, path laying, new play equipment, new foot/cycle paths connecting the space to the proposed development, or other improvements recommended by the Council. Contributions to open space – be they either the creation of a new site or the upgrading of an existing – should be made in consultation with the Council's Green Spaces team to ensure any work is inline with their strategies and plans.

10.36 New housing development will be expected to set aside informal space for play and general recreation, depending on the size of the proposal. These sites will be dedicated for play and will be expected to provide appropriate equipment, play structures, opportunities for natural play and space for games. Such areas must be designed to avoid conflict with residents through issues with noise, but must also remain overlooked to ensure the safety of children using the site and discourage anti social behaviour.

Alternative Options

1) No open space policy in the Local Plan

10.37 This would require policy to defer to national guidance, which only offers general principles of open space protection, expecting local authorities to produce their own evidence for open space surpluses and deficits within their area. This option would mean that the protection of open space could not be locally distinctive and would not allow for the setting of locally appropriate standards that reflect the findings of the audit, green space strategy and emerging local needs assessment.

2) Include policy which protects all open space without exception

10.38 This policy would be too restrictive on new development. Whilst the protection of open space and other recreational facilities should be a priority, this option would fail to recognise that in some cases this is not viable and other uses for a site may be more appropriate. This would not lead to a flexible approach to green space management and may hamper the

Council's ability to secure funding for improved provision and facilities through developer contributions.

Which Local Plan policies are superseded?

10.39 Policies LC2 – Primary Leisure Areas, LC3 – Amenity Open Space, LC4 – Children's Play and Recreational Areas, LC5 – Playing Fields, LC6 – Surplus Playing Fields, LC7 – Allotments and LC10 – Golf Courses in the Carlisle District Local Plan.

Public Rights of Way

What you told us:

There were no direct questions posed to the public and stakeholders on rights of way in the consultation on the Core Strategy Issues & Options paper however a number of comments received on wider green infrastructure issues did mention it. A number of responses mentioned the need to ensure that the rights of way network is protected and maintained, and is well linked to new developments and newly established green spaces. Other responses requested that the Council seeks to ensure new routes are created and that existing routes are well maintained, particularly those that lead into the city.

Policy 66 - Public Rights of Way

New development will be expected to ensure that all existing footpaths, bridleways, cycleways and other rights of way that it will impact upon are retained wherever it is viable and appropriate to do so. In addition to this, where possible, local improvements and extensions to the rights of way network may be sought as part of proposals.

Proposals to close or divert existing rights of way will not be permitted unless an alternative route is available, or is to be established, which is attractive, serves the same area, is well integrated with the existing network and is not significantly longer than the original route.

Justification

10.40 The NPPF expects policy to protect and enhance public rights of way and access. Wherever possible, opportunities to provide better facilities for users, for example by adding links to existing rights of way networks, should be sought.

10.41 Carlisle District has an extensive system of public footpaths, cycleways and bridleways. These rights of way are a valuable resource, providing an essential leisure function. It is important that they are safeguarded. When new development abutting footpaths is proposed, suitable landscaping and means of enclosure will be required, provided such measures are inline with designing out crime guidance and best practise presented within the Manual for Streets.

10.42 Development proposals may sometimes present opportunities to provide new footpaths or improve existing ones in order to bring them to a standard suitable for use by all. Agreement will be sought between the Council and the developer(s) to explore this opportunity should it arise.

10.43 The diversion and/or closure of footpaths remains the responsibility of the Highway Authority. However, the City Council is consulted on these proposals and will normally resist development proposals that would adversely affect the amenity of footpaths, unless an adequate alternative route for the right of way is provided.

Alternative Option

No rights of way policy in the Local Plan

10.44 This would require policy to defer to national guidance, which, whilst offering general protection for rights of way and requiring local authorities to seek integration of routes within the wider network, does not go on to suggest how development which would require changes to routes be considered in planning. The preferred option above allows for greater elaboration on this point and it is therefore considered preferable to have a policy in the Local Plan covering rights of way.

Which Local Plan policies are superseded?

10.45 Policy LC8 – Rights of Way in the Carlisle District Local Plan.

Trees and Hedgerows

What you told us:

During consultation on the issues and options for the Core Strategy there were no direct questions posed to the public and other stakeholders regarding the protection of trees and hedgerows. However, a number of respondents specifically mentioned the need to recognise the importance of trees as habitats and in improving general well being. The Council was asked to make sure that trees and hedges continue to be protected from harmful development. Other comments, more generally about the need to protect and enhance Green Infrastructure as a whole, can be seen to imply community expectation that the value of trees and hedges is recognised in policy.

Policy 67 - Trees and Hedgerows

Proposals for new development should provide for the protection and integration of existing trees and hedges, particularly those trees that are considered important to the local community, contribute positively to an area, contribute to the green infrastructure of the district and/or are otherwise of specific natural and/or historic value.

Tree Surveys:

Where trees and hedges are present on a development site, and the Local Planning Authority considers it pertinent to do so, a survey, in accordance with the current and most up to date British Standard: BS 5837 and carried out and presented by a qualified arboriculturist, may be required to accompany a planning application. Tree surveys should also have regard to the current Carlisle Trees and Development Supplementary Planning Document.

Layouts will be required to provide adequate spacing between existing trees and buildings, taking into account the existing and future size of the trees, and their impact both above and below ground.

Proposals which would result in the unacceptable or unjustified loss of existing trees or hedges or which do not allow for the successful integration of existing trees or hedges identified within the survey will be resisted.

Tree Preservation Orders:

The City Council will protect existing trees and woodlands where it is expedient in the interests of amenity through tree preservation orders, and by the use of planning conditions requiring protective fencing around trees to be retained to prevent damage during site works in line with the current and most up to date British Standard: BS 5837.

Ancient Woodland:

Development which would result in the loss of any areas of recognised ancient woodland, or plantations on ancient woodland sites, will normally be resisted unless overriding significant social or economic benefits or need can be demonstrated.

Landscaping and Replanting:

Any proposals for onsite landscaping schemes should seek to incorporate the planting of native tree species where practicable. Where trees are lost due to new development, the Council shall expect developers to replant trees of an appropriate species on site where it is practicable to do so, or to contribute via planning conditions and/or legal agreement, to the replanting of trees in an appropriate, alternative location. The extent of replanting required shall be representative of the age and size of trees originally lost.

Justification

10.46 Trees and hedges add considerable value to our urban and rural environments, and are natural features in an ever-changing landscape. They can soften the impact of buildings and hard surfaces, contribute to the overall character of the development, help to hide unsightly views, provide shade, absorb noise and provide a screen from the wind. In addition, mature trees can give identity to an area, creating a real sense of place within communities.

10.47 Ancient woodland and veteran trees found outside of ancient woodland should be protected, inline with the NPPF, as irreplaceable habitat. Development that would result in their loss or deterioration should not be approved, unless an overriding social or economic need or benefit would outweigh the loss.

10.48 Carlisle City Council has adopted the Trees and Development Supplementary Planning Document (SPD). This document provides guidance on how trees and hedgerows should be incorporated into development schemes in a way that can both protect and enhance both the trees themselves as well as the overall natural quality of a development.

Alternative Option

Do not include a tree and hedgerow protection policy in the Local Plan

10.49 This option would leave the protection of valued trees and hedges to be covered solely by National policy. This is not considered reasonable as it would fail to provide clarity on how and when trees should be protected. It would fail to recognise hedgerows specifically as important habitat areas. National policy on the protection of trees is brief and a more locally specific policy is required to ensure more comprehensive protection.

Which Local Plan Policies are superseded?

10.50 This policy replaces current Local Plan policy CP3 – Trees and Hedges on Development sites.

11 Glossary

NOTE

This list is intended only to provide a general explanation of terms used in the Local Plan and does not constitute precise definitions in law.

Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Affordable Housing Economic Viability Assessment – An assessment of the costs of any requirements likely to be applied to development, focussing on the implications of developers having to provide affordable housing and to ensure that planning policies would not render schemes unviable.

Air Quality Management Area (AQMA) – Where a national air quality standard or objective is not likely to be met we must declare an Air Quality Management Area and produce an Action Plan outlining how we intend to improve the air quality within that area.

Allocations of Land – the allocation of sites for housing, employment, waste management and treatment facilities, and open spaces.

Amenity Open Space -The Local Plan identifies areas of land within settlements which make so significant a contribution to their character and to the amenity and

enjoyment of nearby residents and the public at large as to warrant long term retention as open space. Such designation does not signify that such areas are available for public access and use although this may be the case in some instances. Rather, it indicates an intention that proposals for built development which would encroach on identified areas will not normally be granted planning permission.

Amplitude Modulation - a technique used in electronic communication, most commonly for transmitting information via a radio carrier wave.

Ancient Woodland- Natural England is responsible for compiling the inventory of ancient woodlands in Cumbria. The term is applied to woodlands which have existed from at least medieval times to the present day without being cleared for uses other than timber production. The inventory includes ancient semi-natural woodland which is defined as woodland which does not originate from planting, the distribution of species generally reflecting natural variations in site and soil.

Annual Monitoring Report (AMR) - Monitoring report recording the delivery of policies in the adopted plan.

Area of Outstanding Natural Beauty (AONB)- AONBs are relatively large areas of land designated under the National Parks and Access to the Countryside Act 1949 by the Countryside Commission. The primary objective of designation is conservation of the natural beauty of the landscape. AONBs differ from National Parks in that the promotion of recreation is not an objective of their designation, though these areas should be used to meet the demand for recreation so far as that is consistent with the conservation of natural beauty, and the needs of agriculture, forestry and other uses.

Area of Special Control of Advertisements- Part IV of the Town and Country Planning (Control of Advertisements) Regulations 1992 enables a Local Planning Authority to make Areas of Special Control Orders for submission to the Secretary of State for approval. Most of the Plan area has been designated as an Area of Special Control, excluding Carlisle, Brampton and Longtown. Within Areas of Special Control the display of advertisements with deemed consent (i.e. without the need for the formal approval of the Local Planning Authority) is subject to greater limitation.

Article 4 Direction- Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 allows the Local Planning Authority to restrict the scope of permitted development rights in defined areas. Article 4 Directions must normally be approved by the Secretary of State.

Best and Most Versatile Agricultural Land- To assist in assessing land quality, the then Ministry of Agriculture, Fisheries and Food has developed a method of classifying agricultural land by grade. There are five grades with grade 3 divided into two grades (3a and 3b). The best and most versatile agricultural land falls into grades 1, 2 and 3a. This land ranges from excellent (grade 1) to good quality (grade 3a).

Blue Infrastructure- The network of natural environmental components that lie within and between the city, towns and villages which provide multiple social, economic and environmental benefits. The physical components of blue infrastructure include waterways such as rivers, streams, marshes and lakes.

Brownfield Land- Previously-developed land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

Business Park- Business Parks are defined in the Structure Plan as high quality employment sites aimed at light industrial and office developments, particularly those related to high-tech industries. There is potential for a business park site on land south west of Morton.

City Centre - City centres are the highest level of centre identified in development plans.

In terms of hierarchies, they will often be a regional centre and will serve a wide catchment

(as is the case in Carlisle). The centre may be very large, embracing a wide range of activities and may be distinguished by areas which may perform different main functions.

Community Infrastructure Levy - A local charge on most new developments. The money raised will be spent by the local authority on infrastructure. The justification for the charge is that new buildings have an impact on infrastructure need (i.e. new roads and schools), and should therefore contribute towards that provision.

Comparison Shopping – Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

Convenience shopping – Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/ magazines and confectionery.

Conservation Areas

Conservation areas are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Such areas are designated by Local Planning Authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990. Provisions relating to conservation areas are contained in the Act. The Local Planning Authority has additional powers over the demolition of buildings and the removal of trees within such areas, and certain permitted development rights are either reduced or removed.

Core Strategy – Development Plan Document as part of the Local Development Framework System to set out the vision, aims and strategy for spatial development within an area. This was replaced by the 'Local Plan' requirement in the NPPF.

County Wildlife Sites

Cumbria Wildlife Trust designates some sites, which do not meet the criteria set out by Natural England for SSSI's, as Wildlife Sites. They contain examples of important habitats with uncommon species of plants and animals.

Cumulative Effects - The state in which a series of repeated actions have an effect greater than the sum of their individual effects; noted here especially in the location of wind turbines.

Duty to Cooperate - The Localism Act 2011 introduced a Duty to Cooperate, which is designed to ensure that all of the bodies involved in planning work together on issues that are of bigger than local significance.

Ecology - The study of the factors that influence the distribution and abundance of species.

Edge of Centre- For retail purposes edge-of-centre, is a location that is well connected to and within easy walking distance (ie. Up to 300 metres) of the primary shopping area. For all other main town centre uses, this is likely to be within 300m of a town centre boundary. In determining whether a site falls within the definition of edge-of-centre, account will be taken of local circumstances. For example, local topography will affect pedestrians' perceptions of easy walking distance from the centre. Other considerations include barriers, such as crossing major roads and car parks, the attractiveness and perceived safety of the route and the strength of attraction and size of the town centre. A site will not be well connected to a centre where it is physically separated from it by a barrier such as a major road, railway line or river and there is no existing or proposed pedestrian route which provides safe and convenient access to the centre.

Employment Land Review (ELR) – to assess the demand for and supply of land for employment.

Environmental Impact Assessment (EIA)- A process by which information about the environmental effects of a proposal are collected, and taken into account by the Planning Authority in forming their judgement about whether or not to grant planning consent. The Town and Country Planning (Environmental Impact Assessment etc.) Regulations 1999 as modified sets out the types of project for which an EIA is required.

European Marine Sites (EMS) - European Marine Sites (also known as Natura 2000 sites) are special Areas of Conservation (SACs) for habitats of European importance and Special Protection Areas (SPAs) for birds

Equalities and Human Rights Commission (EHRC)

Equality Impact Assessment (EIA) - a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people.

Evidence base - A range of technical reports and studies that have been or are being prepared to support the policies and proposals in the Local Plan.

Examination in Public – This is the examination of a local plan document by an independent planning inspector acting on behalf of the Secretary of State.

Flood Plain- All land adjacent to a watercourse over which water flows or would flow, but for the presence of flood defences, in times of flood. The limits of the flood plain are defined by the peak water level of an appropriate return period event on the watercourse or at the coast. On rivers this will normally be the greater of the 1 in 100 year return period flood or the highest known water level. In coastal areas the 1 in 200 year return period flood or the highest known flood will be used.

Flood Risk Assessment (FRA)- An assessment or test of the risk of flooding from river, tidal, coastal, groundwater and/or local sources conducted to meet the requirements of PPS25 and Annex E. The FRA will provide a framework for robust and sustainable flood risk management solutions within (re)developing areas.

General Permitted Development Order- The Town and Country Planning (General Permitted Development) Order 1995 prescribes many of the procedures for the determination of planning applications and details those forms of minor development which may be undertaken without the need for application for an planning permission. (See also Article 4 Directions and Permitted Development).

Geology - The study of the origin, structure, chemical composition, and history of the Earth and other planets.

Geomorphology - The investigation of the origin of landforms on the Earth and other planets.

Green Infrastructure (GI) - The network of natural environmental components and green and blue spaces that lie within and between the city, towns and villages which provide multiple social, economic and environmental benefits. The physical components include parks, rivers, street trees, moorlands, marshes and country parks.

Gross Value Added (GVA) - Gross value added is the difference between output and intermediate consumption for any given sector/industry. That is the difference between the value of goods and services produced and the cost of raw materials and other inputs which are used up in production.

Gypsy and Traveller Accommodation Assessment - Assessment of Gypsy and Traveller accommodation needs in order to ensure that the needs and wider demand of the Gypsy and Traveller communities for suitable accommodation can be considered and met equally and fairly alongside other sectors of the community. (Part of the Evidence Base).

Habitats Regulations Assessment (HRA)- HRA assesses the likely impacts of the possible effects of a plan's policies on the integrity of the Natura 2000 sites (including possible effects 'in combination' with other plans projects and programmes).

Homes and Communities Agency (HCA)

Health Impact Assessment - A combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population.

Heritage Asset - A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Houses in Multiple Occupation (HMO)- A House in Multiple Occupation as defined in the 1985 Housing Act is one that is occupied by persons who do not form a single household.

Housing Need and Demand Study (HNDS) - The Assessment considers future housing requirements, in terms of the number of homes required to meet need and demand. It considers the mix of housing required, in both the affordable and market sectors. It also looks at the housing requirements of specific groups, including older people, Black and Minority Ethnic (BME) households, and those with support needs.

Infrastructure Delivery Plan - The Infrastructure Delivery Plan (IDP) will contain a list of all infrastructure needed to support sustainable growth, as set out in the emerging Local Plan. Infrastructure projects will be identified by location, cost and delivery timescale and funding. 'Infrastructure' has a broad definition and can apply to many projects including new roads, schools, community services, sports and leisure facilities and green infrastructure.

Key Townscape Frontage Buildings- Key Townscape Frontage Buildings are primarily located within conservation areas and are defined as buildings that make a contribution to the character of a particular area. Such conservation areas include the City Centre, Botchergate, Longtown, Brampton and Dalston.

Listed Building- The Secretary of State for Culture, Media and Sport, advised by English Heritage, compiles a list of buildings of 'special architectural or historic interest'. Any material alteration to or demolition/part demolition of a listed building, whether external or internal will require an application for listed building consent.

Localism Act –Received Royal Assent in November 2011. In relation to Planning, the Act abolished Regional Strategies but introduced a duty for interested parties to co-operate in the preparation of development plans and introduced Neighbourhood Planning.

Local Development Scheme (LDS) – provides information on how Carlisle City Council intends to produce its Local Plan. It sets out the planning policy documents that form the development plan for the Carlisle District area and their programme of preparation over a three year period.

Local Enterprise Partnership (LEP) - locally- owned partnerships between local authorities and businesses and play a central role in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. Carlisle is part of the Cumbria LEP.

Local Nature Reserves- Local Nature Reserves may be established by Local Authorities under section 21 of the National Parks and Access to the Countryside Act 1949. They are habitats of local significance which can make a useful contribution both to nature conservation and to the opportunities for the public to learn more about and enjoy wildlife. Local nature reserves are predominantly ecological, but can also be established on geological sites.

Local Development Framework (LDF) – System of producing Development Plan Documents (LDF). Replaced by the National Planning Policy Framework in March 2012.

Local Planning Authorities (LPAs)

Local Strategic Partnership (LSP) – The Carlisle Partnership is a non-statutory, non-executive partnerships bringing together different agencies to support each other and work effectively together on economic, community and environmental issues that matter to local people including crime, employment, education, health and housing. Its aim to deliver sustainable economic, social and physical regeneration, improved public services, promotion of equality and inclusion, and improvements to the quality of life for local citizens, particularly those from deprived areas and disadvantaged groups. In order to achieve this, partners are required to assess local needs, plan services, set targets and monitor delivery.

Local Transport Plan 3 (Draft) (LTP3) - The Transport Act 2000 introduced a statutory requirement for local transport authorities to produce a Local Transport Plan (LTP) every five years and to keep it under review. It sets out the statutory framework for Local Transport Plans and policies.

Natura 2000- Natura 2000, created by the European Union, is a network made up of Special Protection Areas and Special Areas of Conservation. These designations form an internationally important network of wildlife sites.

National Nature Reserve- Areas of national and sometimes international importance which are owned or leased by Natural England or managed in accordance with their wishes. The essential characteristic of such areas is that they are primarily used for nature conservation.

National Planning Policy Framework (NPPF)- The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

Neighbourhood Plans – Introduced by the Localism Act, a 'Neighbourhood Planning' aims to give people greater ownership of plans and policies that affect their local area. It enables local people to put together ideas for development (relating to land-use or spatial matters) in their area via a "Neighbourhood Development Plan". Once adopted, this plan will form part of the statutory development plan with the District Council.

Office of National Statistics (ONS)

Open space- All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Out of centre- A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of town- A location out of centre that is outside the existing urban area.

Overarching National Policy Statement for Energy (EN-1)

Permitted Development- The Town and Country Planning (General Permitted Development) Order 1995 permits certain minor alterations and extensions to be undertaken without the need to apply for planning permission from the Local Planning Authority. Such development is known as permitted development.

Planning Obligations (also known as s106 agreements – of the 1990 Town & Country Planning Act)- are private agreements made between local authorities and developers and can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms.

Preferred Options – sets out the preferred strategic policy direction for new development within the District for public consultation.

Primary Employment Areas- Primary Employment Areas are designated when the predominant use relates to employment. Also included within this designation is land that has planning permission and land allocated for employment use. Such areas are located within Carlisle, Longtown, Brampton and Dalston.

Primary Leisure Area- Primary Leisure Areas are the main focal points for leisure activities. Such locations include the Sands Centre, Tullie House, the Sheepmount, community centres, other areas of public open space and parkland as well as privately owned leisure facilities.

Such areas should be retained.

Primary Residential Areas- Primary Residential Areas are housing areas within Carlisle, Longtown and Brampton. These areas are predominantly residential, and they contain a number of other uses normally acceptable in housing areas such as churches, small shops and public houses.

Primary Retail Area- The Primary Retail Area contains all the important shopping streets and areas in the City Centre. All the major stores are included together with the streets with continuous shopping frontages and sites where shopping development is acceptable in principle. It also includes the main shopping streets in Brampton and Longtown.

Ramsar Site- Ramsar sites are wetlands of international importance, particularly as waterfowl habitats. Ramsar sites are listed by the Secretary of State. The provisions of the Ramsar Convention require the promotion of the conservation of the wetlands.

Regionally Important Geological/Geomorphological Sites (RIGS) - These are geological/geomorphological sites of local importance which complement the national network of geological SSSI's (see below). The aim of designation is to maintain and enhance specific features of rock and landform, and the dynamic natural processes which create them.

Register of Battlefields- Similar to the Register of Parks and Gardens of Special Historic Interest, the Register of Battlefields identifies a limited number of areas of historic significance where important battles are sufficiently documented to be located on the ground. This register is compiled by English Heritage.

Register of Parks and Gardens of Special Historic Interest- This is a register, produced by English Heritage, which identifies parks and gardens of visual and/or historic interest. There is currently two designations within the District.

Regional Spatial Strategies (RSS) – Regional level plan revoked by the Localism Act.

Rural Masterplanning – Joint working with Parish Councils to establish the capacity for development within the rural area informed by community opinion.

Scheduled Ancient Monument- The Secretary of State, advised by English Heritage, compiles a Schedule of Ancient Monuments which, by reason of period, rarity, fragility, potential etc. appear to be of national importance. Provisions relating to scheduled ancient monuments are contained in the Ancient Monuments and Archaeological Areas Act 1979 and the National Heritage Act 1983.

Section 106 Agreement- Planning Agreements (or 'Planning Obligations') are made under Section 106 of the Town and Country Planning Act 1990. Agreements may be made between a Local Planning Authority and a land owner (often a developer) or may be entered into unilaterally by such persons. Agreements are usually employed

to restrict the development or use of land in ways which can not properly or conveniently be achieved by the imposition of conditions.

Site of Special Scientific Interest (SSSI)- Section 28 of the Wildlife and Countryside Act 1981 enables Natural England to designate areas of land which, by reason of their flora, fauna, or geological or physiographic features, it is in the national interest to conserve. To protect SSSI's from operations outside the scope of planning controls, Natural England specify to their owners and occupiers the operations which they consider to be harmful to their conservation interest. Local authorities have a responsibility under the Countryside and Rights of Way (CROW) Act 2000 to take reasonable steps to further the conservation and enhancement of the features for which an SSSI has been notified.

Special Area of Conservation (SAC)- Areas established under the EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora as contributing to the maintenance of a coherent Communitywide network of habitats called Natura 2000. SAC's are selected for their contribution to the survival of species and habitats of European importance. The areas proposed as SACs are also SSSIs.

Special Protection Area (SPA)-Areas established under the EC Directive on the Conservation of Wild Birds in order to safeguard habitats of migrating birds and certain threatened species and thereby to conserve populations. All SPA's are also SSSI's.

Statement of Community Involvement - explain to the public how they will be involved in the preparation of Local Development Documents. It sets out the standards to be met by the authority in terms of community involvement.

Strategic Employment Sites- Strategic Employment Sites are defined in the Structure Plan as large sites of a minimum of five hectares, designed specifically to provide sites for large scale business, general industry, storage and distribution uses. The site should be close to the primary road network. Small scale uses would not normally be permitted on such sites.

Strategic Flood Risk Assessment (SFRA) – The SFRA informs knowledge of flooding, refines the information on the Flood Map and determines variations in flood risk from all sources of flooding across and from their area.

Strategic Housing Land Availability Assessment (SHLAA) - a technical study to inform planning policy development. It also assists in the monitoring of whether there is an adequate supply of deliverable housing land.

Sui Generis - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

Sustainability Appraisal - A statutory assessment undertaken on Local Plan's to identify and evaluate the impacts of a plan on the community, economy and environment.

Sustainable Development

The Bruntland Report in 1987 brought a new approach when it proposed that an ongoing balance could be struck between economic growth and the needs of the environment through the concept of sustainable development. A definition of this concept is 'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.'

Sustainable Drainage Systems (SUDs)- A sequence of management practices and control structures designed to drain surface water in a more sustainable way than some conventional techniques. SUDS manage surface water on site as near to source as possible by slowing down the rate of run-off and treating it naturally through such design techniques as porous pavements, infiltration trenches and basins, french drains, swales and passive treatment systems including filter strips, detention basins, retention ponds and wetlands. This approach will allow the release of good quality surface water into watercourses and the groundwater resource.

Tree Preservation Order (TPO)- Under Section 198 of the 1990 Act a Local Planning Authority may, in the interests of amenity, make provisions for the preservation of individual trees or woodlands. TPOs prohibit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of trees without the prior consent of the Authority.

Use Classes Order- The Town and Country Planning (Use Classes) Order 1987 (as amended) contains a number of Classes into which most uses of land or buildings fall. The change of use of land or buildings, from one class to another, normally requires planning permission. The change of use of land or buildings within a particular Class does not involve development requiring planning permission.

Use Class A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

Use Class A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

Use Class A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

Use Class A4 Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

Use Class A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

Use Class B1 Business Use - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

Use Class B2 General industrial Use - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

Use Class B8 Storage or distribution Use - Storage or Distribution warehouses including wholesale cash and carry. This class includes open air storage.

White Land - A general expression used to mean land (and buildings) without any specific proposal for allocation in a development plan, when it is intended that for the most part, existing uses shall remain undisturbed and unaltered.

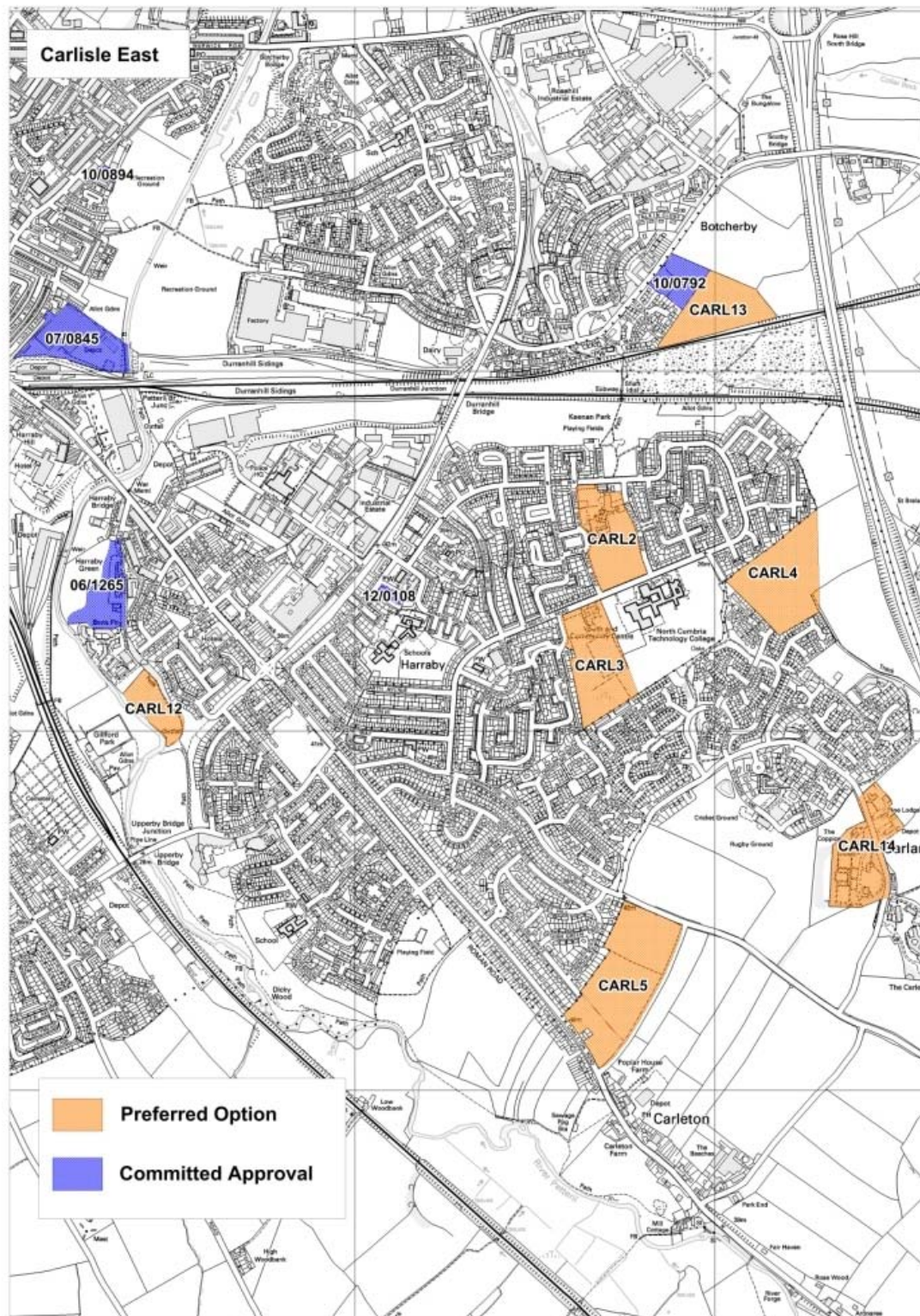
Windfall Site- An informal term used to describe a site where planning consent (usually for housing) is granted despite that site not being allocated for development in the Local Plan.

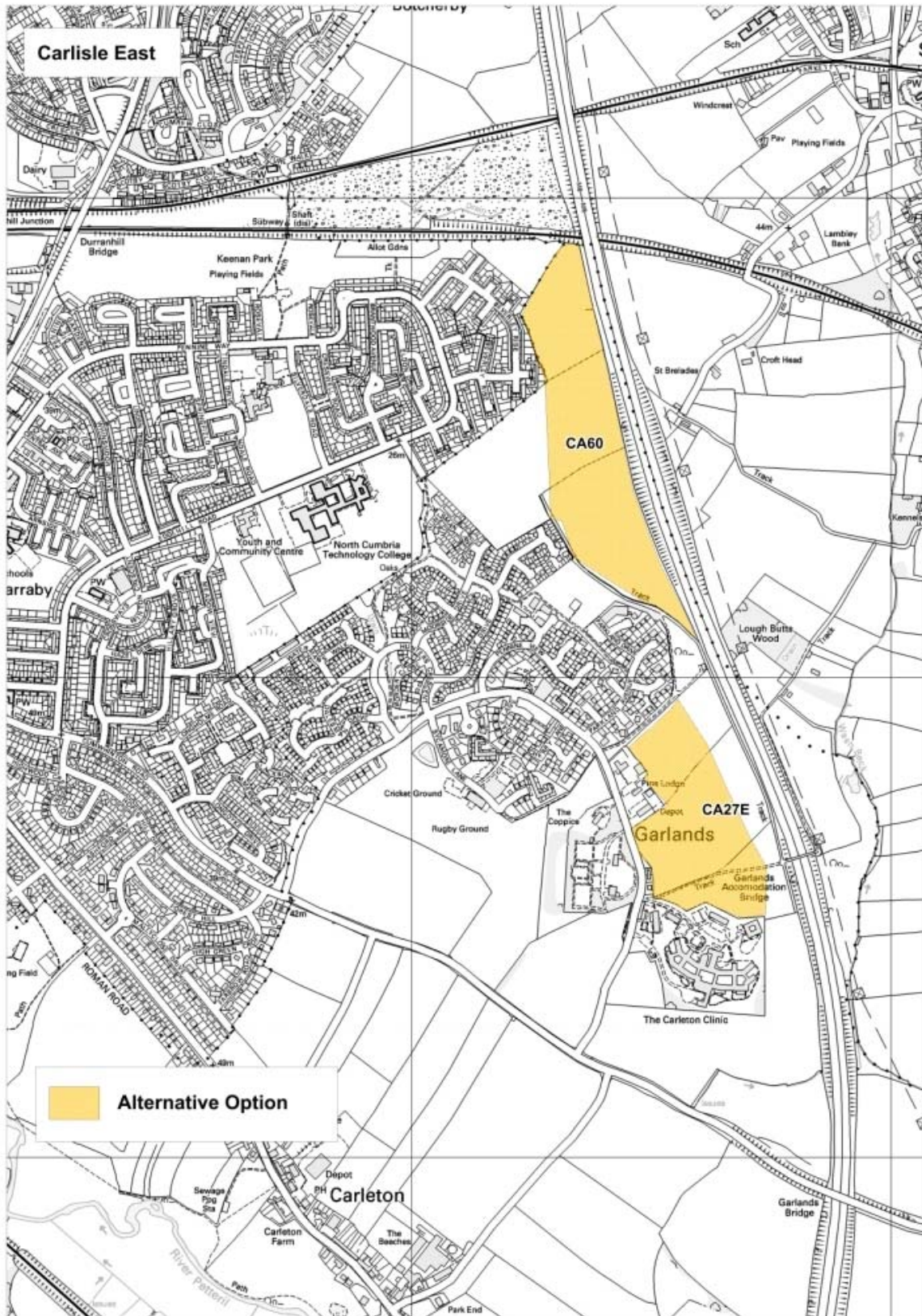
World Heritage Sites- The World Heritage Convention from which World Heritage Sites derive was ratified by the UK in 1984. The Convention provides for the identification, protection, conservation and presentation of cultural and natural sites of outstanding universal value. Hadrian's Wall Military Zone was designated as a World Heritage Site in 1987.

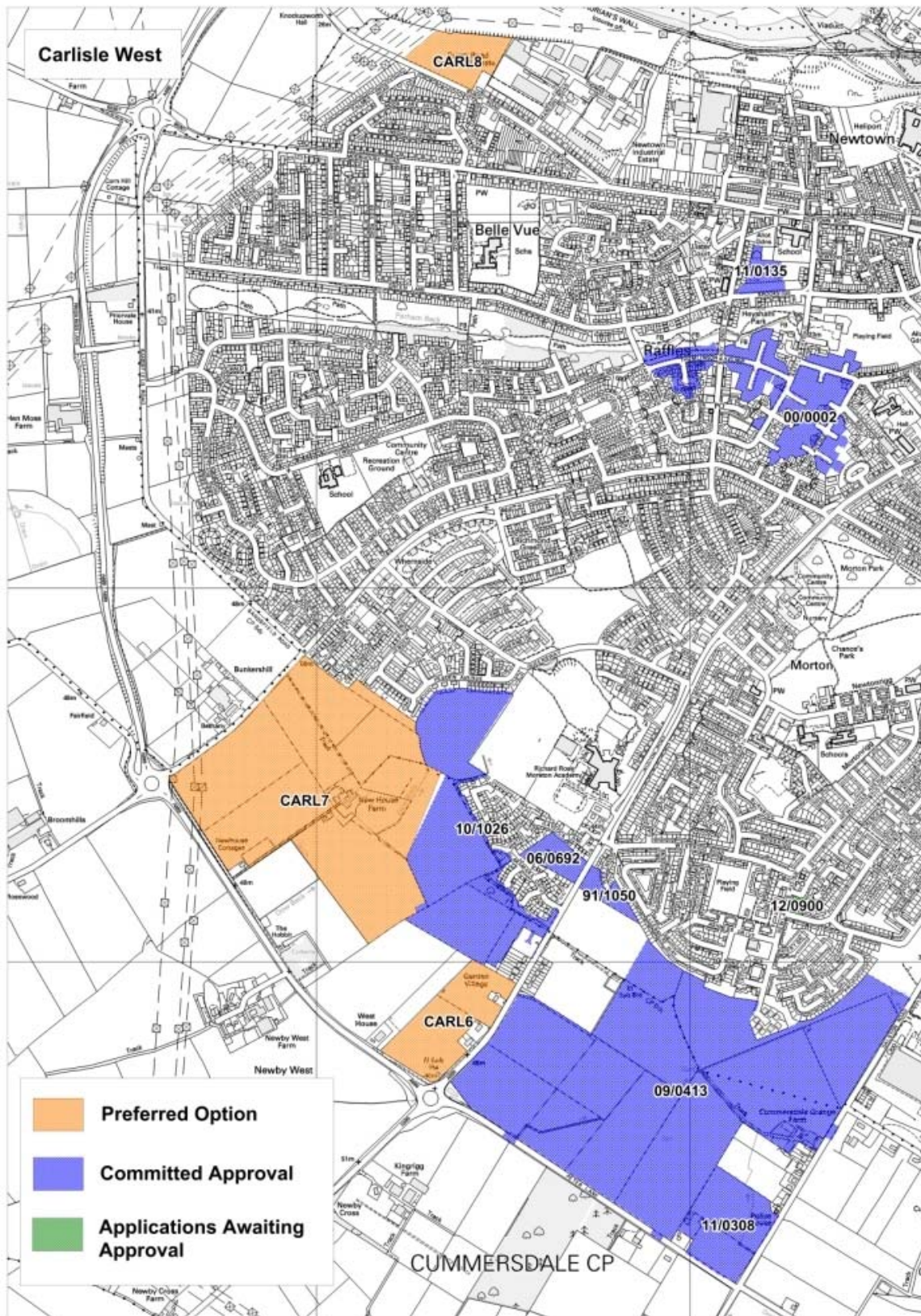
Zero Carbon – that all emissions from a house or commercial property and the activities that take place within them must be net zero over the course of a year.

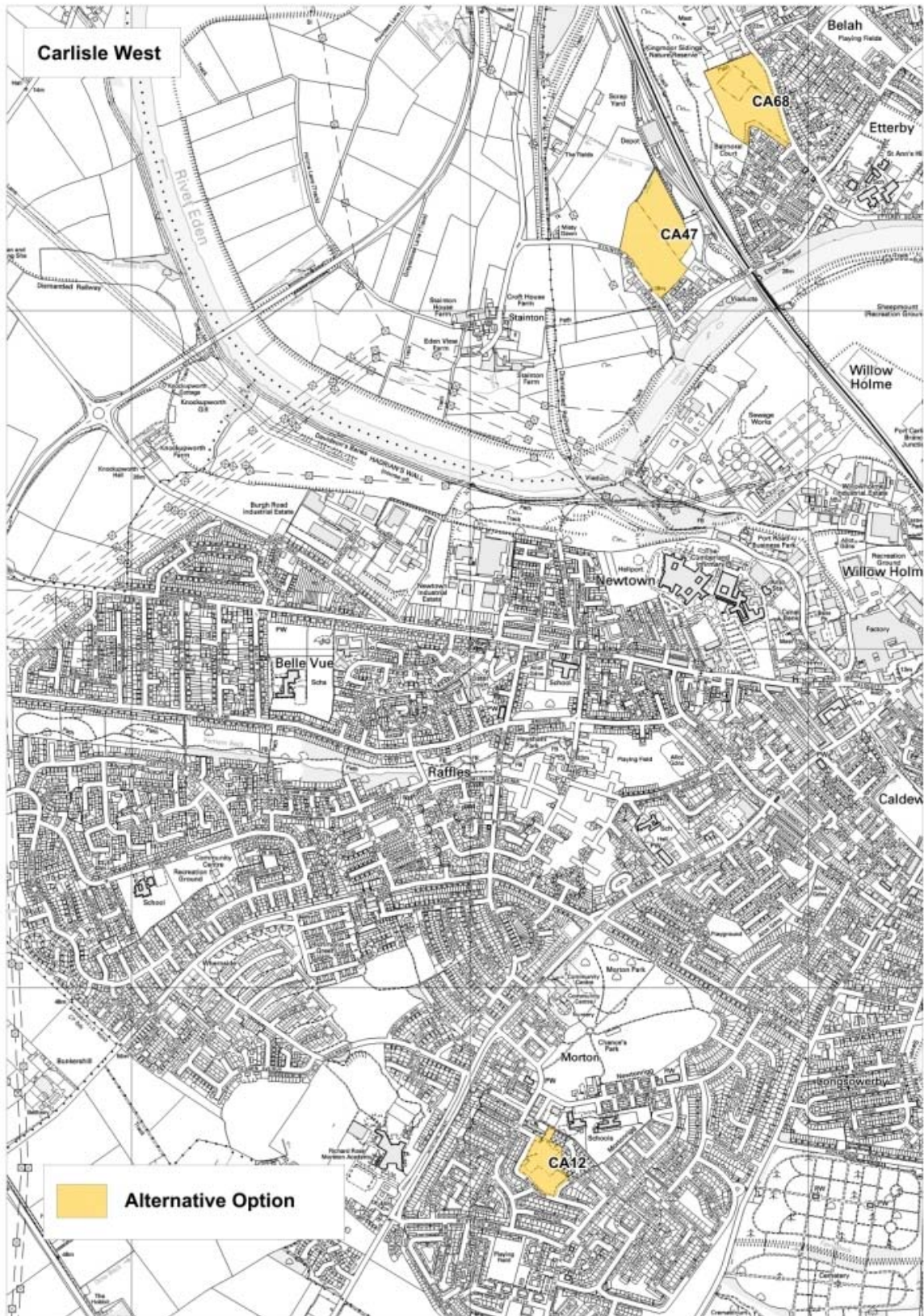
Appendix 1 Preferred Housing Allocations

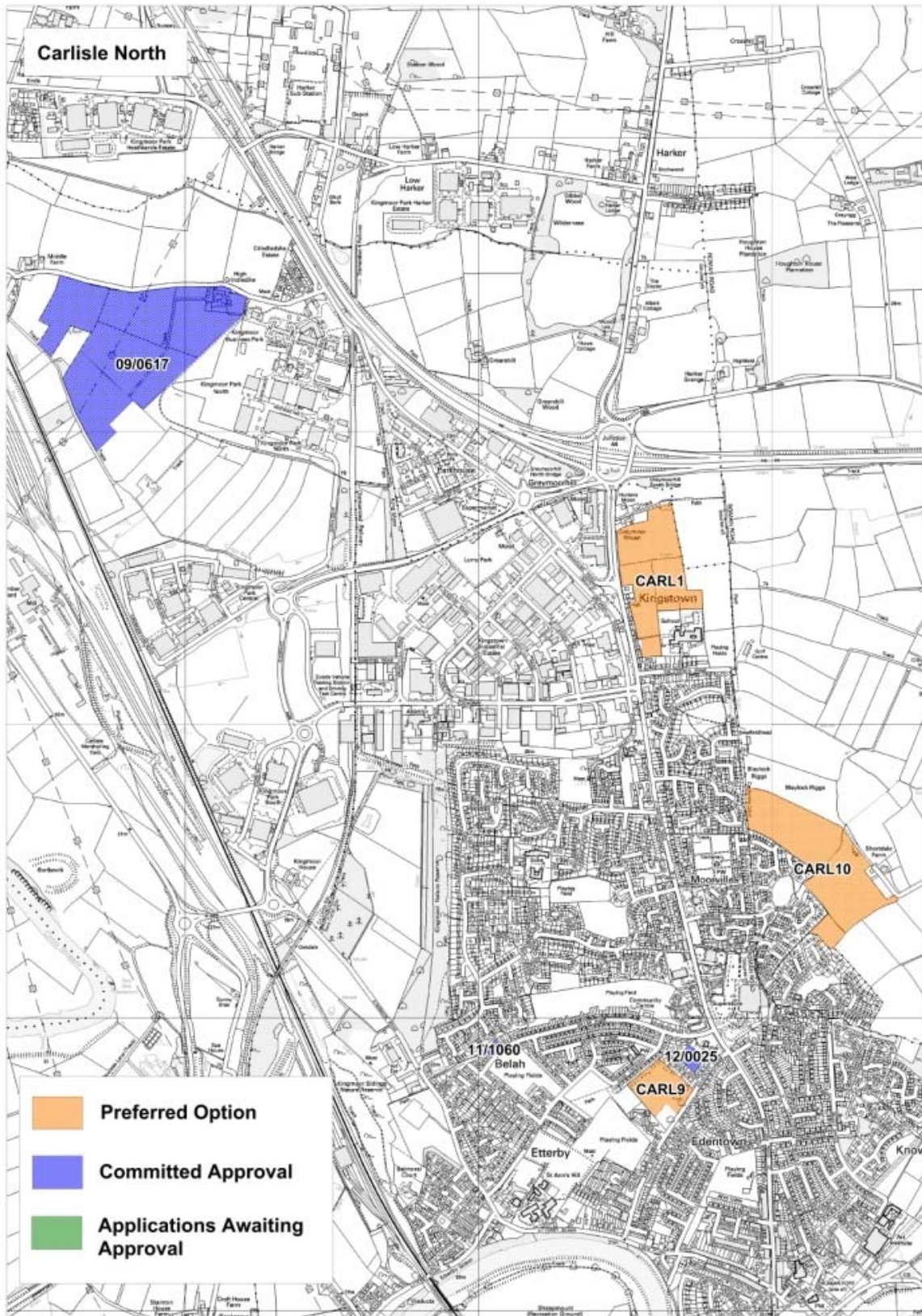
Carlisle Urban Area

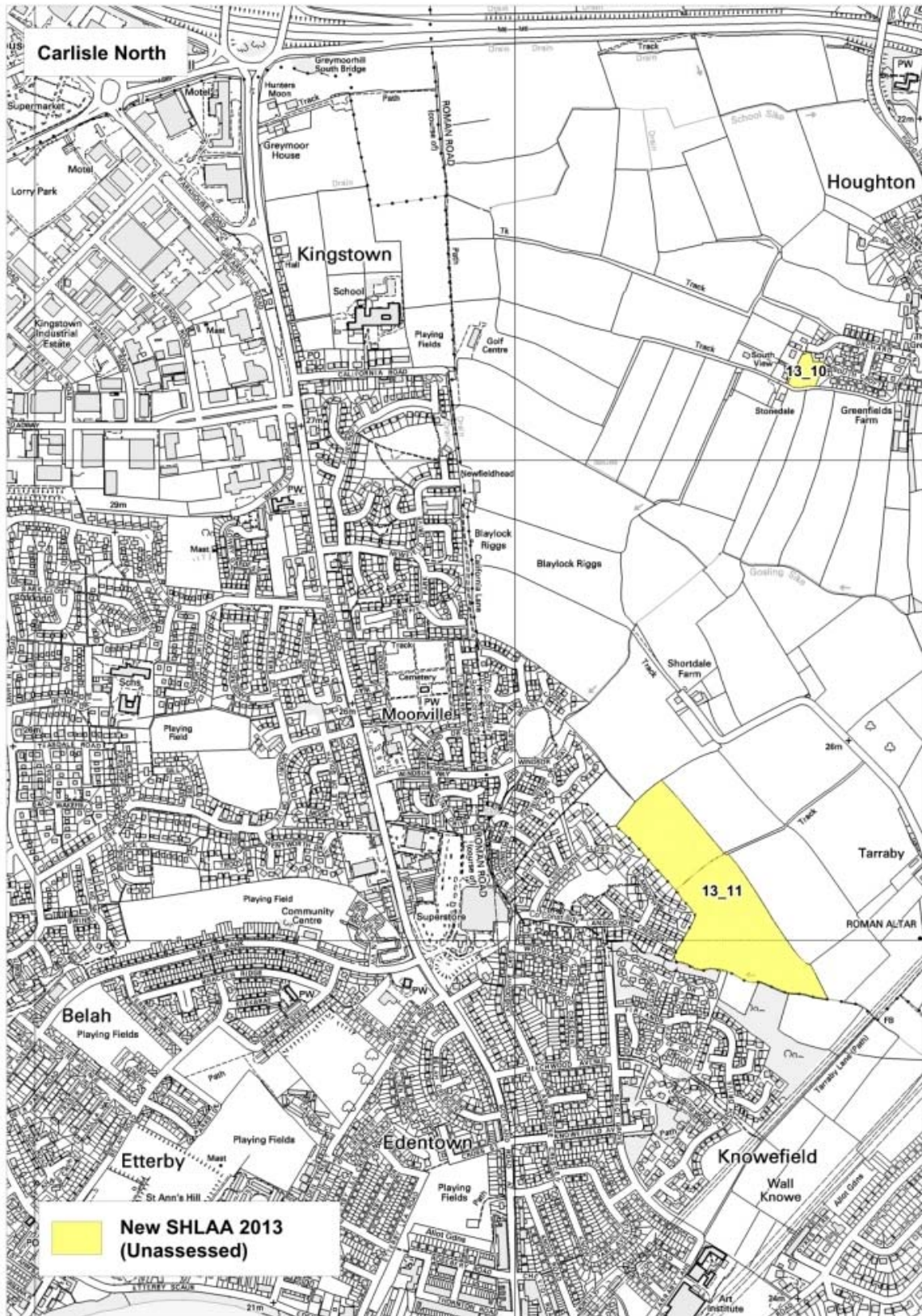


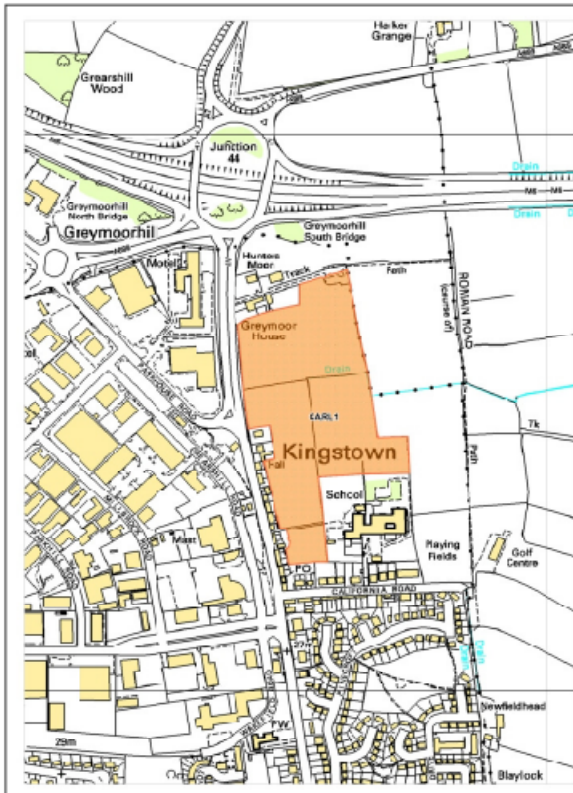












CARL 1:

Land to the south east of junction 44

Site Area: 8.03Ha
Site Capacity: 217

The site has been put forward for a housing allocation in the two previous Local Plans. At the last Local Plan Inquiry the site was assessed as having good access, being above the functional flood plain, and of low habitat potential. Archaeological remains would require evaluation work, but ultimately the site is considered to be deliverable.

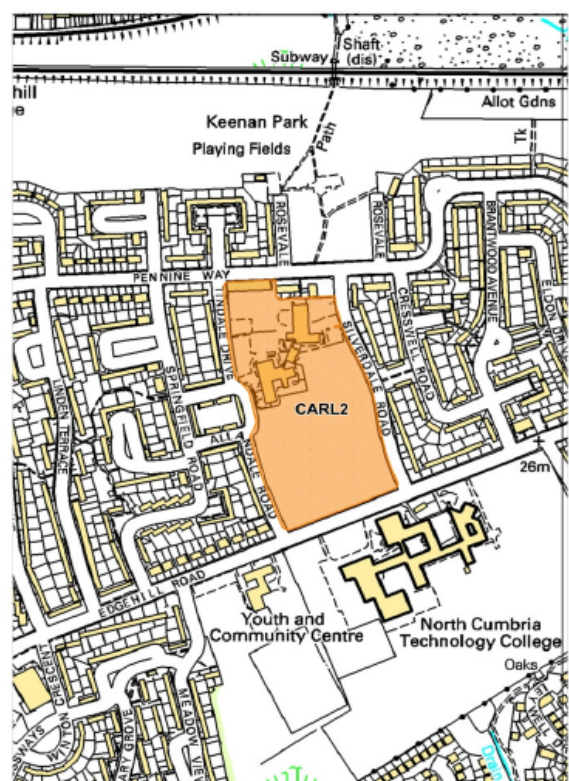
During the previous Local Plan enquiry it was decided that sufficient land had been included in the 2008 Local Plan and there was no need to allocate the site at that time. The Inspector concluded that the site should be reconsidered as a potential allocation during the next Local Plan process.

CARL 2:

Site of Pennine Way Primary School

Site Area: 3.72Ha
Site Capacity: 112

In order to fulfil plans to provide more primary school places in the City, Pennine Way Primary has been earmarked for an increased intake of pupils. This has necessitated its redevelopment and relocation onto an adjacent site. The school redevelopment is due to be completed in September 2014. This will leave a vacant brownfield site in a neighbourhood that benefits from a range of local facilities and services including public transport, neighbourhood shops, churches, open space and play areas.



CARL3:

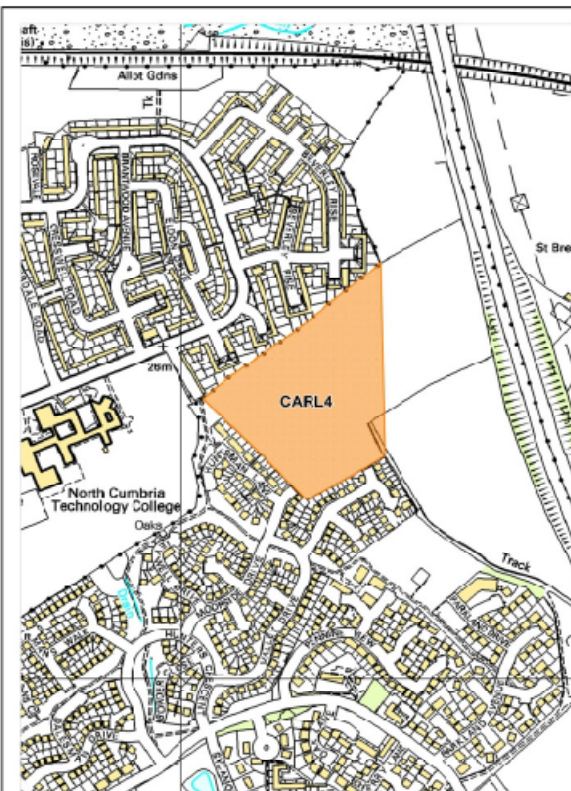
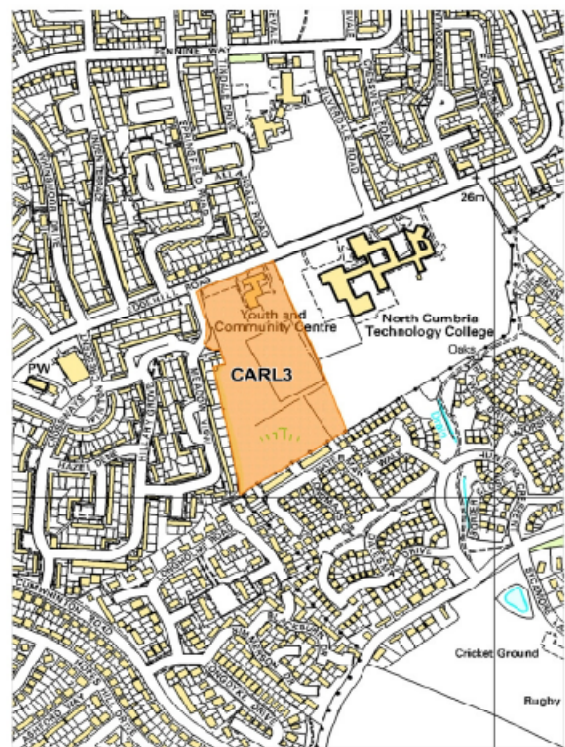
Land south of Edgehill Road

Site Area: 4.37Ha

Site Capacity: 130

The development of this site is linked to proposals for a community based facility on the adjacent former NCTC site. This will involve the rebuilding and expansion of the Pennine Way Primary School, and creation of a new Harraby Community Centre including a new community cafe, library link, multi purpose rooms, Sure Start facilities and crèche and youth room.

This has resulted in the creation of a development site on the site of the current community centre and car park following the opening of the new facility in Sept 2014.



CARL4:

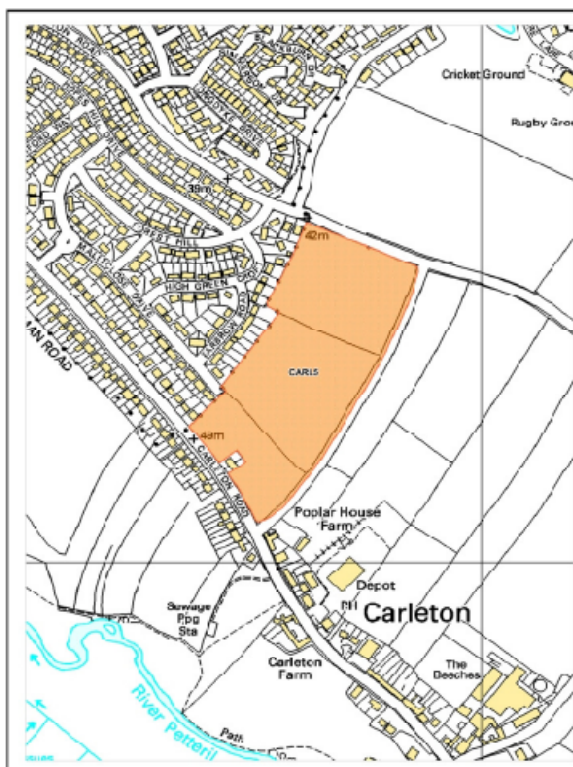
Land north of Moorside Drive/ Valley Drive

Site Area: 4.96Ha

Site Capacity: 140

This site was included in the previous adopted Local Plan as part of a larger allocation now fully developed and known as Carlton Grange. The site was however excluded from the last Local Plan due to a clerical error in the plan – although the Inspector did not have any fundamental objections to its allocation. The Inspector considered that this site could be reviewed through during the next Local Plan process.

It has therefore now been put forward as a preferred allocation as it is considered to be well contained by existing housing areas, close to local amenities and facilities including primary schools, shops, playing fields and public transport.



CARL5:

Land between Carlton Road and Cumwhinton Road

Site Area: 1.47Ha
Site Capacity: 204

This site is proposed as a preferred option for a housing allocation as it is physically and visibly well connected to the existing built edge of Carlisle, and is well contained within mature hedge-rows on its eastern and southern boundary. A minor road on the southern boundary of the site also forms an effective edge between the site and Carlton village to the south. London Road has a frequent and regular bus service to the City Centre, and there are neighbourhood shops at both Petheril Bank Road and Central Avenue.

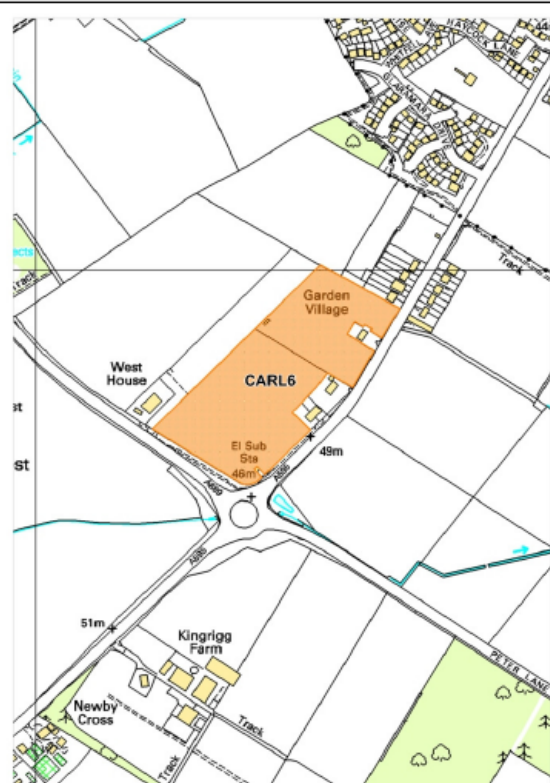
CARL6:

Land at Garden Village, West of Wigton Road

Site Area: 5.05Ha
Site Capacity: 139

This site is located on the edge of the urban area, within the urban area boundary for Carlisle. The land is level and not subject to any landscape or nature conservation designations. Some adjacent land is allocated in the current Local Plan for major mixed use development in the future comprising residential, employment and open space. Both the adjacent housing allocations have the benefit of planning permission and the site adjacent to Glaramara Drive is under construction.

The site is well positioned in relation to the south western expansion of the City. Its close proximity to the Carlisle Northern Development Route and local services increase its sustainability and accessibility.



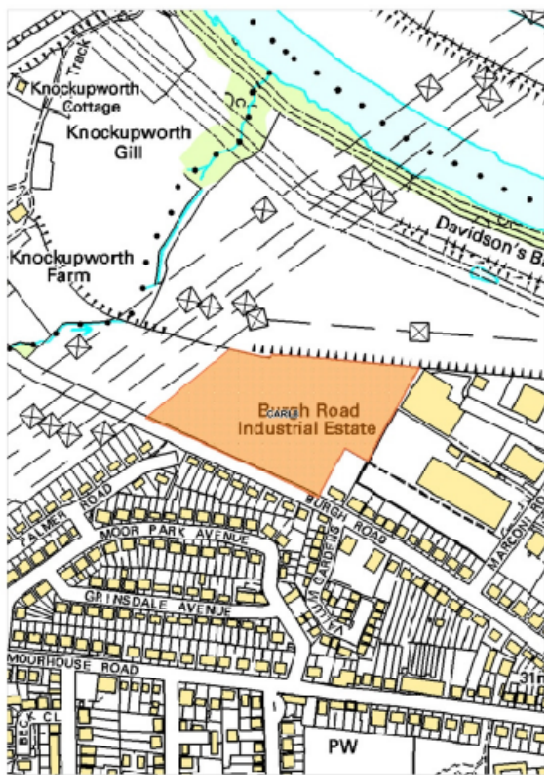
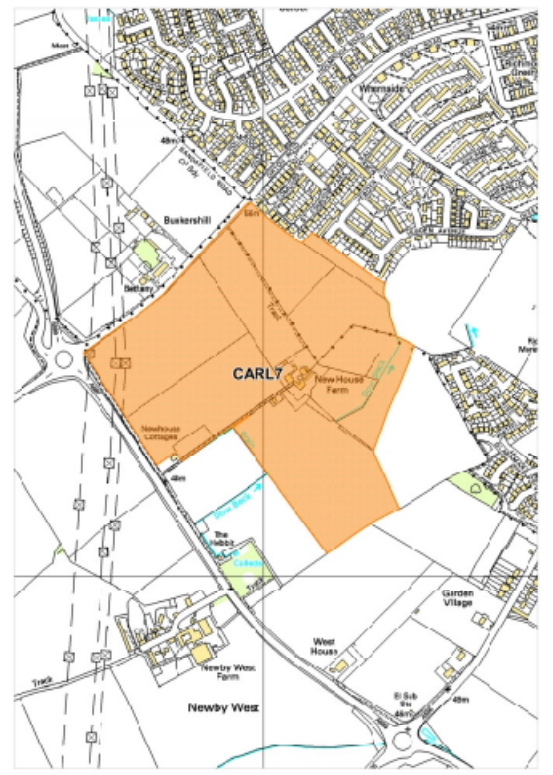
CARL7:

Land at Newhouse Farm, South-West of Orton Road

Site Area: 30.19Ha
Site Capacity: 509

This site is located on the edge of the urban area, within the urban area boundary for Carlisle. The land is level and not subject to any landscape or nature conservation designations. Some adjacent land is allocated in the current Local Plan for major mixed use development in the future comprising residential, employment and open space. Both the adjacent housing allocations have the benefit of planning permission.

The site is well positioned in relation to the south western expansion of the City. Its close proximity to the western bypass and local services increases its sustainability and accessibility.



CARL8:

Land north of Burgh Road

Site Area: 2.83Ha
Site Capacity: 66

Access: Access is achievable off Burgh Road

This site lies opposite an established housing area. To the west of the site are the lines of five major overhead power cables. To the east lies Burgh Road Industrial estate. The site slopes gently down towards the River Eden. It has frontage onto Burgh Road, and the boundary is marked by a mature hawthorn hedge.

The site is visibly and physically well related to the surrounding urban area in this part of Carlisle. It is also well located in terms of accessibility to the new western bypass and local services and facilities.



CARL9:

Former Belah School Site, Eden Street

Site Area: 2.34
Site Capacity: 59

This is a cleared brownfield site is sustainably located with good access to a range of local services, including public transport. The school closed in July 2008 and the buildings were subsequently demolished. In November 2011 0.38 hectares of the site gained planning permission for a Primary Care Centre, pharmacy and associated car park.

The remainder of the site is considered suitable for housing development as it lies within an existing Primary Residential Area, has existing access onto the road network, is close to open spaces and other community facilities, and is deliverable.

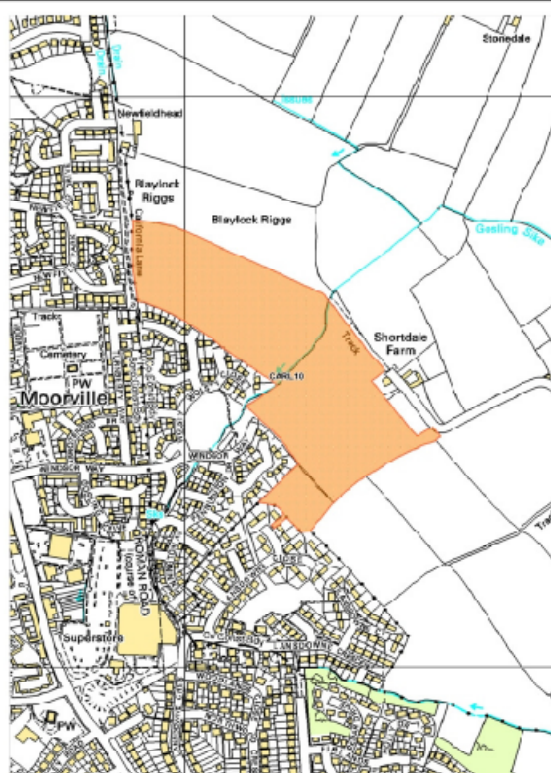
CARL10:

Land off Windsor Way

Site Area: 10.60Ha
Site Capacity: 300

Access: Access is achievable off Windsor Way and off Lansdowne Close

This site lies opposite an area of established housing with potentially easily access routes into and out of the site. The site is a flat grazing land close to community facilities and is deliverable.

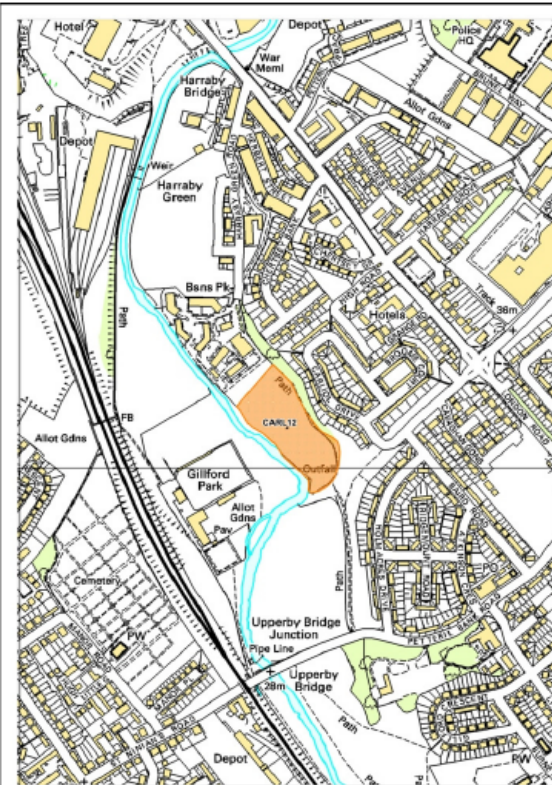
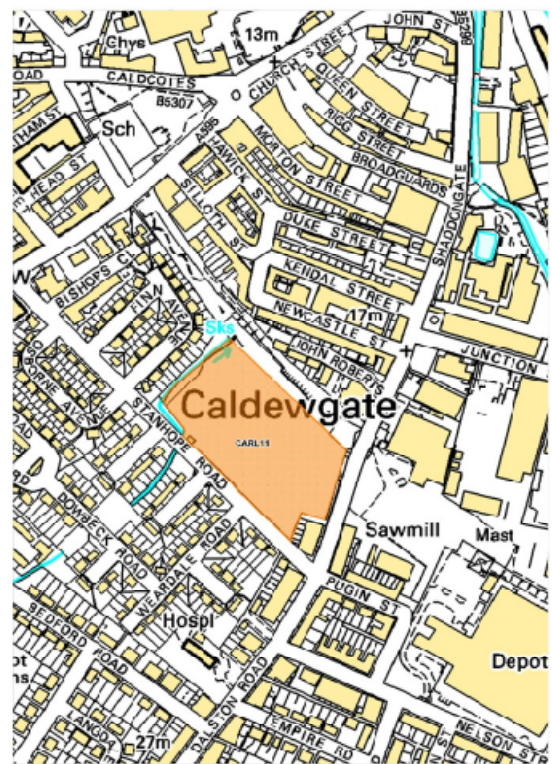


CARL11:

Land at Newhouse Farm, South-West of Orton Road

Site Area: 2.56Ha
Site Capacity: 90

This site is cleared and has been unused for a significant period of time. It is surrounded by security fencing, and its development would provide the opportunity to improve the environment of the local area. It was allocated in the previous Local Plan for mixed use, with up to 70% of the site ear-marked for residential. This Local Plan accepts that that the whole site could be developed for housing. However, this is a densely built up area, with restricted access to open space. As such the Council would expect quality open space to be provided within the site.

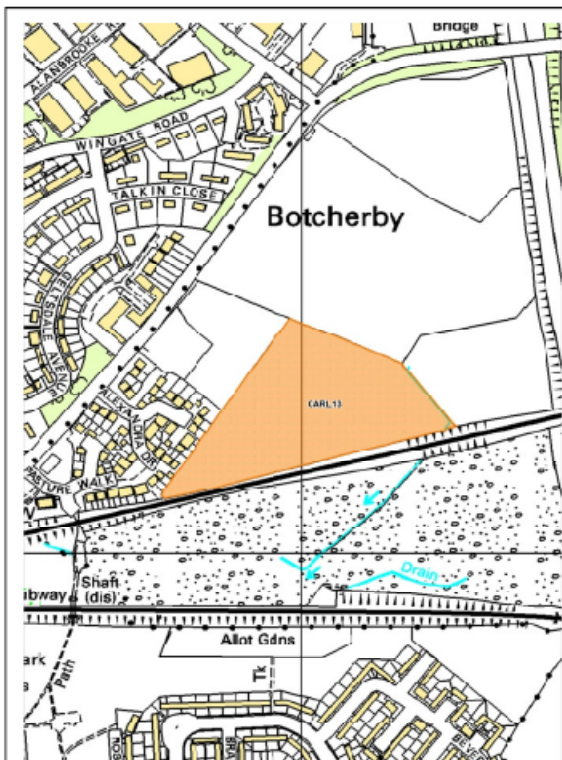


CARL12:

Land at southern end of Harraby Green Road

Site Area: 1.05Ha
Site Capacity: 45

This site was allocated in the previous Local Plan for housing. This site is a former tip, and lies at the south eastern end of Harraby Green Road. The road serves a mix of established business uses and a recent housing development. A small part of the site on its western boundary lies within the flood plain. Development of the site will need to have regard to this, and also any impact of the development on the river environment for example from surface water run off.



Rural Housing Allocations

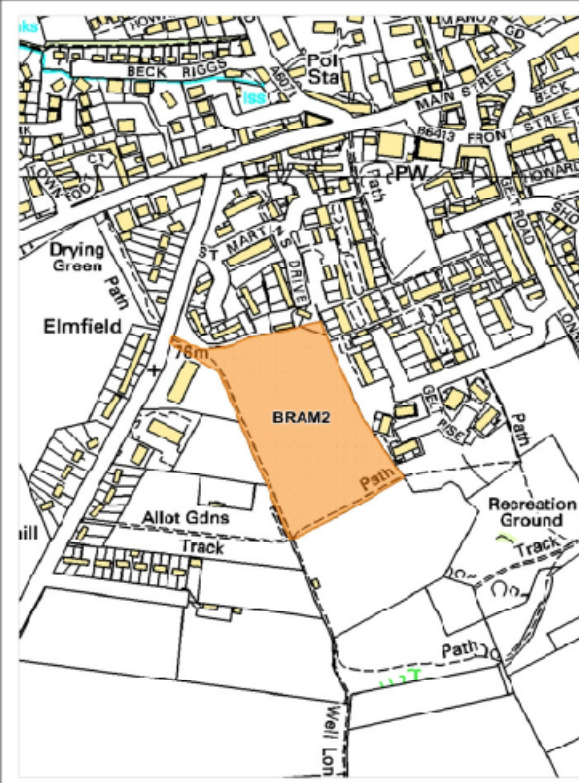
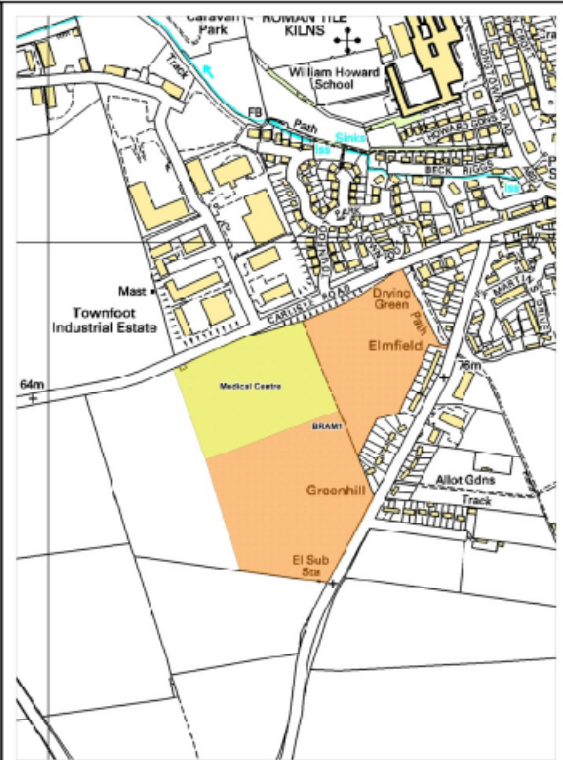
Brampton

BRAM1:

Land south of Carlisle Road

Site Area: 10.9 Ha
Site Capacity: 200

This site lies on the western approach to Brampton, and integrates well with the built form of Brampton. It offers the potential to incorporate public open space within the site, together with extensive landscaping to soften the edge of the development. It lies within walking distance of the centre of Brampton. It is also close to a frequent and regular bus service and a secondary and primary school. There is a longstanding desire from the local community for a health centre at Brampton and this site is the preferred option for this facility.



BRAM2:

Land west of Kingwater Close

Site Area: 2.31 Ha
Site Capacity: 65

This is a greenfield site that is well related to the built form of Brampton. It is owned by the Council and can be considered surplus public sector land and is therefore immediately available. There are issues with access to the site, and it is likely that significant highway and junction improvements would be required should the site come forward for development, particularly off Elmfield where the existing access is too narrow to accommodate traffic. Alternative access may be achievable from Kingwater Close. Despite these access concerns the site is still considered to be sustainably located and deliverable.



BRAM3:

Land east of Gelt Rise

Site Area: 0.77 Ha
Site Capacity: 25

This is a small greenfield site that would relate well to the adjacent Gelt Rise housing estate. The site slopes gently up, away from the road, but this is not considered significant enough to render it unsuitable for housing development. Development here would have good access to Brampton town centre and public transport networks, the site is therefore considered to be sustainably located and deliverable.

BRAM4:

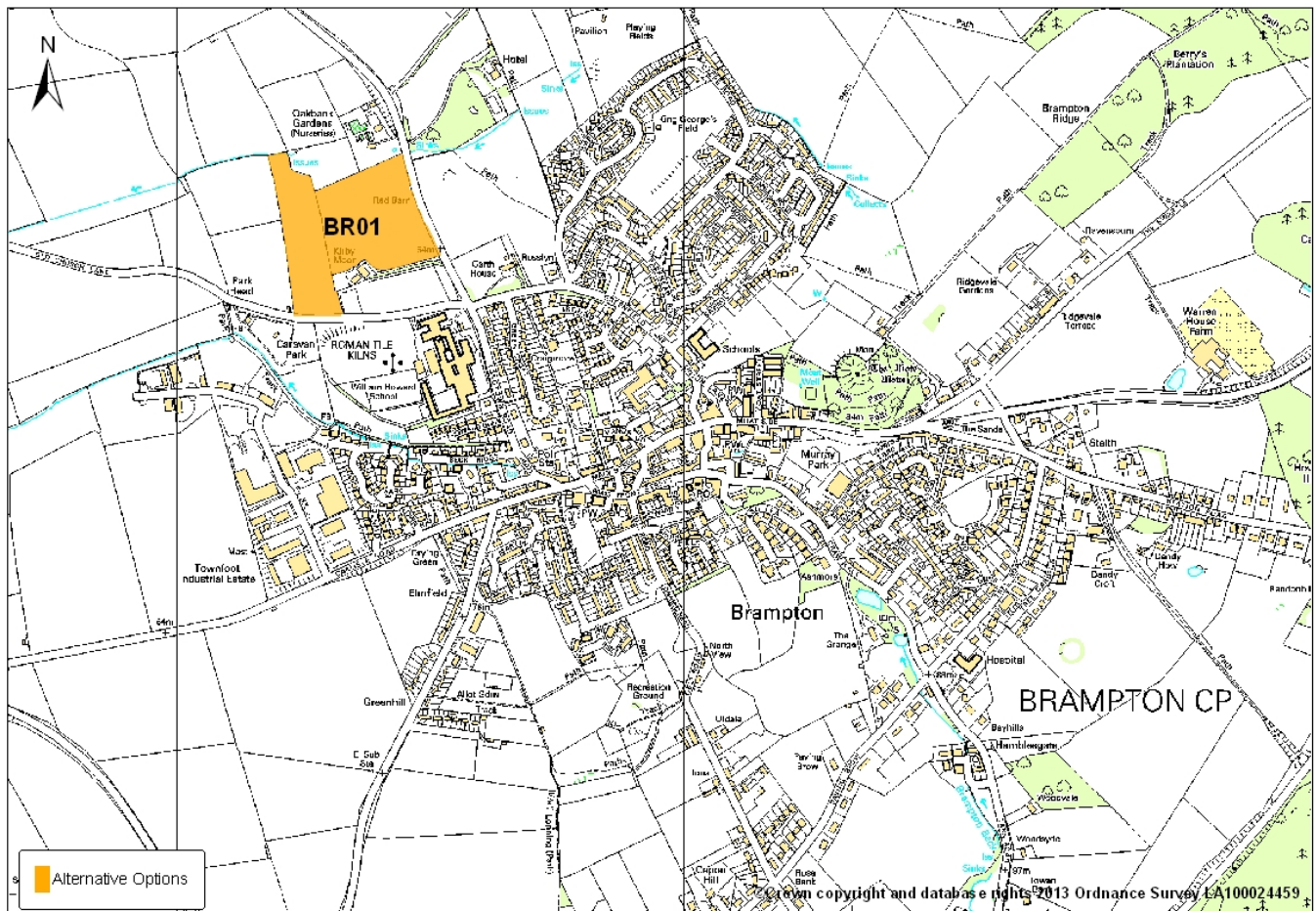
Land north of Greenfield Lane

Site Area: 5.66 Ha
Site Capacity: 153

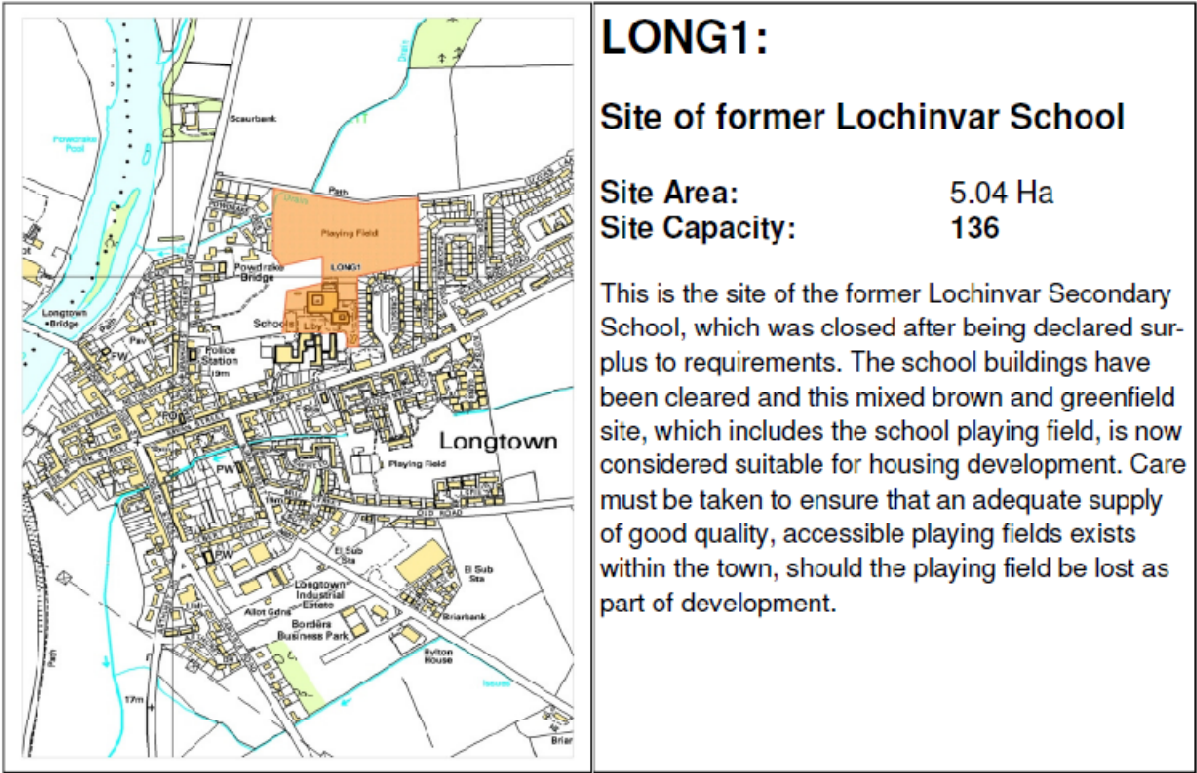
A large greenfield site located on the northern edge of Brampton. The land is flat and well screened from the adjacent A6071 (Longtown Rd). Care should be taken by any applicant wishing to develop this site to ensure that screening is retained where possible and the landscape impact of development is kept to a minimum. The site has no history of flooding issues and is sustainably located with good access to Brampton town centre and public transport networks.



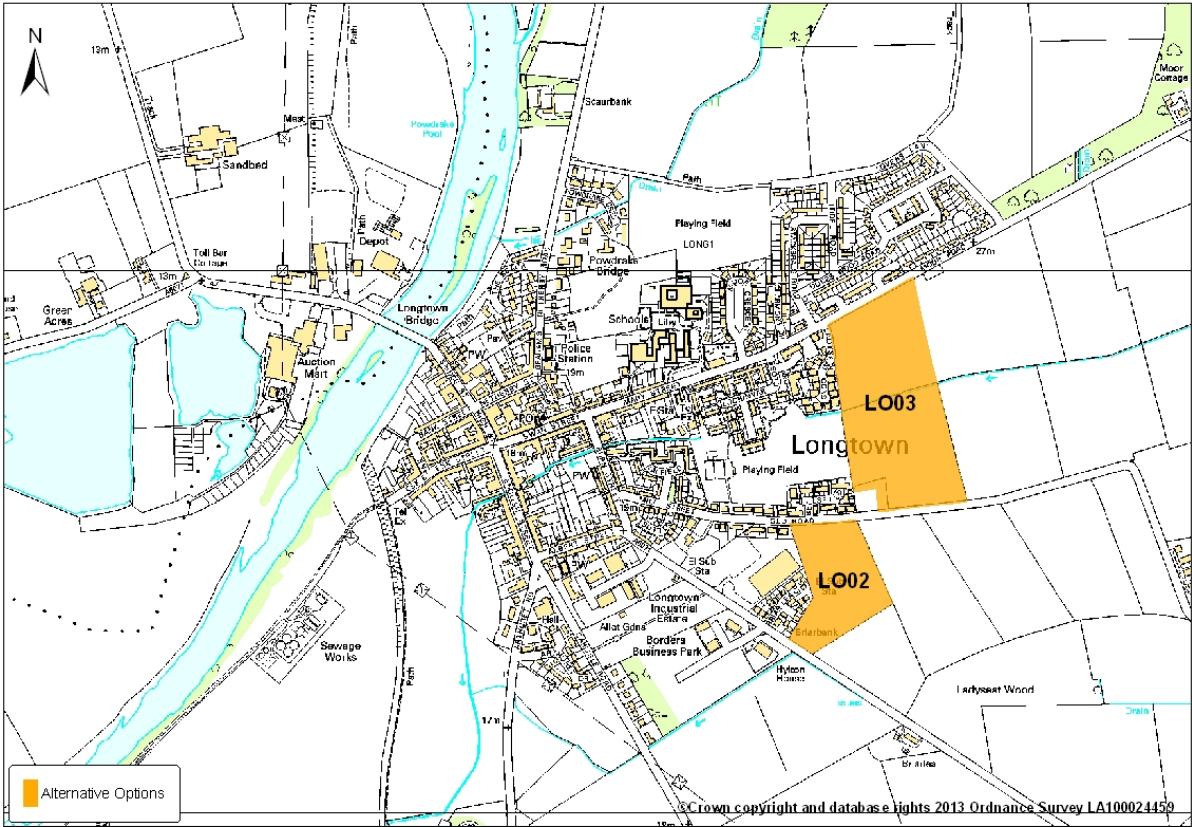
Brampton Alternative Option:



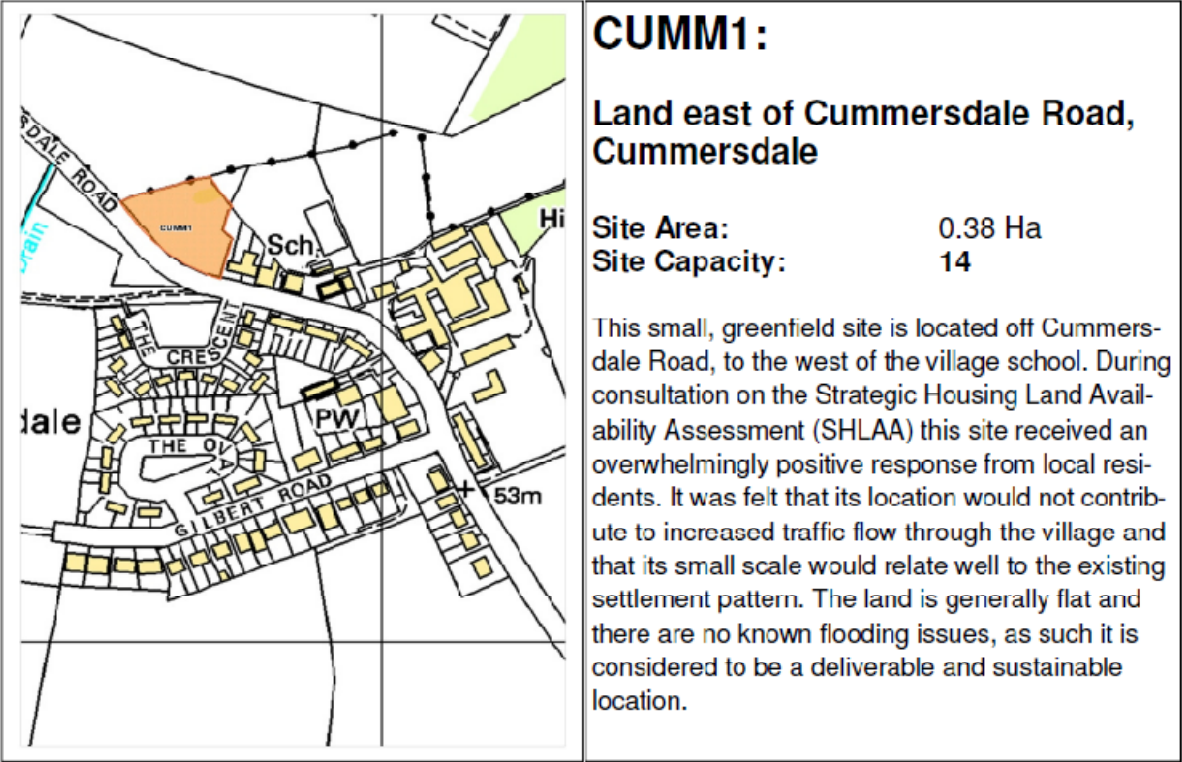
Longtown



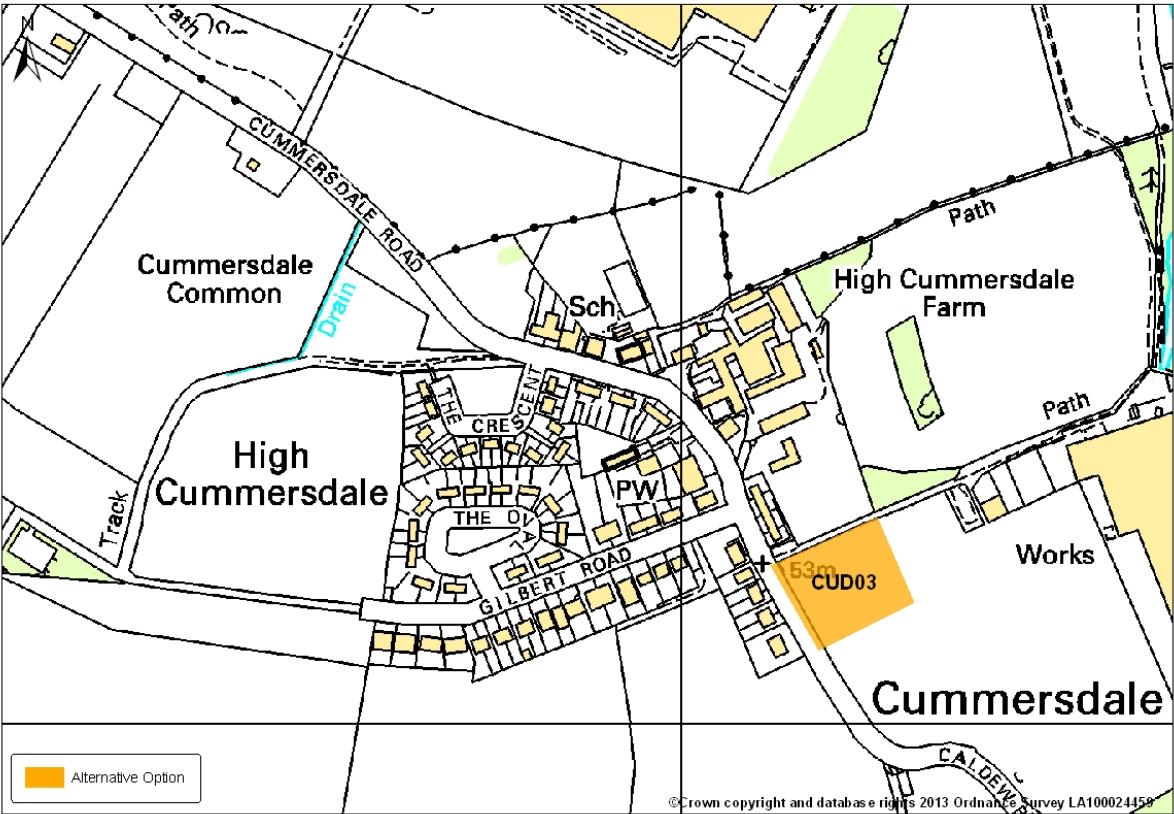
Longtown Alternative Option:



The Villages



Cummersdale Alternative Option:

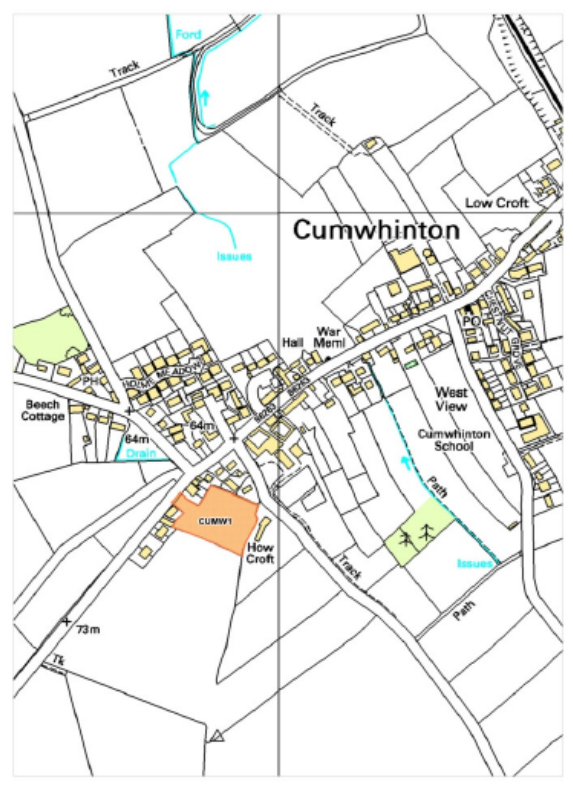


CUMW1:

Land west of How Croft, Cumwhinton

Site Area: 0.76 Ha
Site Capacity: 25

This is a small, greenfield site that is well contained within existing landscape features. It would not have an overly prominent visual impact upon the village and is well related to the general settlement pattern. Access is achievable off the B6263, though some improvements may be required to ensure it is suitable for traffic. There are no known flooding issues on the land.



There are no Alternative Options for Cumwhinton.

DALS1:

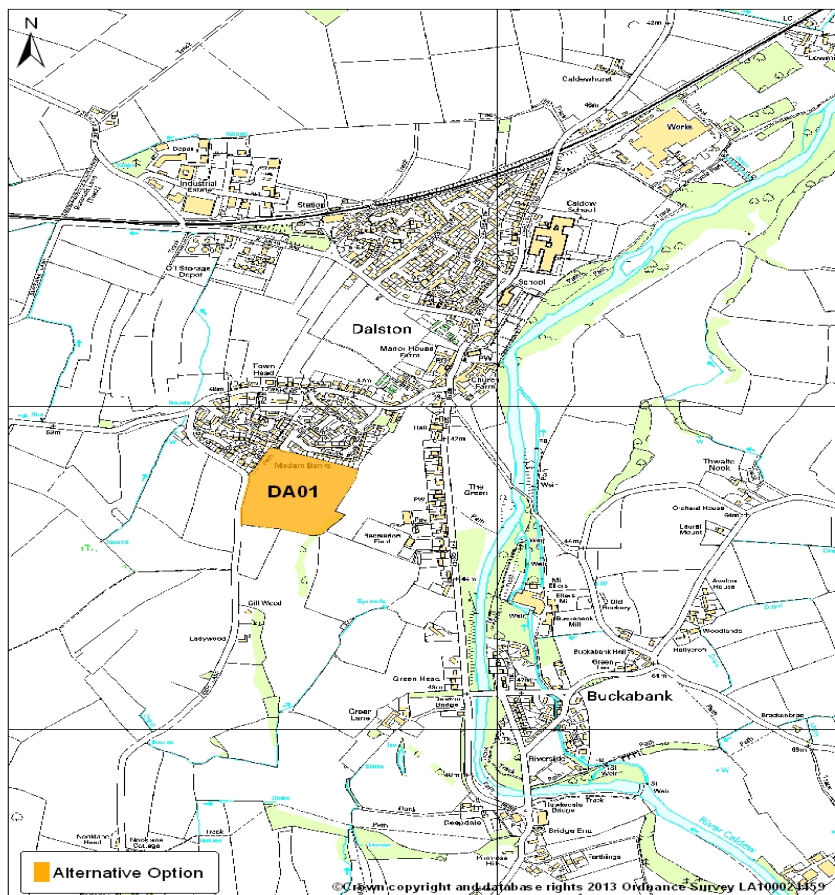
Land at Buckabank, Dalston

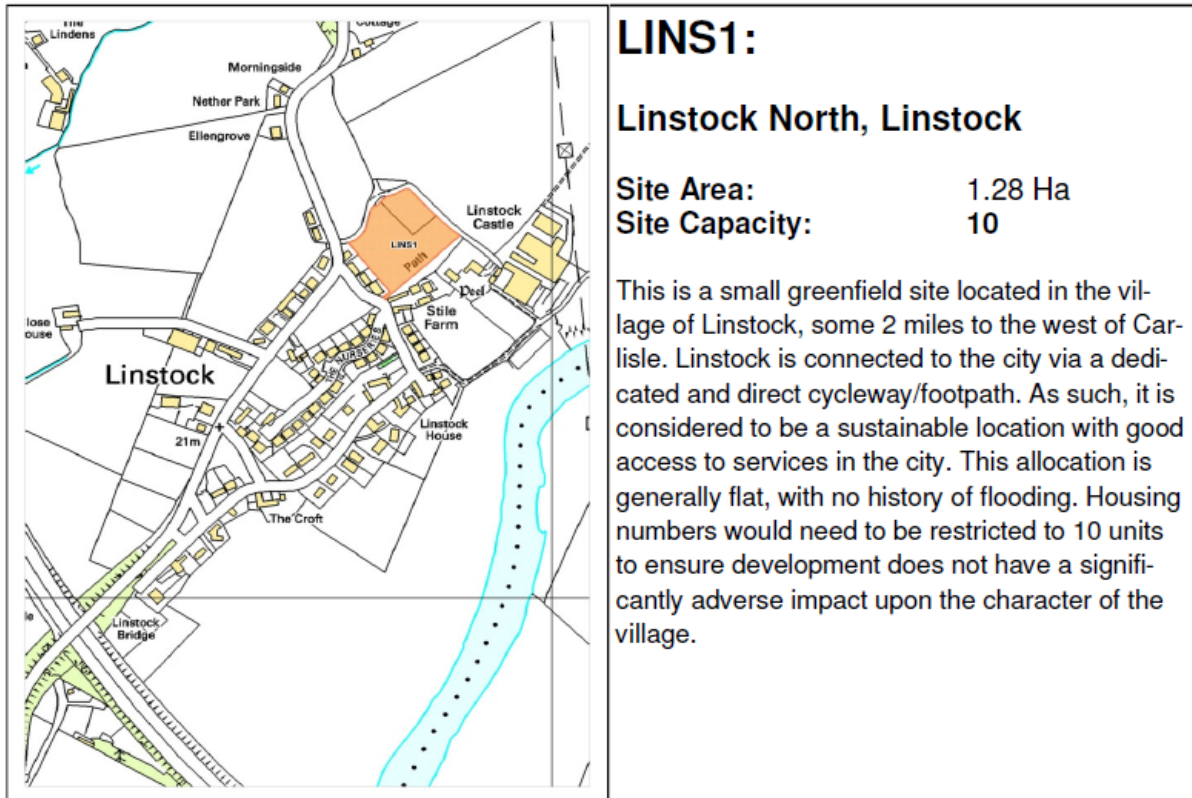
Site Area: 2.68 Ha
Site Capacity: 15

This is a greenfield site located in Buckabank, just south of Dalston. Development here would help to support services in Dalston. Buckabank is located close enough to Dalston to be considered a sustainable location, suitable for small scale housing development. Due to the rural nature of the village housing numbers on this site would need to be restricted to no more than 15 units in order to limit the impact development would have upon village character. Beyond this, the site is otherwise unconstrained and considered to be deliverable.

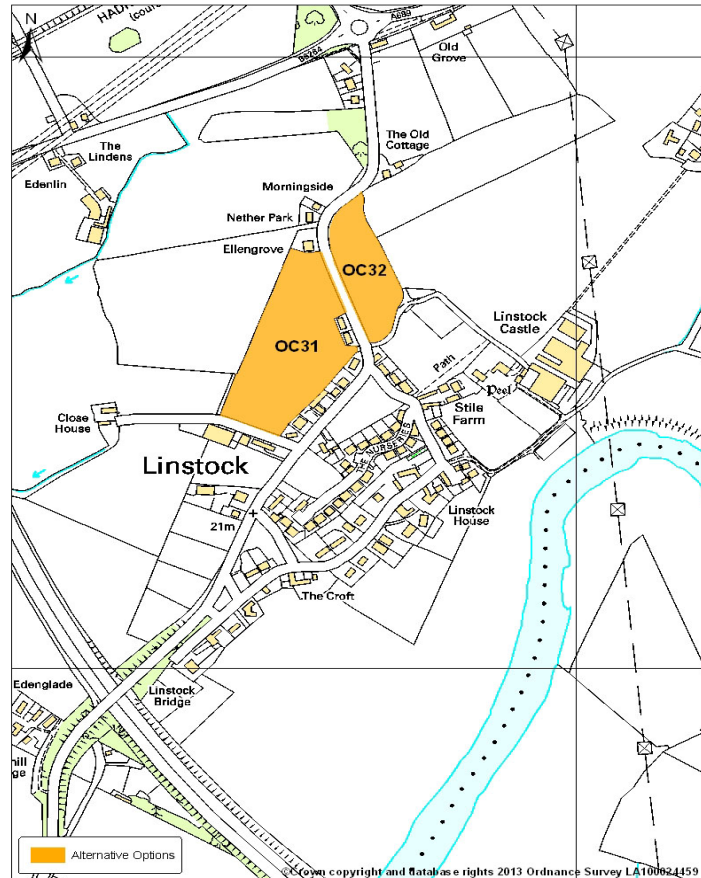


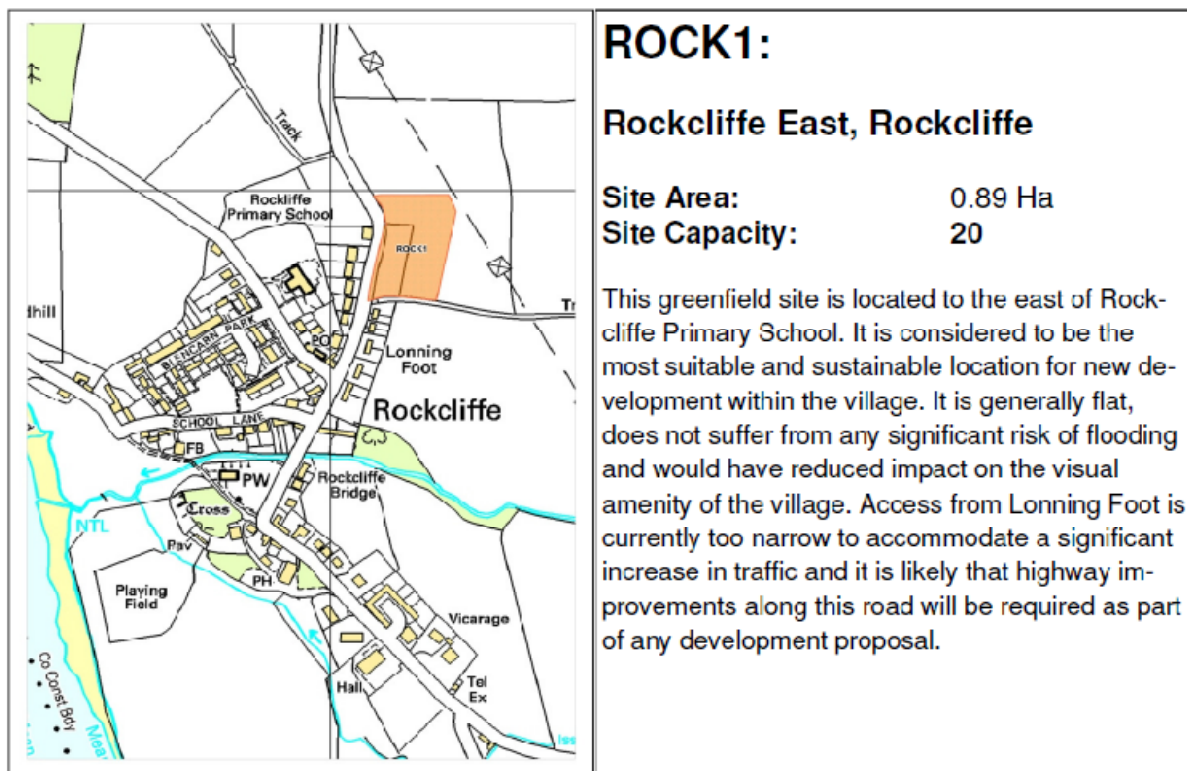
Dalston Alternative Option:



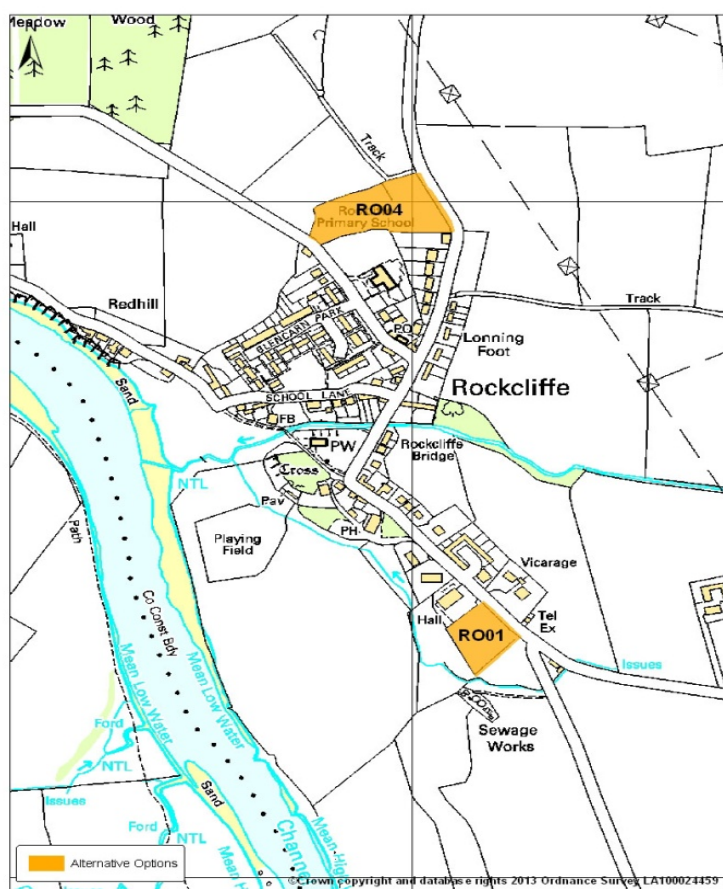


Linstock Alternative Option:





Rockcliffe Alternative Option:

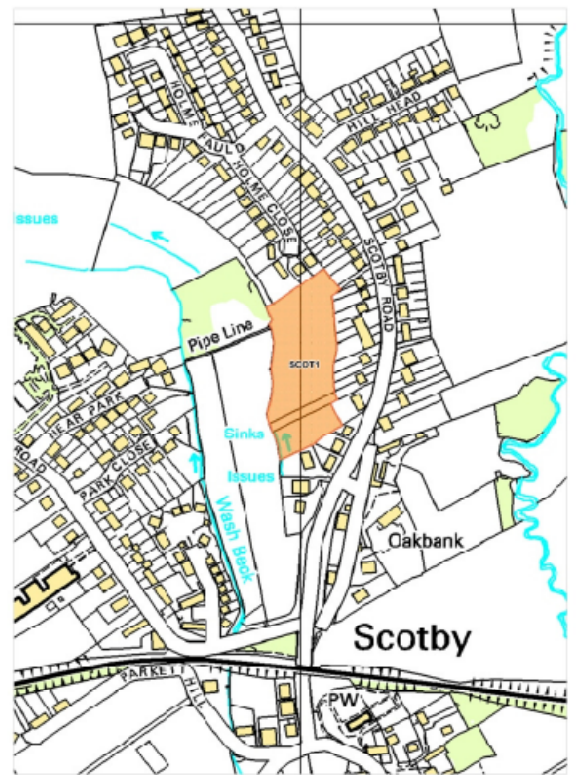


SCOT1:

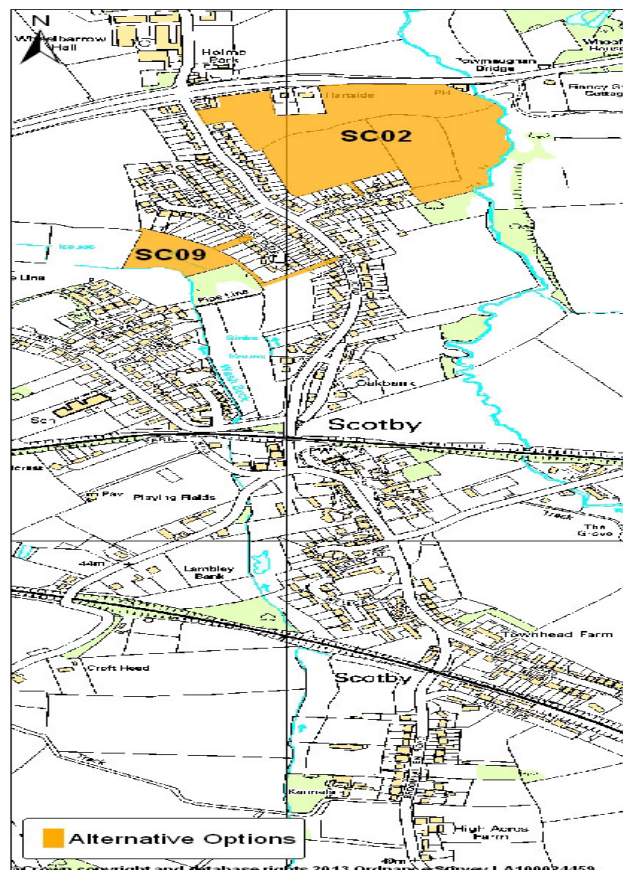
Land to the west of 37-65 Scotby Road, Scotby

Site Area: 1.26 Ha
Site Capacity: 44

This greenfield site is currently land locked. An application for development on this site would have to demonstrate how and when access onto Scotby Road would be achieved. Access will likely require the demolition of an existing building. The site itself relates well to the settlement and provides a logical infill opportunity. It is otherwise generally flat and does not suffer from any significant risk of flooding and, as such, should be deliverable.



Scotby Alternative Option:

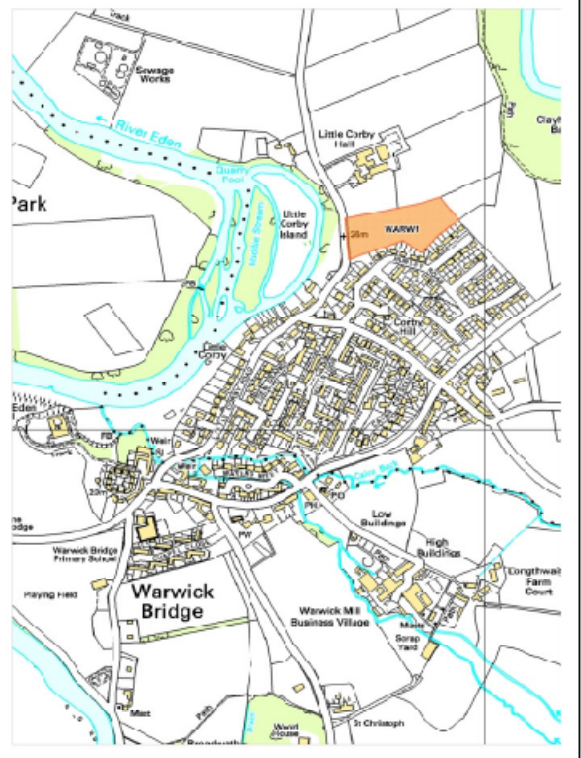


WARW1:

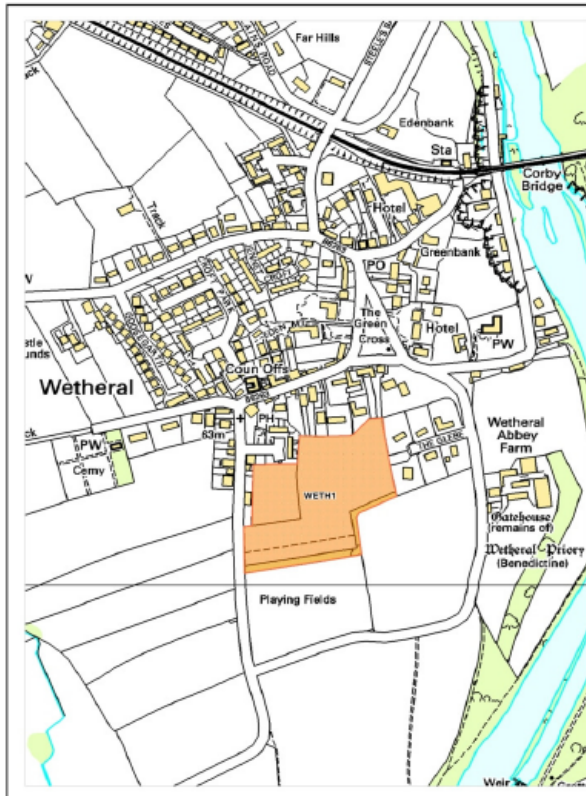
**Warwick Bridge/Little Corby North,
Warwick Bridge**

Site Area:	1.55 Ha
Site Capacity:	66

This greenfield site relates very well to the existing settlement pattern of the village and provides a logical extension to Corby Hill. The land is flat and does not suffer from any significant risk of flooding. There are known highway capacity issues in and around the Little Corby Road/A69 junction, which will need to be addressed as part of any new development proposal.



There are no alternative options for Warwick Bridge.



WETH1:

Wetheral South, Wetheral

Site Area: 3.49 Ha

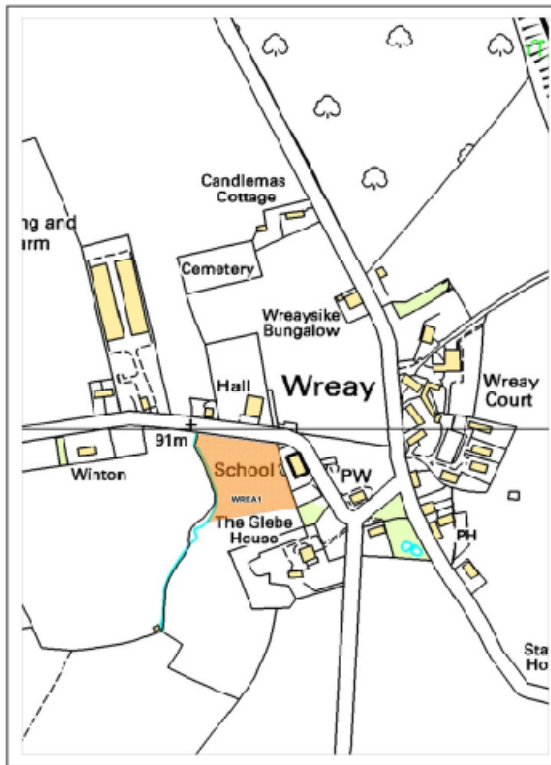
Site Capacity: 98

This greenfield site lies on the southern edge of Wetheral, adjacent to Wheatsheaf Gardens to the north and the village playing fields to the south.

The land is flat and does not suffer from any significant risk of flooding. It is also well related to the existing settlement pattern of Wetheral.

Wetheral is well serviced by public transport and there are a number of local services and facilities including a train station. As such the site is considered to be sustainably located and deliverable.

There are no alternative options in Wetheral.



WREA1:

Land west of Wreay School, Wreay

Site Area: 1.16 Ha
Site Capacity: 10

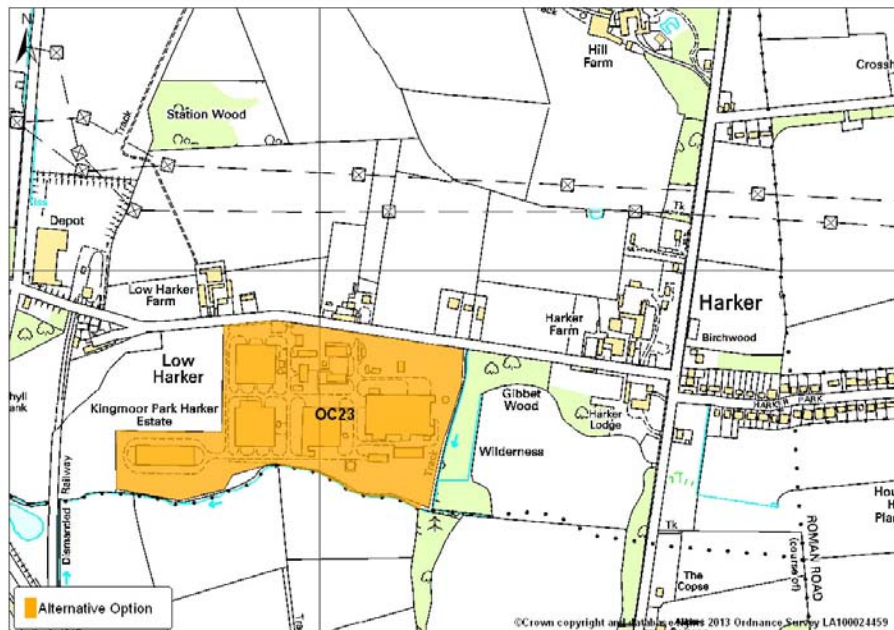
This small greenfield site is located adjacent to Wreay School. In the previous Local Plan Wreay was not included as a suitable location for new development. However, the village benefits from a number of services including a school, pub and village hall. In order to ensure the future viability of these services some new development will be required in Wreay.

The site is flat and does not suffer from any significant risk of flooding. Housing numbers would need to be restricted to 10 units to ensure that development does not have an adverse impact upon the amenity of the village.

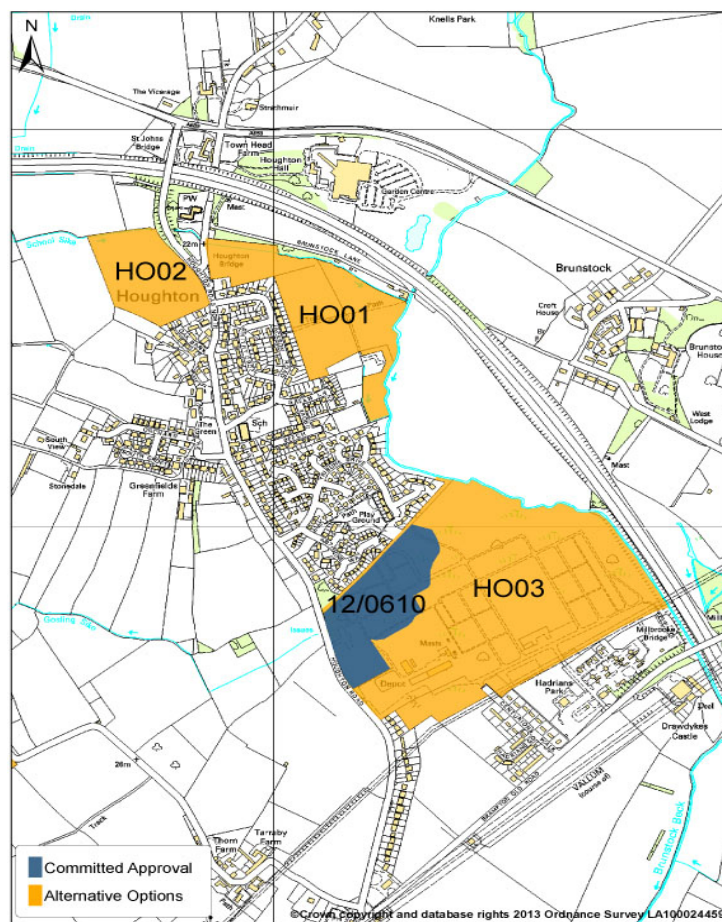
There are no alternative options in Wreay.

Alternative Options in Villages with No Preferred Option

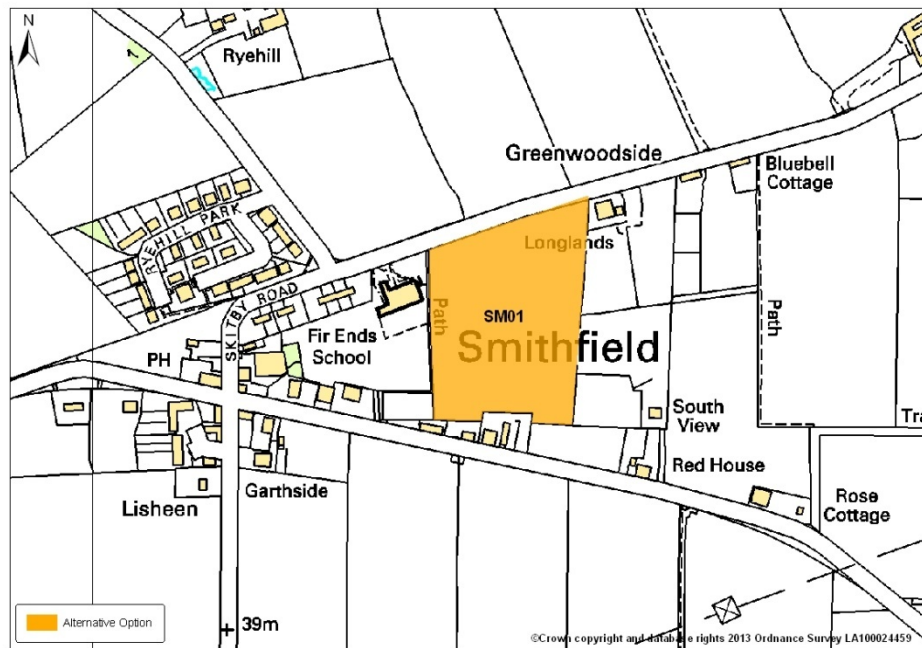
Harker



Houghton



Smithfield



Appendix 2 Transport Assessments and Travel Plans

Outlined below are guidelines for when Transport Assessments and Travel Plans will be automatically required as part of a planning application for new development. These guidelines are taken from the Cumbria Local Transport Plan.

Transport Assessments

Proposals which, individually or cumulatively, meet the following scale of development will require a transport assessment:

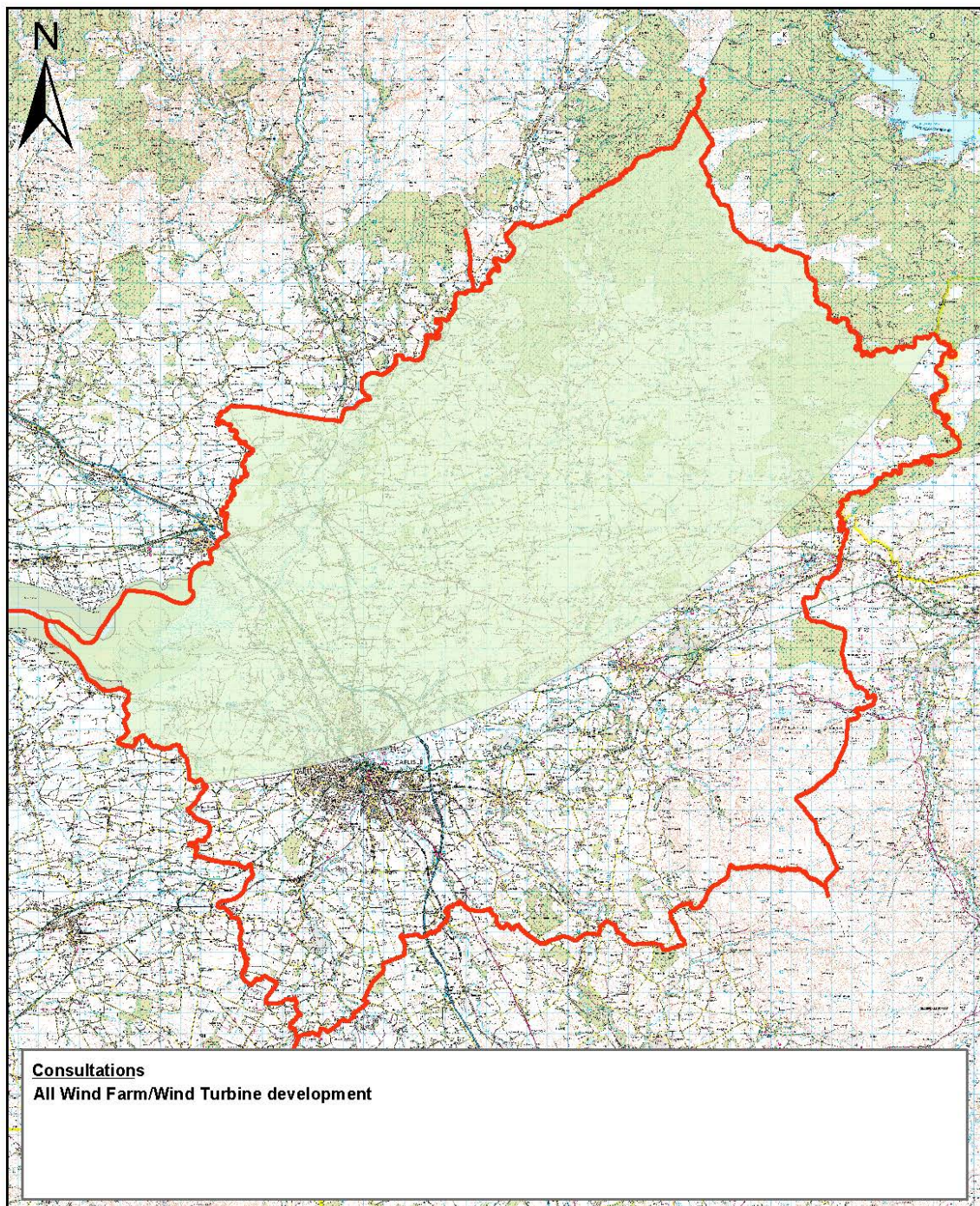
- Residential development in excess of 100 units.
- Employment uses in excess of the following gross floor space: business 2500m², industry 5000m², warehousing and distribution 10000m².
- Other developments in excess of 1,000m².
- Hotel developments in excess of 100 bedrooms.
- Caravan or similar holiday sites in excess of 100 units.
- Any development that generates in excess of 100 HGV per day or 100 vehicles per hour.
- Any development that adds materially to local traffic congestion.
- Any development that may impact on the trunk road network.

Travel Plans

Travel Plans will be required for proposals for:

- Retail and indoor leisure facilities in excess of 1,000m².
- Industrial development in excess of 5000m² and warehousing/distribution developments in excess of 10000m².
- Office, education and health services development in excess of 2,500m².
- New and expanded school facilities.
- Development that would otherwise generate local traffic problems identified through a transport assessment or an evaluation of a proposal.

Appendix 3 Safeguarding Zones

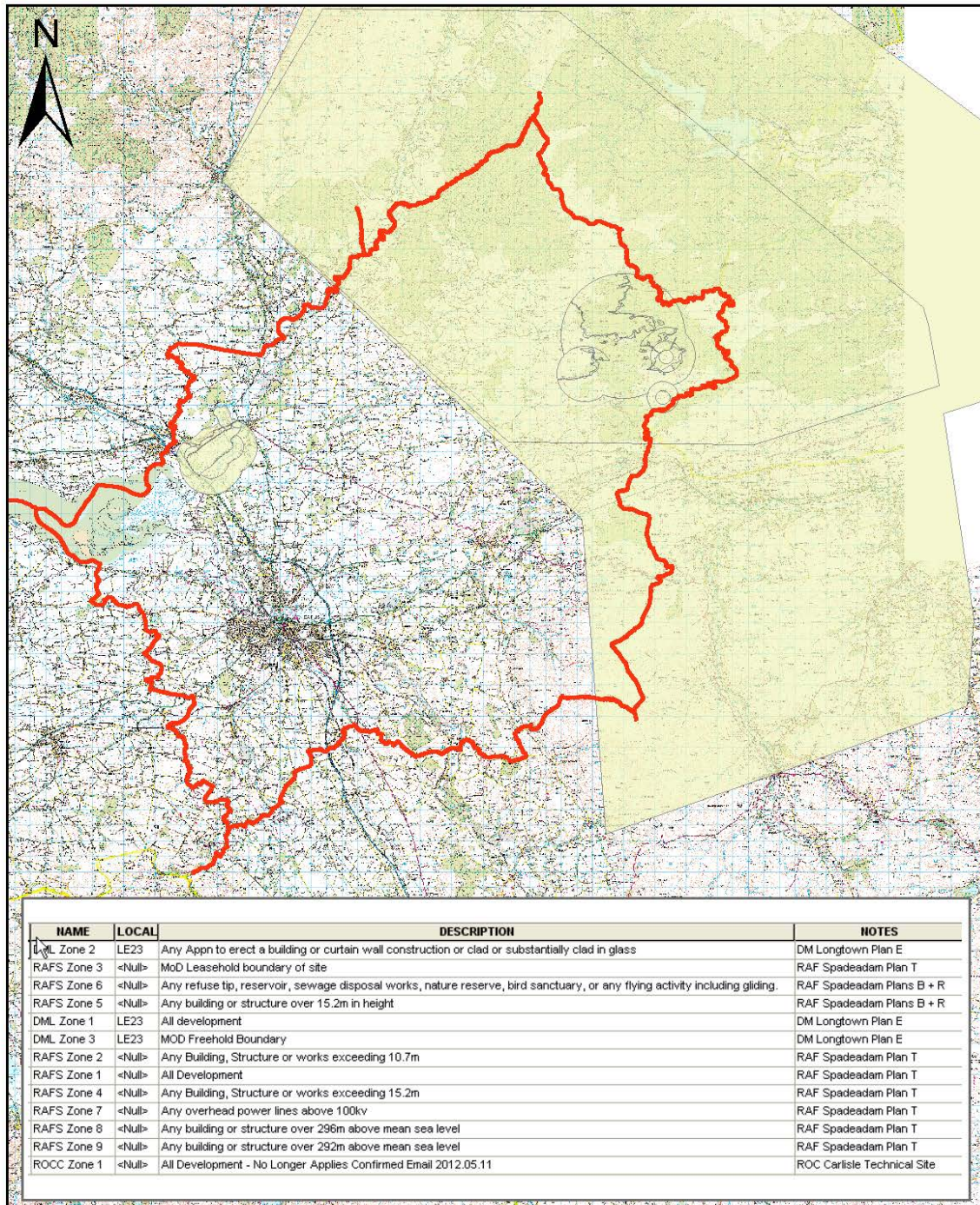


Eskdalemuir Seismic Research Station

Scale: 1:245,000 Date: 12/06/2013
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Carlisle
CA3 8QG**



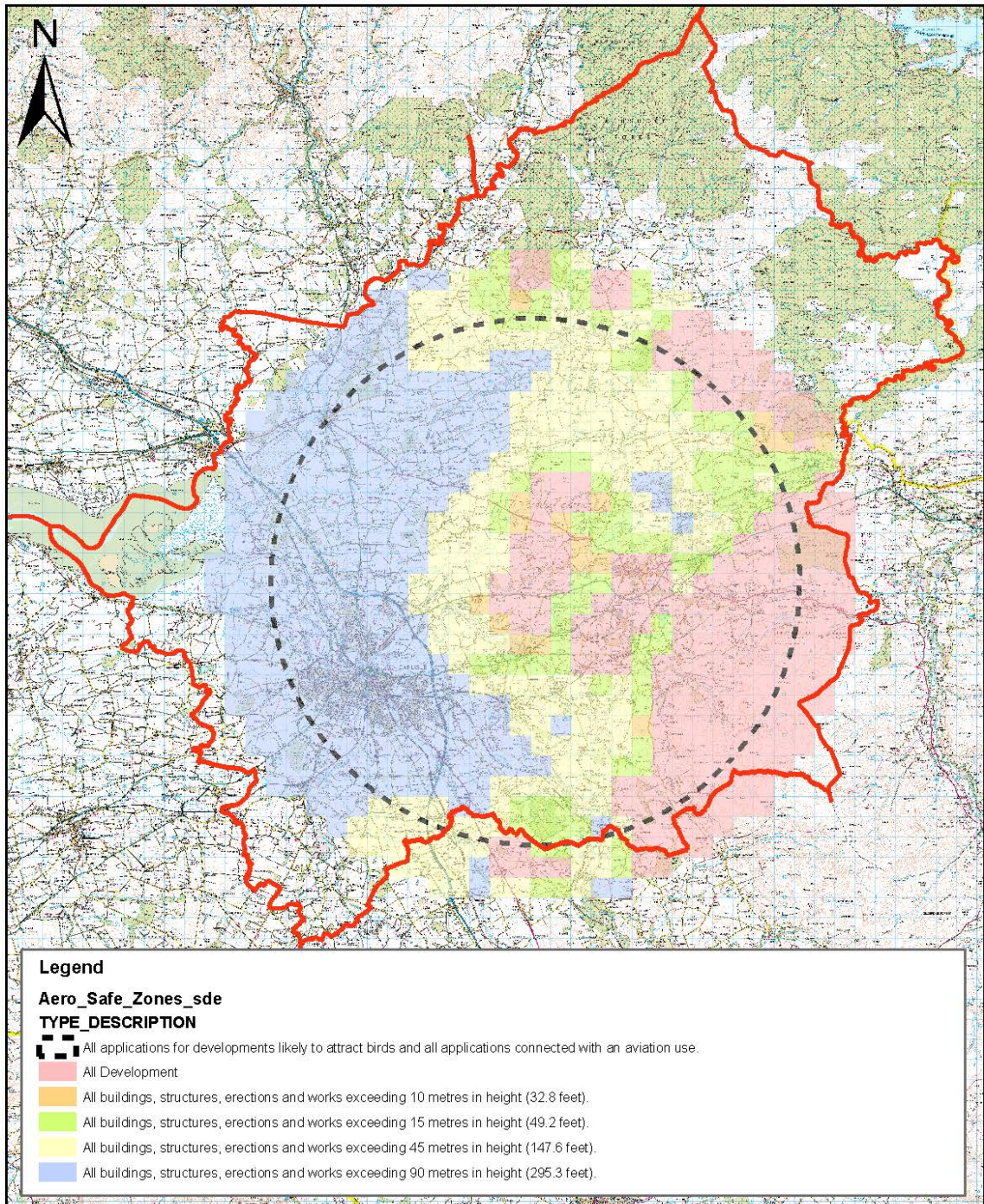
MOD - DML Longtown, RAF Spadeadam

Scale: 1:320,000 Date: 12/06/2013

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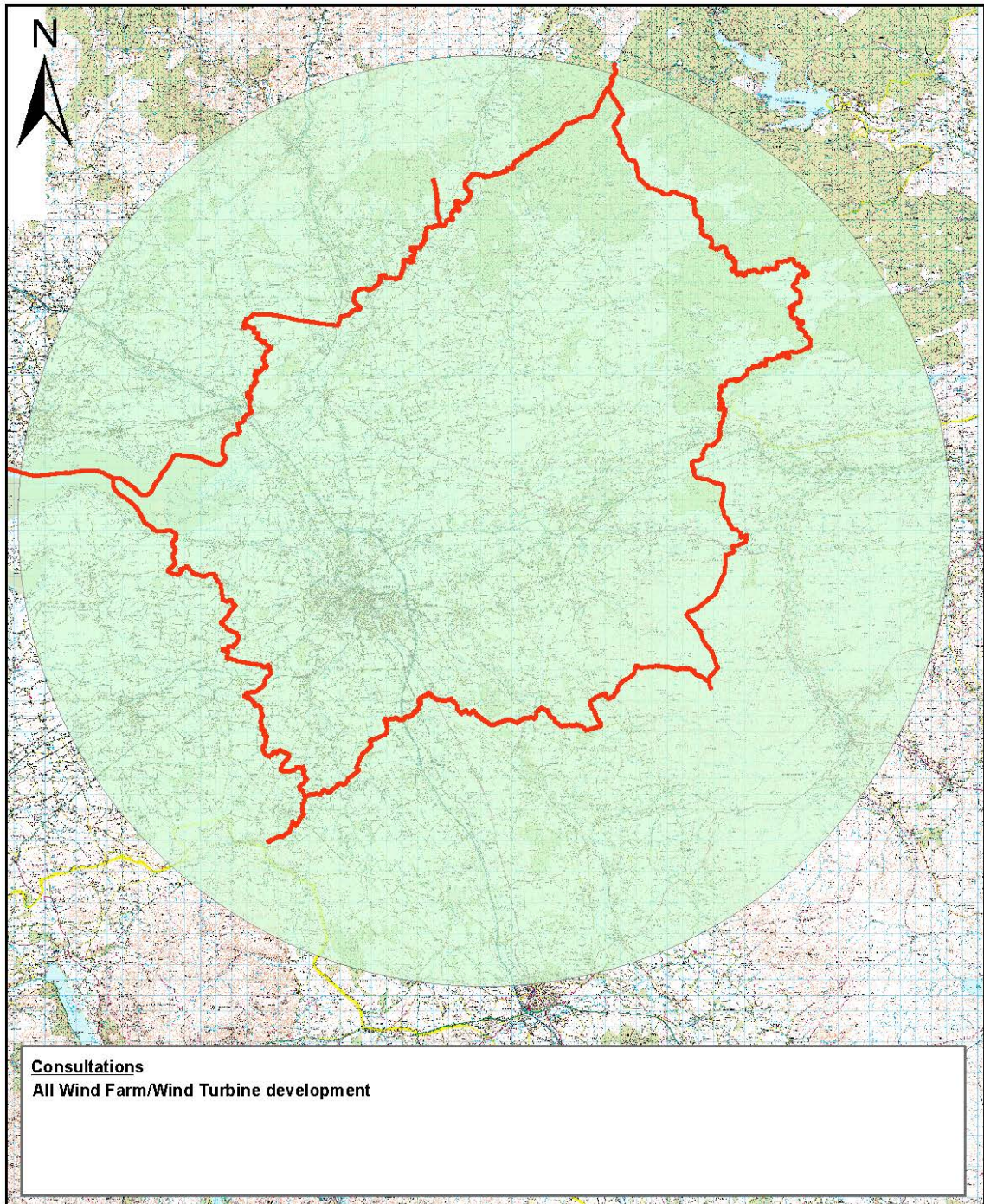
Carlisle Airport Safeguarding

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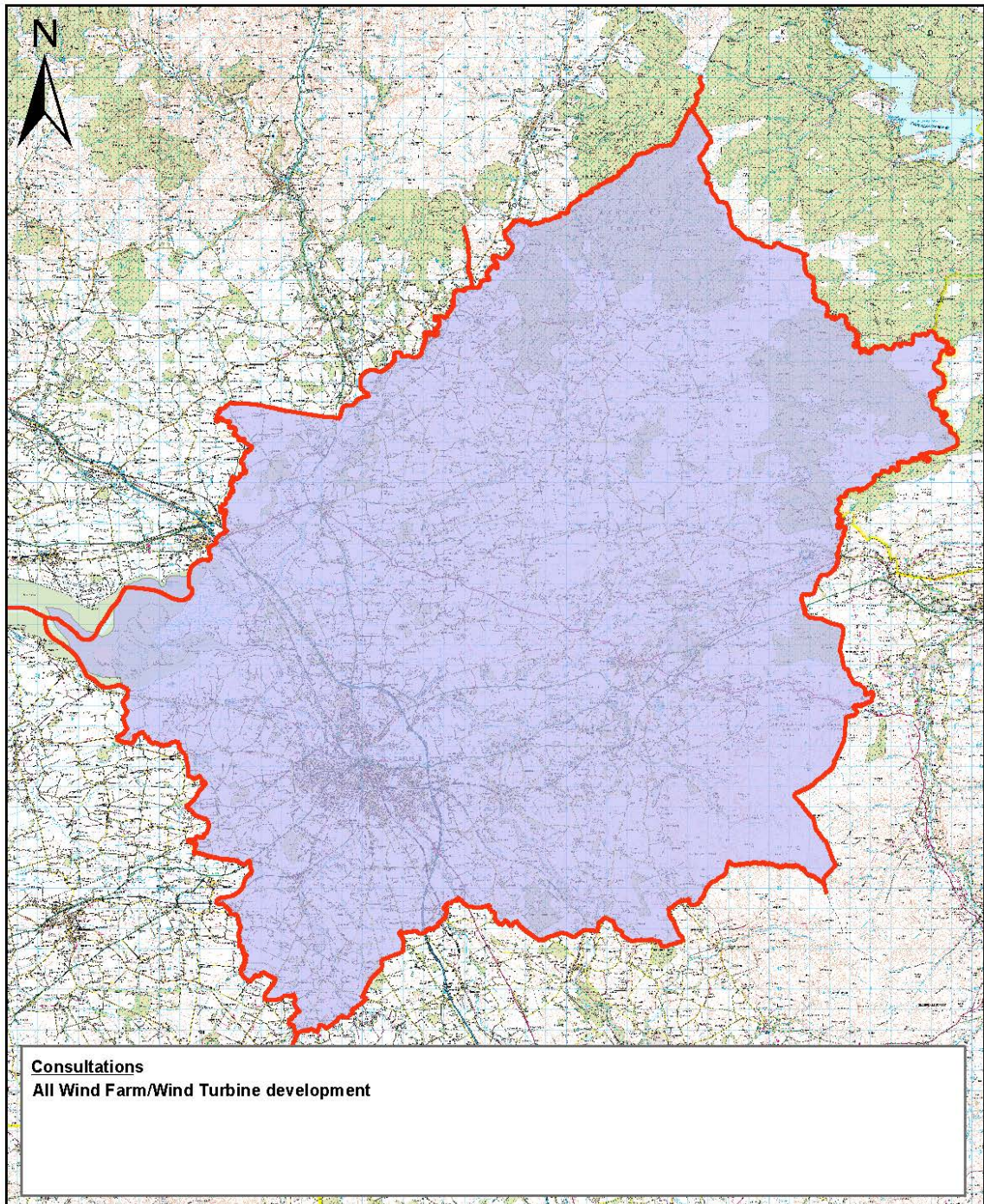
Carlisle Airport - Wind Farm/Wind Turbines

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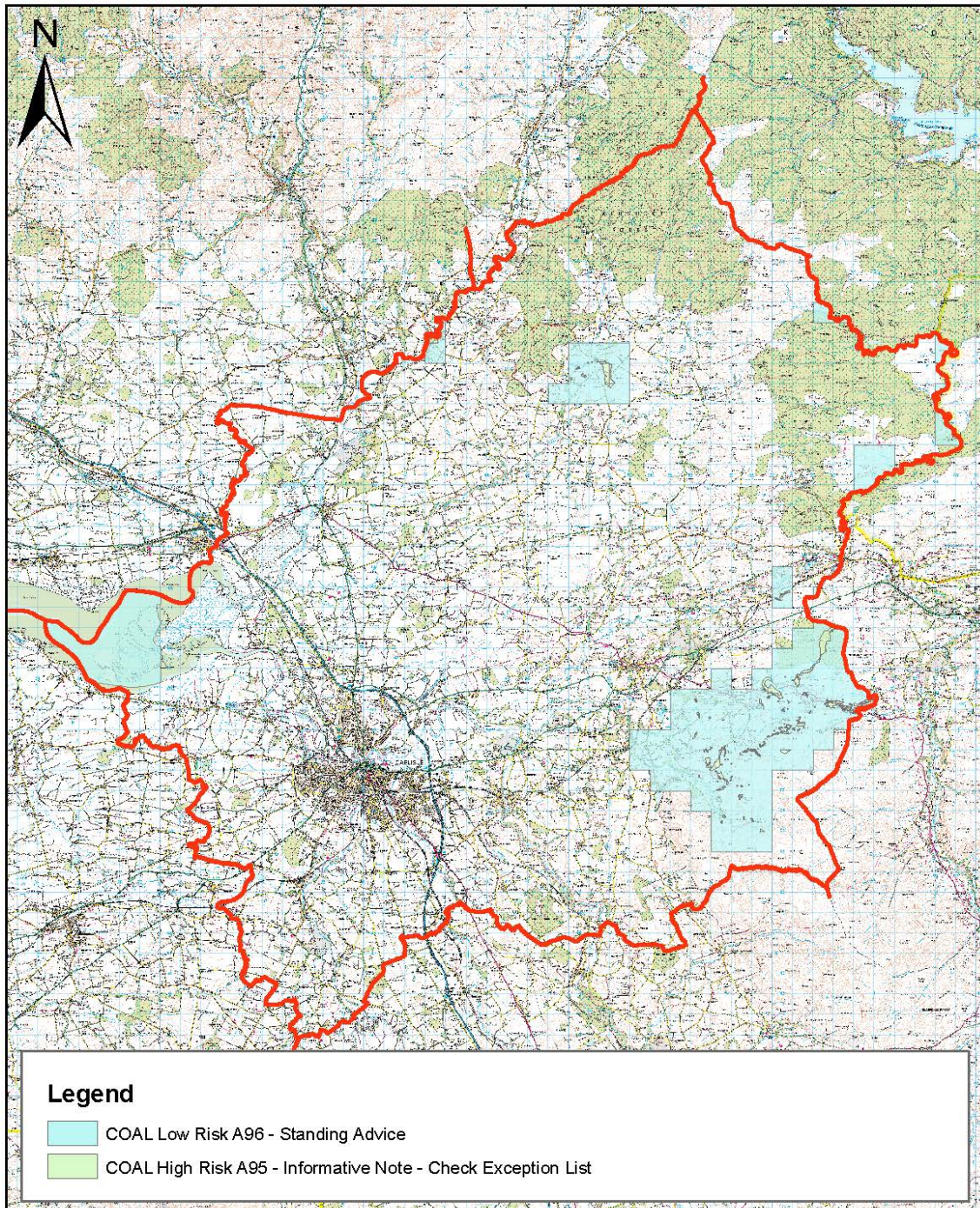


National Air Traffic Services

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Appendix 2 – Local Development Scheme

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If you would like this document in another format,
for example large print, braille, audio tape or
another
language, please contact:
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Carlisle City Council
Civic Centre
Carlisle
Cumbria
CA3 8QG
email: lpc@carlisle.gov.uk
Tel: **01228 817000**

1.0 Introduction

- 1.1** The Planning and Compulsory Purchase Act 2004 was enacted in May 2004 and commenced in September 2004. The Localism Act 2011 amends Section 15 of the Planning and Compulsory Purchase Act 2004 with regards to the preparation, revision and promulgation of local development schemes. The amendments to planning through the Localism Act and subsequently the National Planning Policy Framework made a number of significant changes to the development plan system, notably the replacement of Local Development Frameworks (LDF) with a Local Plan, which can be reviewed in whole or in part to respond flexibly to changing circumstances.
- 1.2** The Local Plan will be a key component in the delivery of the Carlisle Community Plan entitled: Carlisle Partnership Community Plan (2011-2016). The plan will be made up of strategic policies, detailed development management policies and site allocations.
- 1.3** The Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 require the City Council to prepare and maintain a document known as the Local Development Scheme (LDS). The LDS is a public document, setting out the City Council's programme for preparing various aspects of the Local Plan over the next three years. The LDS has three main purposes:-
- To inform the public of the component parts that will make up the new Local Plan;
 - To set out the timescales the public can expect for the preparation and review of these documents. The timetable specifically includes consultation milestones to inform the public about opportunities to get involved with the plan making process and to let them know the likely dates for involvement; and
 - To establish and reflect City Council priorities and to enable work programmes to be set for the preparation of any supporting documents.
- 1.4** This document updates and replaces the 'Local Development Scheme for Carlisle District' that came into effect in 2011. This LDS will be kept under review and monitored annually, through the Annual Monitoring Report (AMR) to ensure that planning policies and proposals are kept up to date in response to new and emerging planning issues, planning legislation, national policy guidance and other material considerations.
- 1.5** In March 2012 the Government issued the National Planning Policy Framework together with the Planning Policy for Traveller Sites. These two documents have replaced the majority of the former Planning Policy Statements. This version of the LDS has been revised to reflect the amendments to the plan making process.

1.6 This LDS is available to download on the City Council's website at www.carlisle.gov.uk. Paper copies of the document are also available at the Civic Centre, Rickergate, Carlisle, CA3 8QG.

2. Context

2.1 The District of Carlisle covers an area of approximately 1, 042 sq km and is situated to the far north of the Cumbrian County, bounded by the Scottish border to the northwest and Northumberland to the east. The City of Carlisle and its surrounds, form the principal urban area to the southeast of the District. The remainder of the District is predominately rural in nature, with the exception of Longtown to the north and Brampton to the east.

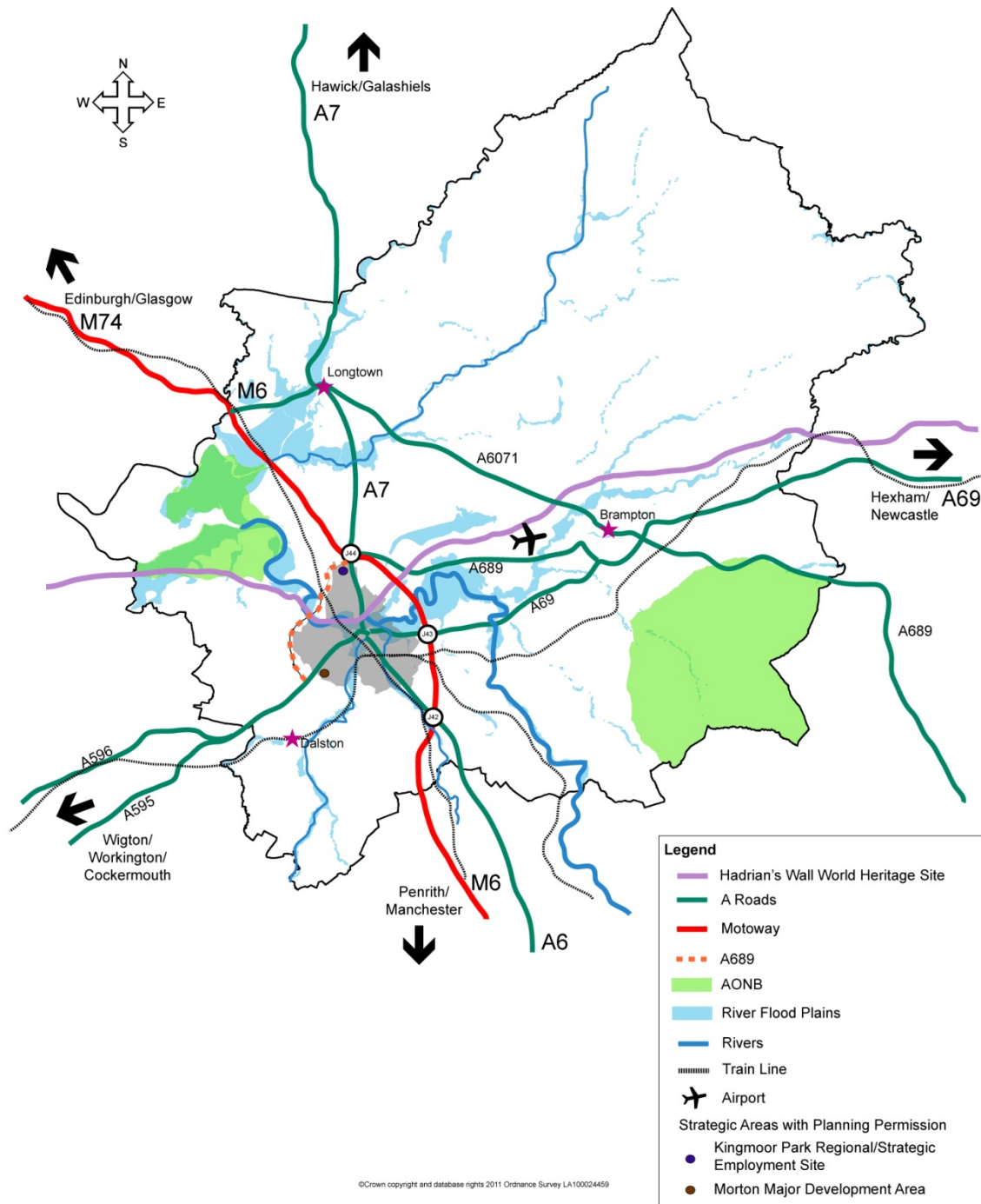
2.2 Population data collated from the 2011 Census, released in July 2012, showed that the usual resident population of the District had risen by 6.7% since 2001 to 107, 500. Whilst the rate was slower than the average for England and Wales it was the highest in Cumbria.

2.3 The M6 motorway runs through the District linking the City of Carlisle to southwest Scotland and the Lake District. Carlisle benefits from three M6 junctions at Carleton (J42), Rosehill (J43) and Kingstown (J44). Despite this some urban areas to the west of the City are currently relatively isolated largely due to the barrier presented by the River Eden. The Carlisle Northern Development Route (CNDR), which was completed summer 2012, has helped to open up these areas by providing a western link to the M6 at junction 44.

2.4 'Growing Carlisle' – the Economic Strategy for the City Region indicates that Carlisle's economy needs to make a fundamental shift to avoid facing decline in real terms and deal with areas of social deprivation. Carlisle's population must grow significantly in order to support this economic shift to provide the required critical mass needed to function as a regional centre for Cumbria and southwest Scotland.

2.5 The map overleaf identifies Carlisle District and the key settlements of Carlisle, Brampton, Dalston and Longtown. The Local Plan will relate to the whole of the District.

Map 1:- Carlisle District



3. Carlisle Local Plan

3.1 In 2004 the Government introduced Local Development Frameworks (LDF) as part of a new system of development plan preparation. The LDF system was put in place to speed up the preparation of plans, ensure that they are monitored, reviewed and kept up to date and that there is greater and more effective community involvement. The Government however recognised that in a number of cases Local Development Frameworks and in particular Core Strategies were not being delivered. As a result, the Government introduced the NPPF in March 2012. The NPPF prescribes that local planning authorities should produce one Local Plan for their area and that any additional development plan documents should only be developed where clearly justified. The new Local Plan is being produced in accordance with guidance introduced in the National Planning Policy Framework in 2012 and the Localism Act 2011. It replaces the portfolio of documents that were to be produced under the Local Development Framework (LDF) system with one, single development plan document containing strategic policies, general development management policies, site allocations and the policies map. The Local Plan will replace the existing Carlisle District Local Plan (2008).

3.2 The new Local Plan is central to the future development of the District. It will set out the long term spatial vision of the District for the next 15 years, including strategic objectives, spatial strategy and Development Management policies. The Local Plan will indicate what development will be delivered in the District, and where, over the period to 2030.

3.3 The allocations section of the Local Plan will identify site-specific allocations for particular uses in Carlisle necessary to deliver the spatial vision of the plan. Sites will be identified in accordance with policies in the Local Plan and relevant national policy.

3.5 The Policies Map is a geographical expression of the policies contained within the Local Plan.

3.6 Supplementary Planning Documents (SPD) are prepared to provide greater detail on the policies and proposals in the Local Plan. A Draft Planning Obligations SPD will be progressed as well as a Parking Standards SPD to supplement the new Local Plan.

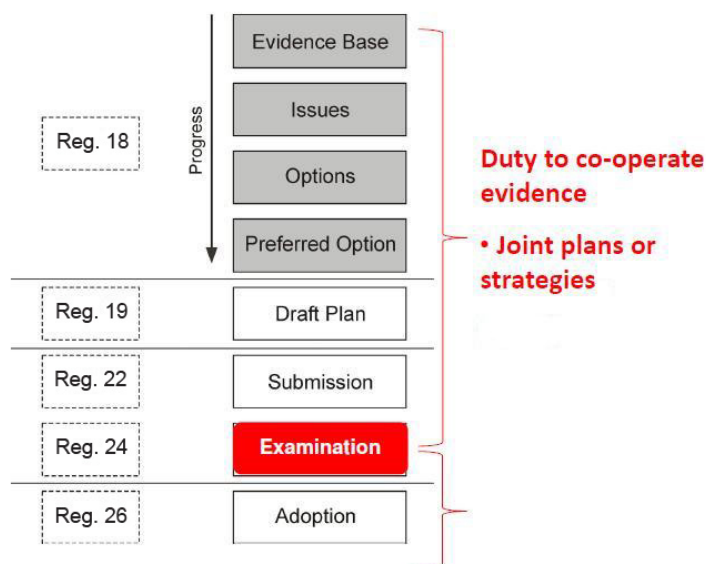
3.7 The Statement of Community Involvement (SCI) sets out how the Council will engage the community in the preparation of Local Plan and the City Council's procedures for public involvement in planning policy and development management decisions.

3.8 The Annual Monitoring Report (AMR) is used to report progress on the timetable and milestones set out in the Local Development Scheme (LDS). The report analyses progress against a range of indicators including for example housing completions, level of employment and related development, the number of vacant shop units and so on. The report identifies where policies and targets are not being met or are having unintended effects, which may highlight a need for policies to be reviewed through the Local Plan process. It also reports on progress of the new ‘Duty to Cooperate’ set out in section 110 of the Localism Act.

3.4 Cumbria County Council is currently working on the preparation of a Minerals and Waste Local Plan for Cumbria (MWLP). This supersedes work carried out for the preparation of the Cumbria Minerals and Waste Development Framework (MWDF) as during the production of the MWDF, the Government introduced a new development plan system, based on Local Plans. The County Council has decided that the priority should be to commence work on the MWLP without delay. The MWLP will be for the period up to 2030 and will be for those parts of Cumbria that are outside the Lake District and Yorkshire Dales National Parks. The MWLP is intended to be a single document with three sections: strategic policies, development control policies and site allocations, together with a policies map. The MWLP forms part of the Development Plan for Carlisle District.

4. Preparing the Local Development Plan

4.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 amend the process of preparing and adopting Local Plans. A summary of this process is set out in the diagram below:-



4.2 Public Participation (Regulation 18) – This stage will involve preparing the evidence base, generating options and engaging and consulting stakeholders and the community in accordance with Regulations and the adopted SCI.

4.3 Publication of a Local Plan (Regulation 19) - The City Council will publish the version of the Local Plan it proposes to submit to the Secretary of State, This will enable the City Council to consider any representations received before proceeding to formally submit the Local Plan.

4.4 Public Participation (Regulation 19) – The City Council will publish a consultation statement that details the various strands of consultation undertaken in the preparation of the Local Plan.

4.5 Submission to the Secretary of State (Regulation 22) – The City Council will formally submit the Local Plan for examination to the Secretary of State. An independent Examination in Public will be convened and an Inspector will be appointed to assess the soundness of the document.

4.6 Independent Examination (Regulation 24) – An Independent Inspector will conduct an Examination into the ‘soundness’ of the submitted Local Plan.

4.7 Publication of the Recommendations of the Appointed Person (Regulation 25)- The City Council will publish the Inspector’s recommendations and their reasons as soon as reasonably practicable after the receipt of the report.

4.8 Adoption (Regulation 26) – If the Local Plan is to be found to be ‘sound’, the City Council will adopt it as soon as practicable following receipt of the Inspector’s report unless the Secretary of State intervenes. They must then make it available together with an adoption statement, the Sustainability Appraisal report and details of where the Local Plan is available for inspection.

Sustainability Appraisal and Strategic Environmental Assessment

4.9 Sustainability Appraisal (SA) is an important feature of the local spatial planning system and seeks to ensure that policies and proposals reflect sustainable development principles.

4.10 The whole Local Plan will be subject to SA, which must commence as soon as a new Local Plan has been conceived. It considers the environmental, social and economic impacts of the policies and proposals in the Local Plan. This will allow the Local Plan to comply with the Strategic Environmental Assessment (SEA) Directive (European Directive 2001/42/EC).

4.11 SA must be proportionate to the plan in question and should not repeat the appraisal of higher-level policy. The SA performs a key role in providing a sound evidence base for the plan and forms an integrated part of the plan preparation process. SA will inform the evaluation of alternatives and be made available as part of the public consultation process.

5. Production Programme

5.1 Carlisle City Council will produce a Local Plan.

5.2 Table 1 below summarises the anticipated timetable for the production of the Local Plan. The table identifies the 'chain of conformity' for each document, which is the relationship with various levels of policy making.

Local Development Document Title	Role and Subject	Chain of Conformity	Timetable			
			Preferred Options	Publish	Submit to SoS	Adoption
Carlisle Local Plan	To set out the vision and spatial strategy, policies and allocations for future development, for meeting the known requirements to 2030.	National Planning Policy/Carlisle Partnership Community Plan. All subsequent SPDs will need to be in conformity with the Local Plan.	Summer 2013	March 2014	End April 2014	Dec 2014

Table 1 – Chain of conformity

5.3 A timetable is outlined in Appendix A that identifies the timescale for the preparation of the Local Plan. A profile of the Plan is outlined in Appendix B. The profile provides the following information:-

- Document Title
- Document Details
- Programme of Production
- Arrangements for Production

- Post production, monitoring and review

6. Evidence Base

6.1 To facilitate the formulation of the Local Plan and to provide a robust evidence base for the Sustainability Appraisal that incorporates Strategic Environmental Assessment, a comprehensive range of background information and survey material will be gathered.

6.2 The NPPF paragraph 158 states that the evidence base should be proportionate and should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

6.3 The Planning Policy Team is currently working on the development of a robust, credible and up to date evidence base using a combination of both internally and externally prepared documents and surveys. The evidence base used to underpin the Local Plan will be proportionate, relevant and as up to date as reasonably practical.

6.4 The following list identifies some of the key publications that have informed the Local Plan preparation work so far:-

National

- National Planning Policy Framework (NPPF) 2012
- Planning Policy for Traveller Sites 2012
- Planning and Compulsory Purchase Act 2004
- Localism Act 2011
- Planning Act 2008
- Climate Change Act 2008

Sub Regional

- Cumbria Biodiversity Action Plan (2009)
- Cumbria Climate Change Strategy and Cumbria Climate Change Action Plan (2009-2014)
- Cumbria Economic Strategy 2009-2019 (2009)
- Cumbria Employment Land and Floorspace Assessment (2006)
- Cumbria Gypsy and Traveller Accommodation Needs Assessment Final Report 2008
- Cumbria Historic Character Assessment (2009)
- Cumbria Landscape Character Guidance and Toolkit (2011)
- Cumbria Local Transport Plan 3 (2011-2026)
- Cumbria Mineral and Waste Local Plan (2012- on going)
- Cumbria Strategic Housing Market Assessment (2009)
- Cumbria Sustainable Community Strategy 2008 – 2028
- Cumbria Sub-Regional Action Plan 2009 – 2012 (2009)
- Cumbria Sub-Regional Employment Sites (SRES) Study (2008)
- Cumbria Local Economic Assessment 2010 (November 2010)

- Cumbria Renewable Energy Capacity and Deployment Study (2011)
- Shoreline Management Plan SMP2 (2011)
- Cumbria Surface Water Management Plan
- Cumbria Local Transport Plan 3
- Cumbria Surface Water Management Plan.

Local

- Carlisle Partnership Community Plan 2011-2016
- Carlisle Employment Sites Study: Implications for M6 Corridor (June 2010)
- Carlisle Growth Point Programme of Development 2008
- Carlisle Renaissance Development Framework and Movement Strategy – Baseline Report and Final Document (January 2007)
- Carlisle Renaissance Development Framework and Movement Strategy – Policy Statement (January 2007)
- Carlisle Retail Study GVA (2012)
- Strategic Housing Land Availability Assessment 2012 (Consultation June/July 2012 Ongoing process)
- Affordable Housing Economic Viability Assessment (2013)
- Growing Carlisle: An Economic Strategy for the Carlisle City Region (March 2008)
- Urban Design Guide & Public Realm Framework (2008)
- Housing Need and Demand Study (November 2011)
- Strategic Flood Risk Assessment (November 2011)
- Green Infrastructure Strategy (2011)
- Affordable Housing Economic Viability Assessment (2013)

Studies currently being prepared

- Sports Facilities/Recreation Open Space Strategy (Joint Study with Community Support)
- Infrastructure Delivery Plan
- Sustainability Appraisal
- Habitats Regulations Assessment
- Cumbria Surface Water Management Plan
- Statement of Community Involvement
- Equality Impact Assessment
- Health Impact Assessment
- Economic Potential Study
- City Centre Masterplan

Other Studies being undertaken

- Draft Planning Obligations SPD - Currently being reviewed
- Gypsy and Traveller Accommodation for Cumbria.

7. Project Management

7.1 The project management aims for the Local Plan production are:-

- Ensuring the most efficient use of resources;
- Setting and achieving the overall programme and interim targets;
- Ensuring co-ordination of the Local Plan with other Council activities and plans;
- Promoting involvement and corporate ownership of the Local Plan;
- Promoting ownership by non-Council stakeholders in the Local Plan;
- Ensuring effective community involvement in the Local Plan;
- Monitoring and reviewing progress towards adoption.

Resources and Responsibilities

7.2 The preparation of the Local Plan is the responsibility of the Director of Economic Development. The Investment and Policy Manager will be responsible for the management of staff and resources. Detailed project plans have been prepared to assist the Investment and Policy Manager in the management of the Local Plan process. These project plans identify the tasks required to deliver a 'sound' Local Plan and underpin the key milestones identified in the LDS. The plans are pivotal in the identification of tasks; their allocation, duration and programming.

7.3 Leading the production of the Local Plan will be the Planning Policy Team. The team is comprised of the following:-

- Investment and Policy Manager (a proportion of time will be allocated to contribute towards progression of the Local Plan)
- 1 FTE Principal Planner*
- 1 Planning Policy Officer*
- 1 Planning Policy Officer (Temporary)*
- 1 Monitoring Officer*
- 1 Landscape Architect/Tree Officer
- 1 Heritage Officer
- 1 Rural Development Officer
- 1 Planning Technician (Shared with Development Management)
- General Administrative support

* Posts identified to concentrate on progressing the Local Plan

7.4 The Investment and Policy Team will primarily have responsibility for the production of the Local Plan, but will receive support from other departments as appropriate. This staff resource must balance the preparation of the Plan with other City Council and departmental work

including input into cross-boundary planning for example the two AONB Management Plans; input into the Housing Strategy; corporate land and property based projects; the determination of planning applications; and major development schemes. Consultants will be engaged on specific projects where there is a lack of expertise or capacity in-house.

Monitoring and Review

7.6 The Planning and Compulsory Purchase Act 2004 requires every local planning authority to monitor and review their LDS within The Annual Monitoring Report. The Localism Act received Royal Assent on 15th November 2011 and amended the wording by removing reference to 'annual', enabling reports to be produced at a frequency appropriate to the authority providing they are no more than one year apart. Carlisle City Council have elected to continue to produce the monitoring report annually.

The Annual Monitoring Report (AMR) will be prepared and will:-

- Set out how the City Council is performing against the timescales set out for that year in the LDS, giving reasons if the Local Plan is behind the timetable set out in the LDS;
- Provide information on the policy indicators set out in the Local Plan, which will help to assess the success of individual policies;
- Identify whether the Local Plan needs to be reviewed, updated or policies altered;
- Provide a progress report on the delivery of housing, including reference to the housing trajectory.

The AMR is produced each year and can be viewed on the City Council's website www.carlisle.gov.uk.

8. Risk Management

8.1 In preparing the Local Plan, the main areas of risk were identified. These have been set out in the table below together with the mitigation measures suggested.

RISK	PROBLEM	MITIGATION MEASURE
Staff turnover or redundancies	Staff turnover is difficult to predict. Significant and constant staff turnover would severely affect our ability to achieve timely progression with the local plan work programme.	Ensure that prompt action is taken to fill vacant posts. If considered appropriate secure additional resources through use of consultants, temporary staff and internal secondments.
Pressure on staff time due to competing work streams	Slower than timetabled progression on Local Plan	Ensure that the Local Plan is recognised by SMT and JMT

	resulting in an uncertain planning policy framework for Carlisle.	as a key priority for the City Council.
Programme slippage	Key milestones may not be met, delaying the delivery of the Local Plan.	In producing the timetables for documents, the resource requirements for producing the document have been assessed and staff time allocated appropriately.
Capacity of the Planning Inspectorate	The resourcing of this body is out of our control.	Correspondence and meetings with PINS should ensure that they are fully aware of the City Council's Local Plan timetable.
'Viability' of the Local Plan	The introduction of the viability test has seen major changes in the way in which the robustness of the plan is considered.	Minimise the risk of producing an 'unviable' document by seeking guidance for carrying out a viability study of the whole plan.
'Soundness' of the Local Plan	The introduction of the test of soundness has seen major changes in the way in which representations are structured and how the robustness of the plan is considered.	Minimise the risk of producing an 'unsound' document by working closely with CLG and PINS
Length of independent examination	It is recognised that it may be difficult to precisely quantify the length of the examination process.	The City Council will endeavour to minimise the volume of issues to be resolved at examination, through ensuring that the Local Plan is founded upon wide pre submission consultation and a robust and credible evidence base.
New legislation, guidance or regulations	Delay due to changes in plan making requirements/procedures.	It is not possible to plan for further changes to the planning system. The City Council will endeavour to deal with new requirements with minimum disruption to the timetable.
Legal Challenge / Suspension of EIP of the Local Plan	Delay in adoption and implementation of the Local Plan resulting in the lack of an up to date policy framework.	The risk of the Local Plan being subject of a legal challenge will be minimised by working closely with DCLG and PINS to ensure that the chain of conformity is achieved and correct procedures followed. Every effort will be made to ensure that the Local Plan is realistic, able to be implemented, founded upon a robust and credible

		evidence base and appropriate consideration of the views of local communities and others with a stake in the area. In addition the Duty to Cooperate will be carried out throughout the plan preparation process.
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9. Contacts and Information

9.1 For further information on the preparation of the Carlisle District Local Plan, please contact the Investment and Policy Team:-

Investment and Policy Manager
Economic Development
Carlisle City Council
Carlisle
Cumbria
CA3 8QG

Telephone: (01228) 817193

Email: lpc@carlisle.gov.uk

Website: www.carlisle.gov.uk

Appendix A – Timetable for the Preparation of the Local Plan 2013-2014

2013												2014											
J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D

Preferred Options Public Consultation		Pre-examination meeting	
6 Week Publication prior to submission		Commencement of Examination	
Submission to Secretary of State		Receipt of Inspector's Report	
Adoption			

Appendix B – Local Development Document Profiles

The following tables set out a profile for the Local Plan detailing its role, status, coverage, timetable, production arrangement and monitoring arrangements.

Local Plan		
Document Details		
Description	The Local Plan will set out the strategic planning framework for the District and the policies for delivering the spatial strategy and vision for Carlisle. The Local Plan will seek to:- <ul style="list-style-type: none">Establish a vision, objectives and proposals for the Carlisle we want to see in the future;Set out the key locations for development and how this will be managed and delivered;Set out detailed Development Management policies to guide new development;Address issues of local importance as well as national and international issues which have an impact on the future of Carlisle and Cumbria.	
Geographic Coverage	District Wide	
Status	Local Development Plan	
Chain of Conformity	With National Planning Policy and having regard to the Carlisle Partnership Community Plan.	
Sustainability Appraisal	Preparation of Sustainability Report in accordance with Environmental Assessment of Plans and Programmes Regulations 2004.	
Programme for Production		
Key Stages	Timescale	Status
1.Preferred Options Public Consultation	July-September 2013	
2. Publication Public Consultation	March 2014	
3. Submission to Secretary of State*	April 2014	
4. Pre-examination Meeting*	May 2014	
5. Commencement of Examination*	July 2014	
6. Receipt of Inspectors Report	November 2014	
7. Adoption*	December 2014	
*Indicates key milestone		
Arrangements for production		
Organisational Lead	Director Economic Development	
Political Management	Overview and Scrutiny Committee / Executive / Full Council	
Resources to Produce Local Plan	Principally led by the Planning Policy Team. All Council Directorates will provide additional input at various key stages of Local Plan production. Consultants will be utilised where appropriate.	
Approach to Involving Stakeholders and the Community	Approach will be in conformity with the details contained within the Councils adopted SCI.	
Post Production Monitoring and Review		
The Local Plan is intended to be a long-term strategy covering the period to 2030. The AMR will examine whether the identified key targets and indicators are being met.		

Appendix C – Development Plan

The existing Development Plan for Carlisle City Council consists of the following:-

Carlisle District Local Plan (Adopted 2008)

Cumbria Minerals and Waste Local Plan (MWLP)

The City Council adopted the Carlisle District Local Plan (2001-2016) in September 2008 and this document acts as the Council's key document for making planning decisions. Under the provisions of the Planning and Compulsory Purchase Act 2004 the plan policies have been saved. A list of saved policies and the Local Plan itself can be viewed at www.carlisle.gov.uk.

Appendix 3 – Statement of Community Involvement.

Statement of Community Involvement

This Statement of Community Involvement (SCI) sets out how and when you can influence new planning documents and the ways in which you can comments on planning applications, as well as other forms of consent such as listed building consent or telecommunications applications.

This leaflet describes our overall approach to Community Engagement and involvement in the planning process and there are two further information leaflets on the following topics:

- Influencing the Local Plan
- Getting Involved in Planning Applications

Our Community Involvement Strategy

Our Statement of Community Involvement has been informed by the key principles contained in the Corporate Consultation Policy 2008:

- Consultations will be genuine and transparent and will be used alongside other supporting evidence to inform decisions and policies
- It will be timely, planned and co-ordinated
- It will be inclusive and targeted.
- Use appropriate cost effective methods
- Feedback on how consultation responses have informed decisions will be provided and be available.

Our Approach

When we involve you in preparing the new Local Plan or consult you on planning applications or on other planning matters, we will:

- **Communicate clearly** by writing in plain English and explain any technical terms that we need to use.
- **Keep the process simple** by making it easy for you to get involved and be able to provide your views through a variety of means taking into consideration time and costs. We will make use of existing community involvement networks and groups as appropriate.
- **Be inclusive** by aiming to make appropriate information accessible to as many people as possible information in a variety of public places and wherever possible by providing information in an accessible format and giving clear advice on how the planning system works where requested.
- **Encourage effective involvement** by explaining what we can and cannot take into account and make sure that you have enough time and notice of all the opportunities to get involved. We will consider all comments and provide feedback on how they have been considered.

Who can be involved?

We want everyone to have the chance to have their say on the Council's

emerging Local Plan and planning applications, wherever it is relevant.

We are committed to doing everything reasonable possible to make our community involvement inclusive. This means we aim to give everyone in Carlisle District the opportunity to be involved. **The Council's Comprehensive Equality Scheme 2011** explains our approach to inclusion and our **Corporate Consultation Policy 2008** sets out the different ways we have available to ensure a variety opportunities to get involved.

Requests for documents to be made available in an alternative format i.e. large print/Braille or an alternative language can be made via our Communications team on **1234**

How will we involve you?

We will keep you informed through a variety of methods including: letters, e-mails, web site (www.carlisle.gov.uk), site notices (for planning applications), the Council's magazine 'Carlisle Focus' and press releases/notices in the local newspaper.

The ways in which you can have your say will vary depending on if you are commenting upon a planning application or emerging planning documents/policies. Full details of how you can be involved can be found in the relevant associated leaflet:

- **Influencing the Local Plan**
- **Getting Involved in Planning Applications**

The Role of Planning Officers

Planning Policy Team – produce the Local Plan and additional planning documents. They organise and lead on the consultation on emerging planning documents and consider relevant responses made for possible incorporation into the final adopted document. They can also be contacted for advice.

Development Management Team – assess planning applications in accordance with the adopted Local Plan 2001 – 2016, national guidance e.g. National Planning Policy Framework and any other material considerations including consultation responses and other representations. They can be contacted for advice and pre-application enquiries.

Both teams work closely together in the preparation of new planning policies, in assessing planning applications and in the providing of specialist professional planning advice on key development projects with land-use implications.

The Role of Councillors

Locally elected Councillors have a key role in the planning process in the following ways:

- The Council's Executive is made up of Councillors who make decisions on council planning policy, whilst the full Council is responsible for approving and adopting all statutory planning policy;
- The Council's Development Control Committee is made up of a number of Councillors who make decisions on planning applications taken to committee;

- Councillors represent their respective wards and listen to residents' concerns on planning issues (at ward surgeries or public meetings and consultations; and
- Councillors can voice their support or make objections to planning applications in writing and speak at committee on behalf of their constituents.

The role of the elected Councillor in representing the views and concerns of residents in the planning process is very important. There are existing protocols for the way that Councillors and Council Officers conduct their activities, which ensure that any potential conflicts of interest are resolved in a transparent way and have specific reference for Councillors who sit on Development Control Committee.

Planning Applications

The Development Management team is responsible for assessing all planning applications for development. They provide advice, determine applications and advise the Council's Development Control Committee on 'major' and other types of applications.

All decisions must be made in accordance with the adopted Local Plan and National Planning Policy Framework unless other material considerations indicate otherwise such as site specific matters relevant to a particular case. The team also includes an enforcement officer who deals with unauthorised development in the District.

Getting involved in planning applications

The publicity procedures to be followed on planning applications are laid down by government Legislation and Regulations. The Council meets all these minimum statutory requirements. Planning applications, including all supporting documents can be viewed online www.carlisle.gov.uk and are also available to be viewed in the Customer Contact Centre at Carlisle City Council, Civic Centre, Carlisle, CA3 8QG during normal office hours. A planning officer is normally available to provide advice on current and proposed applications at the Civic Centre. To ensure that the officer is available when you arrive at the office, it is preferable that you make an appointment prior to your visit.

Comments on planning applications must be made in writing within 21 days from the date of our notification letter, press notice or site notice appearing.

Please note that comments submitted after this 21 day publicity period has expired may not be considered because a decision may have already been made on the application.

Public Meetings and Exhibitions

Dependent on the nature and potential impact of a development proposal on the local community, developers may need to carry out their own pre-application public consultation. The Validation Checklists that accompany applications explains that some major planning applications will need to be accompanied by their own Statement of Community Involvement.

These consultations should be carried out at an early stage in the design process, to enable community views to be incorporated into the submitted proposal. The form of consultation will need to be tailored to suit the particular circumstances of the site, proposal and locality. To ensure that decisions are made in a fair and open manner, the Council's Planning Officers would not normally participate in these public meetings or exhibitions. As a minimum, the consultation statement submitted with the application should include:

- Details of residents, businesses and local community groups consulted;
- Method and timing of consultation; and
- Feedback and information on how outcomes were addressed in the development proposal.

Decision-Making and Development Control Committee

Most minor planning applications are determined under Delegated Powers as set out in the **Scheme of Delegations**. The Development Control Committee makes decisions on major applications, and in certain other circumstances as detailed in the **Council's Constitution**. These circumstances include where written representations for and/or against a development proposal have been made and speaking rights have been requested in accordance with the rules for speaking at Development Control Committee.

For those applications determined at committee, a member of the public or their representative will be allowed to speak if they have made a written representation to the planning application **and** registered the right to speak¹ in accordance with the process detailed in the Council's **'Development Control Committee Public Speaking'** leaflet.

Development Control Committee Agendas are published on our website eight days prior to Committee Meetings, followed by the minutes of the meeting. As part of the Council's commitment to an open and transparent planning process there is a Planning Protocol **'Members' Planning Code of Good Practice'**, ensuring that decisions are made on a sound planning basis.

Notification after Development Control Committee

The decision is recorded on the Council's website.

Planning Appeals

If an Appeal is lodged against the Council's decision, notification is sent to those people who were advised of the original decision which provides them with the opportunity² to make representations to the Planning Inspectorate.

Appeals can take the form of Written Representations, Informal Hearings and Public Inquiries. Site Notices will only be posted in the case of a Public Inquiry. Appeal decisions are reported to Development Control Committee and are published on our website.

Other Information

The Development Management team can also provide advice for both householders and businesses who are considering development projects.

¹ limited to 5 per application

² With the exception of appeals submitted under the householder appeal service but the original representations will be sent to the Planning Inspectorate by the Council

The Planning System

The Localism Act 2011 and National Planning Policy Framework 2012 (NPPF) made several changes to the Planning System as the Government wanted to get people more involved in the preparation of planning documents.

As we are preparing the Carlisle District Local Plan 2015 - 2030, now is an ideal time to get involved.

Carlisle District Local Plan 2016 – 2030

This will be the new development plan for the District. It will set out a long term spatial vision and strategic objectives explaining how the area should develop by focussing on the key issues to address. It will also include development management policies, land use designations and site allocations which will be used when planning applications and other development proposals are being assessed.

It will provide the formal statutory framework for sustainable development and lay the foundations for economic growth whilst protecting our valuable historic and natural environmental assets.

Key Stages:

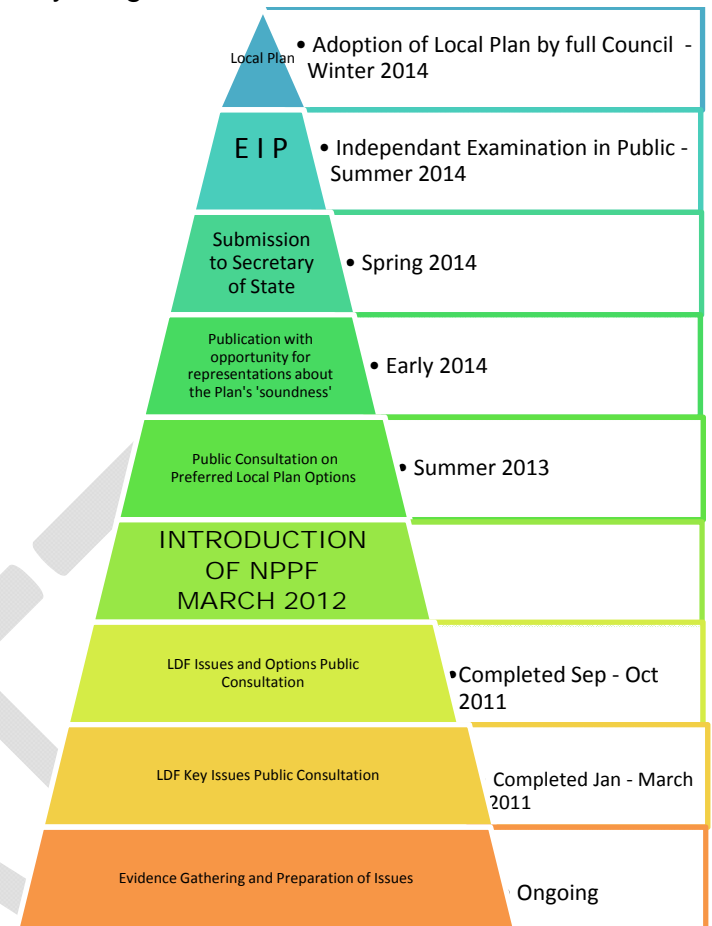


Figure 1.

Associated documents:

Local Development Scheme (LDS)

Sets out what local development documents will be produced and the current timetable for their production.

Annual Monitoring Report (AMR)

Assesses performance and implementation of the Local Plan and monitors the progress made against the timetable within the LDS.

Both these are published on our web site.

Additional Planning Documents

Sustainability Appraisal (SA)

As part of the plan preparation process, we will assess the social, environmental and economic impacts of each document. The key purpose is to identify and enhance the positive effects whilst minimising the potentially adverse impacts of our planning policies. This process will also involve the assessment of any health and equality impacts. Where necessary, we will carry out a Habitat Regulation Assessment of our emerging plan documents.

Supplementary Planning Documents (SPDs)

These are produced to provide further detailed supporting guidance on a specific topic. Whilst they do not have the same weight as the policies within the Local Plan, they can still be given material consideration when assessing planning applications. They can be produced more quickly as they are not subject to an examination in public, but still undergo a consultation process.

Key Stages:

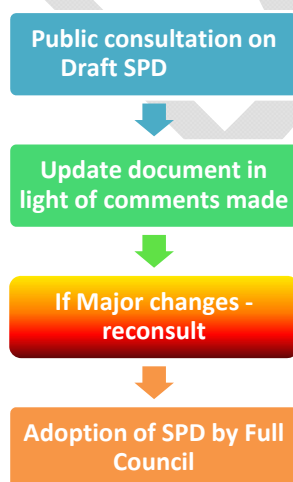


Figure 2.

Getting Involved

There are a number of key stages which are required by planning legislation to ensure the process is as open and transparent as possible. Figure 1 and 2 show the processes involved in the preparation of the New Local Plan or a SPD.

When there is an Examination in Public (an independent examination normally chaired by the Planning Inspectorate) to take place, then to be able to speak, a formal representation must have been made within the prescribed consultation period(s).

How will we let you know?

Press releases and statutory notices

These ensure that we communicate as widely as possible. However they are less 'personal' but in some cases we will need to use newspaper notices to meet our legal requirements.

Website: www.carlisle.gov.uk

The internet is a popular way of communicating as more information can be accessed and documents can be downloaded. There are dedicated planning pages which we will ensure are kept up to date and provide opportunities for online consultation.

Emails and Letters

If you would like to be notified personally of any consultation on a planning document, then please let us know. For environmental reasons our preferred choice of communication is via email but

if you do not have access to the internet then letters will be sent.

Local Libraries

Printed copies of any consultation documents will be available to view at the Central Library in the Lanes Shopping Centre Carlisle and all its satellite branches. See www.cumbria.gov.uk/libraries for further details and opening times.

Carlisle Focus

As appropriate an article about forthcoming consultations will be published in Carlisle Focus which is the Council's half yearly publication and is distributed to most households within the District. It is also available on-line.

Public Displays

Throughout any consultation period we will endeavour to use public displays to increase awareness. In most cases they will be unmanned, but on occasions planning officers may be available to answer queries. Such displays have been in places such as the foyer of the Civic Centre, Carlisle covered market and the Old Town Hall.

How can you respond?

Consultation Response Form

Consultation forms will be available to download from the Council's web site or can be obtained from libraries and/or the customer contact centre at the civic centre. These can be completed and submitted via email or can be printed and posted to us.

There will also be the opportunity to complete the questionnaire via the online consultation web page.

Stakeholder Workshops

Workshops will be arranged as appropriate.

Discussion Groups and Meetings

These can be arranged with Planning Officers where it is appropriate as sometimes people like to have their say face to face. Existing groups such as Parish meetings and neighbourhood forums provide such opportunities.

How will we respond to you?

We undertake to acknowledge to a written representation (letter/email or response form with contact details) within 10 working days.

If you attend a stakeholder workshop we will, if requested, send you a summary of the feedback after the event.

We will prepare reports after each stage of consultation and these will be made available on our website.

Consultees

'Specific' and 'Duty to Co-operate' consultation bodies

The list below outlines the organisations and other bodies that we are legally required to consult and involve in preparing our planning documents, in accordance with the town and Country Planning (Local Planning) (England) Regulations 2012.

Statement of Community Involvement - Overview

- Neighbouring local planning authorities
 - Allerdale Borough Council
 - Eden District Council
 - Dumfries and Galloway Council
 - Northumberland County Council
- Civil Aviation Authority
- Coal Authority
- Cumbria Constabulary
- Cumbria County Council
- Electricity North West Limited
- English Heritage
- Environment Agency
- Health Service Providers
- Highways Agency
- Highways Authority
- Homes and Communities Agency
- Lake District National Park Authority
- Natural England
- Network Rail Infrastructure Ltd
- Parish Councils within the District
- Primary Care Trust
- United Utilities
- different ethnic or national groups in the local authority's area
- different religious groups in the local authority's area
- disabled people in the local authority's area
- people carrying on business in the local authority's area.

In addition to the above groups, we seek to involve and consult on a wide range of other interested groups and organisations, developers and consultants, as well as local residents and businesses. If you want to be added to our mailing database, or need to amend your existing details, please let us know.

Neighbourhood Development Plans

Local communities can now opt to prepare plans for their local areas. Once Neighbourhood Development Plans have passed through independent examination and a local community referendum they will form part of the statutory development plan for those areas of the district.

The Local Planning Authority does not prepare Neighbourhood Development Plans, but the council does have a duty to provide advice and technical assistance to community groups engaged in neighbourhood planning. Planning Policy Team will work closely with the local communities to ensure that the Neighbourhood Development Plans are in general conformity with the Local Plan.

Requirements of the neighbourhood planning process and updates will be

Plus other relevant gas, electronic and electronic communications network providers.

General consultation bodies

The general consultation bodies are also listed in the regulations. The regulations identify five types of bodies as general consultation bodies that relate to voluntary organisations representing certain groups within the community. The general consultation bodies are:

- voluntary bodies some or all of whose activities benefit any part of the council's area
- bodies which represent the interests of:

available on the Council website and through the Local Plans newsletter, 'Localism in Action'.

DRAFT

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 31 MAY 2013

**EX.55/13 CARLISLE DISTRICT LOCAL PLAN 2015 – 2030 – PREFERRED
OPTIONS CONSULTATION**
(Key Decision – KD.014/13)

Portfolio Economy and Enterprise

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Deputy Leader and Economy and Enterprise Portfolio Holder submitted report ED.11/13 setting out details of the draft Preferred Options stage Carlisle District Local Plan.

The Deputy Leader and Economy and Enterprise Portfolio Holder outlined the background to the matter commenting that, as was the case with the Core Strategy, the Carlisle District Local Plan provided a new framework for development to 2030. It now, however, included a comprehensive range of policies to determine planning applications as well as identifying development sites essential to delivery of the Plan. That revised approach would ensure that the Plan would be finalised at the earliest possible opportunity and that deliverable development sites would be available across the District to deliver the Plan as soon as it was adopted. The Local Plan also embraced the concept of Localism, should communities wish to promote additional development through the development of Neighbourhood Plans.

The Preferred Options Local Plan consisted of:

- A clear economic vision and spatial strategy for the District
- Strategic policy direction
- Local policies to guide development and how the Council dealt with planning applications
- Site specific allocations of viable housing and employment land for strategic growth (that part of the Plan would be presented to the Executive in a separate report to be amalgamated with the policies appended to this report for full Council)
- Policies map

He emphasised that the Local Plan would seek to provide a planning framework for Carlisle which would instil developer confidence, resulting in the development of high quality homes and businesses; support the delivery of infrastructure; attract inward investment and help to foster a wider cultural offer.

A wide range of topic areas were covered within the Plan, details of which were provided.

The Deputy Leader and Economy and Enterprise Portfolio Holder informed Members that work was ongoing to develop a comprehensive evidence base which had and would continue to inform the preparation of the draft Plan's strategy, the policies and the location for new development. He added that a number of other required assessments had been undertaken alongside the draft Plan to measure the impact thereof, and those would be published for consultation alongside the Preferred Options Local Plan.

In terms of the Plan preparation, the next stages were:

Publication – Winter 2013

Submission (to the Secretary of State) – Spring 2014

Examination (independent examination by Inspector) – Summer 2014

Adoption – Winter 2014

The preferred options consultation was therefore a very significant stage in development of the Local Plan and an important opportunity for the public to engage in preparation of the Local Plan.

The Deputy Leader and Economy and Enterprise Portfolio Holder reiterated his previous expression of thanks to all Members who had served on the cross-party Working Group, which had been extremely useful.

He also wished to place on record thanks to Officers within the Local Plans Team for the very robust and good work undertaken in guiding the Working Group.

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

Summary of options rejected None

DECISION

That the Preferred Options Stage Local Plan be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and that, subject to any additional information arising from the Scrutiny Panel, be reported back to the Executive on 1 July 2013 to consider referral to Council for approval for public consultation on 16 July 2013.

Reasons for Decision

Approval for the draft preferred options stage Local Plan is necessary to enable work to progress on the Local Plan in order to meet the timescales set out in the project plan. Having an up to date Local Plan in place is essential in providing the tools for an effective Planning Service and to ensure that the Council's and the communities' aspirations for the District are met

EXCERPT FROM THE MINUTES OF THE ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL HELD ON 13 JUNE 2013

EEOSP.38/13 CARLISLE DISTRICT LOCAL PLAN 2015-2030 – PREFERRED OPTIONS CONSULTATION

The Economy and Enterprise Portfolio Holder reiterated his comments to Council and thanked Officers involved. The issues in the report rose above politics as the framework took the Council up to 2030. The Portfolio Holder thanked the Planning Policy Team who had worked hard on the report and provided a technical and detailed policy that would assist the Development Control Committee in the future. The Portfolio Holder also commended the work of the cross party working group.

The Chairman stated that during her time as Chair of that working group the work had been interesting and she was sorry that she had not been able to continue. She believed that all Members were looking for the best for Carlisle.

The Director of Economic Development introduced the Policy and Investment Manager and presented report ED.13/13 that detailed the content of the draft Preferred Options stage of the Carlisle District Local Plan, and provided an overview of the topic areas that were covered by the Planning Policies alongside the strategic policy direction for Carlisle District for the period 2015-2030.

The Director of Economic Development outlined the background to the matter commenting that, as was the case with the Core Strategy, the Carlisle District Local Plan provided a new framework for development to 2030. It now, however, included a comprehensive range of policies to determine planning applications as well as identifying development sites essential to delivery of the Plan. That revised approach would ensure that the Plan would be finalised at the earliest possible opportunity and that deliverable development sites would be available across the District to deliver the Plan as soon as it was adopted. The Local Plan also embraced the concept of Localism, should communities wish to promote additional development through the development of Neighbourhood Plans.

The Preferred Options Local Plan consisted of:

- A clear economic vision and spatial strategy for the District
- Strategic policy direction
- Local policies to guide development and how the Council dealt with planning applications
- Site specific allocations of viable housing and employment land for strategic growth (that part of the Plan would be presented to the Executive in a separate report to be amalgamated with the policies appended to this report for full Council)
- Policies map

The Director emphasised that the Local Plan would seek to provide a planning framework for Carlisle which would instil developer confidence, resulting in the development of high quality

homes and businesses; support the delivery of infrastructure; attract inward investment and help to foster a wider cultural offer.

A wide range of topic areas were covered within the Plan, details of which were provided.

The Deputy Leader and Economy and Enterprise Portfolio Holder informed Members that work was ongoing to develop a comprehensive evidence base which had and would continue to inform the preparation of the draft Plan's strategy, the policies and the location for new development. He added that a number of other required assessments had been undertaken alongside the draft Plan to measure the impact thereof, and those would be published for consultation alongside the Preferred Options Local Plan.

In terms of the Plan preparation, the next stages were:

Publication – Winter 2013

Submission (to the Secretary of State) – Spring 2014

Examination (independent examination by Inspector) – Summer 2014

Adoption – Winter 2014

The preferred options consultation was therefore a very significant stage in development of the Local Plan and an important opportunity for the public to engage in preparation of the Local Plan.

The Policy and Investment Manager presented slides that outlined the Local Plan Preferred Options.

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

- *Broadband outside of Carlisle was not good and it may be difficult for those residents to access the report from the website.*

The Director of Economic Development advised that Officers would look at as many ways as possible to get the information out to the public and get responses back. There would be hard copies going out to libraries and community centres.

- *Part of the Council's vision is on tourism yet there was no mention of employment in tourism in the report.*

The Economy and Enterprise Portfolio Holder advised that tourism was included in section 2.23 and queried whether Members believed that was not strong enough.

- *There was a lot of work around tourism including bed and breakfast accommodation and workforce in general tourism. Those issues were worthy of a mention.*

The Portfolio Holder advised that tourism played a major role in the economy of Carlisle and agreed that it could be given its own heading and a higher profile.

- *What status in law would the Local Plan have in terms of Government Department? And how could the Council ensure that every department had the will to abide by the policies?*

The Director advised that the Local Plan would carry a lot of weight once it was adopted. The Environment and Tourism Portfolio Holder advised that, with regard to tourism, culture and heritage, the report mentioned the castle but not the cathedral. The Carlisle State Management Public Houses were not mentioned and the Portfolio Holder believed they were a unique part of the Council's heritage and linked with the commemoration of World War 1. The Portfolio Holder stated that not enough was done in respect of heritage.

Policy S1 – Sustainable Development

The Director stated that Policy S1 – Sustainable Development – was a fundamental policy within the National Planning Policy Framework and was included in the Local Plan.

- *It would be useful if the meaning of Blue Infrastructure could be included in the glossary for clarity.*
- *Once the maintenance of trees was passed to the County Council how could the City Council ensure a relationship with the County Council?*

The Director of Economic Development advised that once the Local Plan was adopted that responsibility would transfer to the Local Environment Directorate and the Director would liaise with Officers in the County Council.

The Portfolio Holder advised that the Highways and Transport working Group would have responsibility for trees on the highway.

Policy S5 – Regeneration policy

- *When would Policy S5 – Regeneration Policy – be available?*

The Director of Economic Development explained that the Regeneration Policy would be covered in the Special meeting as part of the site allocations and City Centre Masterplan.

Policy S7 – University Development

- *Carlisle College was not mentioned as part of Policy S7 – University Development. Would it be included as part of higher education provision?*

The Director of Economic Development advised that discussions could be held with the college. The economic growth of the university had a section of its own. She explained that she was in discussion with the Director of Property regarding the business plan to articulate the policy in a spatial manner.

- *If there was a separate policy for the university would that policy be the same for the college?*
- *There was concern about the development of the university and it was important to notify residents of ideas that the university had. Good rapport with the university was important.*

The Environment and Transport Portfolio Holder believed the policy was essential and was included to avoid the University of Cumbria moving to Lancaster. The Portfolio Holder

believed that the headquarters should be in Carlisle and Carlisle should be the main development of the university in Cumbria. If the Council provided the expansion for expansion the university should retain a presence in Carlisle.

The Deputy Chief Executive suggested that it may be useful to invite a representative of the University to attend a meeting of the Panel and outline their intentions.

The Economy and Enterprise Portfolio Holder stated that he was disappointed that the Business School was moved to Lancaster and he hoped that at some point it would be moved back to Carlisle. The Portfolio Holder added that it would be useful to weave the University into city life and ensure that the university was anchored in the City. The Portfolio Holder also stated that Officers were working with companies in the City to tie the arts into the growth of the City.

Policy 3 – Mixed Commercial Areas

- *Did the policy protect primary retail areas?*

The Director explained that the policy was not specific to the retail area but related to mixed commercial use and the City Centre would have its own policy.

- *Was there any land allocated for retail use?*

There were specific areas of land allocated and the policies applied with regard to those areas.

Policy 4 – Office Development

- *When the County Council move into their new premises there will be a lot of office space in the City Centre. How would that be utilised?*

The Director advised that the National Planning Policy Framework and Government guidelines allowed change of use and that Planning Authorities should be flexible. Planning Officers would look at what would be the best way to bring those offices back into use with the specific focus on regeneration. The Director confirmed that although the retail area would be protected there would be flexibility to allow change of use to residential if required and that flexibility could be included in the policies.

Policy 7 – Retail Proposals Outside the Primary Retail Area

- *The Local Plan was designed to last for 15 years and take into account the future of out of town development. A Member did not believe the Plan would be robust for the full 15 years and could be out of date in 5-6 years.*

The Director advised that the Plan would provide policies for 5-10 years and that most of the aspirations would come to fruition within 7 years. Officers would continue to review the Local Plan and keep it up to date. In 5 years Officers would look again at the policies to ensure they were still sound and there would be a revised plan after 10 years.

- *The Council's focus was on healthy living. What effect could the Local Plan have on takeaways close to schools to encourage children to eat more healthy food?*

The Director advised that that issue was being investigated and there was an alternative policy that would prohibit takeaways from opening within 400m from schools, etc. However, it had been agreed that it would be difficult to enforce such a policy. Applications for takeaways would be determined on a case by case basis but Officers would ensure that there was no concentration close to schools, etc.

- *Was anything proposed to prevent to closure of more community pubs as the focus seemed to be on the City Centre?*

The Director explained that the situation was due to the present economy and there was nothing that the Council could do from a planning perspective. If people stopped using the pubs and they subsequently go out of business the Council would have to deal with the consequences.

- *There were a number of takeaways concentrated in the Botchergate area. Would it be better to dilute that number?*

The Director advised that that could be done through planning matters and the number of hot food establishments in Botchergate could be limited to prevent saturation.

Policy 14 – Caravan, Camping and Chalet Sites

- *Was the policy positive enough and could it link better to tourism?*
- *The policy was related to tourism as Carlisle was close to the Lake District and Hadrian's Wall.*

The Director believed that that was a matter for debate. The creation of sites would cause tension in some areas as it would have an effect on an area but it would also bring in tourism which would have an impact on the economy. Each application would be dealt with on a case by case basis.

Policy 21 – Housing Development

- *A lot of consultation is done with the Parish Councils in rural areas but it may be better to include residents as well.*

The Director explained that the Parish Councils were involved in the rural Masterplan as they had knowledge about their own areas and understood the pressures on growth.

- *Did the current policy presume in favour of development?*

The Director confirmed that was the case but added that when applications were submitted they had to comply with current policies and that it was national policy to presume in favour of development.

- *There was concern about housing within villages and Members believed it was difficult keeping families together in villages. Was there enough emphasis in the Local Plan to find to find houses for those families?*

Policy 25 – Rural Exception Sites

The Policy and Investment Manager advised that Officers had tried to include those issues in policy S1.

- *Development had been encouraged over the years in Corby.*
- *Were the statement boundaries open for flexibility?*

The Director advised that the boundaries were an artificial device used to form planning perspectives. Sites would be allocated to specific sites then planning rules would want all development beyond those areas.

- *The policy would need to ensure that there were houses were offered to local people first.*

Policy 32 – Special Needs Housing

- *There was evidence that the population of Carlisle was getting older and the policy needed to be expanded or a separate section included on aging population for the life of the Local Plan.*

The Director explained that that could be looked at as part of further responsibilities.

The Economy and Enterprise Portfolio Holder advised that there was a role for the County Council in respect of high level needs and there was a move away from high residential schemes. By next year Officers would identify people currently in hospitals outside of the area to be moved closer to families. Those people would need appropriate accommodation.

Policy 33 – Traveller Site Provision

- *When would the policy be ready?*

The director explained that Officers were working with other districts in Cumbria and Lancashire and were pushing to complete the policy. However the Director could not be certain of an exact date of completion.

Policy 39 – Waste Minimisation and the Recycling of Waste

The Environment and Transport Portfolio Holder advised that details were included in planning applications. Developers and the planning authority needed to work together to enable waste to be collected efficiently and roads constructed to make it easier for refuse vehicles to access the waste bins.

Policy 49 – Educational Needs

The Director advised that there were currently no significant issues regarding primary schools however there were issues with some schools. She agreed that the wording needed to be amended.

- *The lack of schools was stopping development and people were not keen to develop areas where there were no spaces available in schools.*
- *The policy should link to the issues around the University.*

Policy 58 – Location of a New Cemetery

The Environment and Transport Portfolio Holder advised that something needed to be done as the Carlisle cemetery was becoming full and it would be difficult to do anything in the future if there was nothing in the Local Plan.

Policy 59 – Hadrian's Wall World Heritage Site

- *There was not enough emphasis on heritage in the area. A section of Hadrian's Wall had been covered up at a local hotel which would not have happened in an area such as York.*

The Environment and Transport Portfolio Holder also believed that the areas history in relation to the debateable lands should be exposed more.

- *A number of people had advised that they often drove past Carlisle on the motorway as there was no indication of the history on the city. A Member suggested erecting a statue that would indicate that history.*
- *There was concern about the timescale for consultation as the summer was fast approaching and people would be on holiday. Also some Parish Councils only met every 2-3 months so their replies could be restricted.*

The Director advised that she was aware of the issues and that Officers would be flexible in receiving comments. The Plan had to be finalised by February 2014.

She advised that there would be regular updates to the Local Strategic Partnership Executive and that she would be happy to take the presentation to them.

RESOLVED: (1) That Report ED.13/13 – Carlisle District Local Plan 2015-2030 – Preferred Options consultation be noted and the recommendations be submitted to the Executive for their consideration before submission to Council in July.

(2) That the Panel acknowledged the hard work undertaken by the Planning Policy Officers.

EXCERPT FROM THE MINUTES OF THE SPECIAL EXECUTIVE MEETING HELD ON 17 JUNE 2013

EX.64/13 LOCAL PLAN – LAND ALLOCATIONS (Key Decision – KD.014/13)

Portfolio Economy and Enterprise

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Deputy Leader; and Economy and Enterprise Portfolio Holder reported (ED.14/13) on the Carlisle District Local Plan land allocations.

The Deputy Leader; and Economy and Enterprise Portfolio Holder outlined the background to the matter, reminding Members that the development management and strategic policies and vision had been brought before the Executive on 31 May 2013 (Minute EX.55/13) and considered by the Environment and Economy Overview and Scrutiny Panel on 13 June 2013 (Minute EEOSP.38/13). Together with the site allocations for development identified in report ED.14/13, they would form the Carlisle District Local Plan 2015 – 2030. He added that the Plan would provide a statutory planning policy framework for Carlisle District which would in turn provide developer and community confidence in decision making.

The report identified the Preferred Options for sites to be allocated for a range of development including housing, employment and community uses up to 2030. The allocations would help to meet the objectives of the strategic housing and employment policies. Following the findings in the retail study that by 2021 Carlisle could accommodate an additional 16 900sq m of retail floor space, work was also currently being undertaken on a City Centre Master Plan.

Maps showing the preferred locations for a range of housing to meet the needs of current and future population, employment sites and a health centre at Brampton were appended to the report.

The Deputy Leader; and Economy and Enterprise Portfolio Holder informed Members that the Preferred Options site allocations had been identified through a variety of sources, including:

- sites previously assessed and consulted on through the SHLAA
- sites recently submitted to the Council
- a review of land allocations in the current Local Plan

- a review of sites in other corporate strategic documents, such as the Asset Management Plan
- Carlisle Employment Land Study
- Carlisle Retail Study

In terms of housing, and in response to representations received from villages wishing to see protection and managed growth, an urban / rural split of 70 / 30% was proposed. All of the Preferred Options site allocations put forward in the report were required in order for the Council to meet its proposed annual housing target of 550 – 650 per year, with an urban / rural split of 70 / 30%. Although no firm decisions had yet been taken, it should be noted that the effect of removing a site would be the need to allocate an equivalent alternative elsewhere.

The Deputy Leader; and Economy and Enterprise Portfolio Holder emphasised that the Executive wished to grow the City and the economy in a managed way, ensuring that sufficient capacity existed to attract inward investment and jobs. That course of action would clearly demonstrate that they had ambition for the City.

As the Council could currently demonstrate a five year housing supply with an additional buffer of 20%, it was not considered necessary to allocate sites for development in the first five years of the Plan period. The Preferred Options site allocations were therefore intended to come forward in years 6 – 10. For years 11 -15 (i.e. 2025 – 2030) a broad location for growth had been identified in the area of Carlisle south, spreading westwards from junction 42 of the M6 to Durdar, with potential to expand further in a later plan period. The ultimate aim of that area of development would be to enable the construction of a southern relief road linking Junction 42 with the newly opened western relief road (CNDR).

Details of the Strategic Housing Policy and next stages were also provided.

In conclusion, the Deputy Leader; and Economy and Enterprise Portfolio Holder moved the recommendation that the Preferred Options stage of the Carlisle District Local Plan 2015 – 2030 (Site Allocations) be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and, subject to any issues arising from the Panel, be reported back to the Executive on 15 July 2013, with a recommendation to refer to Council on 16 July 2013 for approval for public consultation for a six week period.

The Finance, Governance and Resources Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Preferred Options stage of the Carlisle District Local Plan 2015 – 2030 (Site Allocations) be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and, subject to any issues arising from the Panel, be reported back to the Executive on 15 July 2013, with a recommendation to refer to Council on 16 July 2013 for approval for public consultation for a six week period.

Reasons for Decision

Approval of the Preferred Options Site Allocations would enable the whole Local Plan, (policies and allocations), to meet the timescale set out in the Planning Service Project Plan. Having an up to date Local Plan was a central requirement of Government Planning policy, and provided an effective Policy Framework to guide development over the Plan period, and on which to make decisions on planning applications. It also gave certainty and confidence to developers and the community

EXCERPT FROM THE MINUTES OF THE ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL HELD ON 25 JUNE 2013

EEOSP.44/13 LOCAL PLAN – LAND ALLOCATIONS

The Director of Economic Development submitted Report ED.15/13 regarding the Local Plan and Land Allocations.

The Executive had considered the Local Plan at their meeting on 17 June 2013 and decided:

“That the Preferred Options stage of the Carlisle District Local Plan 2015 – 2030 (Site Allocations) be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and, subject to any issues arising from the Panel, be reported back to the Executive on 15 July 2013, with a recommendation to refer to Council on 16 July 2013 for approval for public consultation for a six week period.”

The Economy and Enterprise Portfolio Holder outlined the background to the matter, reminding Members that the development management and strategic policies and vision had been brought before the Executive on 31 May 2013 and considered by the Environment and Economy Overview and Scrutiny Panel on 13 June 2013. Together with the site allocations for development identified in report ED.14/13, they would form the Carlisle District Local Plan 2015 – 2030. He added that the Plan would provide a statutory planning policy framework for Carlisle District which would in turn provide developer and community confidence in decision making.

The report identified the Preferred Options for sites to be allocated for a range of development including housing, employment and community uses up to 2030. The allocations would help to meet the objectives of the strategic housing and employment policies. Following the findings in the retail study that by 2021 Carlisle could accommodate an additional 16,900sq m of retail floor space, work was also currently being undertaken on a City Centre Master Plan.

Maps showing the preferred locations for a range of housing to meet the needs of current and future population, employment sites and a health centre at Brampton were appended to the report. Those allocations would also form part of the Local Plan Policies map which would also indicate existing established land uses such as areas of housing, employment, retail, etc as well as areas of land which were protected, such as parks, playing fields, other protected landscapes and sites which were important for nature conservation.

The Economy and Enterprise Portfolio Holder informed Members that the Preferred Options site allocations had been identified through a variety of sources, including:

- sites previously assessed and consulted on through the SHLAA
- sites recently submitted to the Council
- a review of land allocations in the current Local Plan

- a review of sites in other corporate strategic documents, such as the Asset Management Plan
- Carlisle Employment Land Study
- Carlisle Retail Study

In terms of housing, and in response to representations received from villages wishing to see protection and managed growth, an urban/rural split of 70/30% was proposed. All of the Preferred Options site allocations put forward in the report were required in order for the Council to meet its proposed annual housing target of 550 – 650 per year, with an urban/rural split of 70/30%. Although no firm decisions had yet been taken, it should be noted that the effect of removing a site would be the need to allocate an equivalent alternative elsewhere.

As the Council could currently demonstrate a five year housing supply with an additional buffer of 20%, it was not considered necessary to allocate sites for development in the first five years of the Plan period. The Preferred Options site allocations were therefore intended to come forward in years 6 – 10. For years 11 -15 (i.e. 2025 – 2030) a broad location for growth had been identified in the area of Carlisle south, spreading westwards from junction 42 of the M6 to Durdar, with potential to expand further in a later plan period. The ultimate aim of that area of development would be to enable the construction of a southern relief road linking Junction 42 with the newly opened western relief road (CNDR).

Details of the Strategic Housing Policy and next stages were also provided, including consultation which was proposed between 29 July 2013 and 16 September 2013.

Policy S2 – Spatial Strategy

The policy held an overarching key in the sustainability of Carlisle and drew on Policy S1. The policy set the key targets in relation to the number of dwellings, the growth in employment and the urban/rural housing split. The policy focussed on growth areas and other details such as public transport, educational achievement, community wellbeing and design.

- *How would Officers ensure the infrastructure was in place eg schools before land was developed?*

The Director of Economic Development explained that Officers liaised with the County council and utility organisations to determine what infrastructure was required for a development. She acknowledged that secondary education was a major issue in Carlisle and advised that Officers worked closely with the Education Authority to look at when new schools would be required in order to release a housing development.

The Principal Planning Officer advised that there had been many meetings with representatives from the Education Authority and informed them of the City Council's policies. The Education Authority had been broadly happy with the policies and had not requested a specific site for a school. She explained that Officers obtained their advice about the potential location of schools from the Education Authority.

The Director of Economic Development stated that, in her experience, when the document went to consultation people would challenge the information and therefore the City Council

had to work with partners to encourage them to stand up and present their case for their decisions.

- *Is the City Council able to ask partners specific questions as part of the process?*

The Principal Planning Officer confirmed that that would be possible as part of the consultation.

- *Were the sites interchangeable?*

The Director of Economic Development explained that the sites proposed were preferred options and the consultation would indicate whether they were the right sites.

- *The policy states that the Council aimed to deliver at least 9000 dwellings over the next 15 years and mentioned the impact on employment, education, transport, etc but there was no mention of the hospital which was already at capacity.*

The Director of Economic Development explained that the Health Authority would be part of the consultations and had been engaged in the process as part of the Local Strategic Plan.

In response to a query the Director of Economic Development confirmed that the development on Crindledyke had not been included as the development had already been approved.

- *Members believed it was essential that the City Council worked with partners and in particular those partners involved in education and health.*
- *The statement “Strengthen the City as a focus of high educational achievement with facilities that support future economic growth” was a very broad statement and should incorporate all higher education.*

The Director of Economic Development advised that Officers were engaging with the university and through the consultation would attempt to determine the university's plans for the future. The statement would be amended to include the university and the college.

Policy S5 – Regeneration and Strategic Retail in the City Centre and Botchergate

The policy drew on the Carlisle retail study and focussed on high quality retail. With regard to Botchergate the policy looked at retail and other uses that would enhance the City Centre and be linked to the City Centre Masterplan.

- *How did the existing Botchergate regeneration programme fit into the document?*

The policy fit underneath the Botchergate Conservation Area Management Plan and enabled the continuation of the focus of attention on the area. Botchergate was part of the public realm and would improve when the County Council developed their offices in the area.

- *Where did the City Centre fit into the Retail Masterplan?*

The Director of Economic Development explained that the Carlisle Retail Study carried out in 2012 provided an assessment of how much retail would improve over the next 10-20 years. She advised that retail had reached saturation in some areas and that flexibility around high value comparative retail would be necessary. Morton and St Nicholas Gate developments would be included when looking at population growth capacity.

Policy 1 – Employment and Commercial Growth Land Allocations

Some allocated employment land in the current Local Plan was being carried forward, namely at Brunthill and Morton. In terms of new allocations the Policy highlighted land north of Junction 44 of the M6 for employment development that would require a major electricity supply. In addition the M6 corridor was recognised as an area with potential for the development of employment uses for high value jobs. The airport was included in the policy and Officers were monitoring the application and subsequent Judicial Review and the policy would reflect the Council's aspirations of the development of the airport.

- *Would it be clear in the text that the policy was linked to policy S6 to enable members of the public to better understand the background to the policy?*

The Principal Planning Officer advised that the information would be clear in the final document. The Director of Economic Development explained that comments from the Panel and the cross party working group would be included before the final document was presented to the Executive for their consideration and subsequent submission to Council with the recommendation of consultation.

- *How could the Council ensure high value jobs were brought into the area?*

The Director of Economic Development advised that there were a number of factors apart from ensuring the correct infrastructure and site. Carlisle had accessible motorway junctions and a high quality environment but there were other factors that were not part of planning policies.

The Director of Economic Development confirmed that class usage would be included in the glossary to make classification clearer to the public.

- *Areas were available along the M6 corridor although Rosehill was at capacity.*

The Director of Economic Development advised that there were a number of plots available around the M6 junctions but that some were more constrained than others. The Economy and Enterprise Portfolio Holder stated that energy hungry industries would be better placed closer to Harker which had the power source while less hungry industry could be placed further south.

- *What was the current situation regarding the former Laings site on Dalston Road?*

The Principal Planning Officer advised that had been allocated as 70% housing and 30 commercial and was included in the current Local Plan.

Policy 9 – Morton District Centre

The Morton District Centre was part of the Carlisle Retail Study undertaken in 2012 to ensure the delivery of a foodstore.

Policy 21 – Housing Strategy and Delivery

The policy would set out how the housing target could be achieved and reflected the urban/rural split and the results of the SHLAA.

The tables included in the report set out the sites to be allocated, the size of the area and the potential yield. The Director of Economic Development explained that once the Plan was completed the information would be sent to the Planning Inspector and the Council would need to prove that the information was based on sound evidence. If that could not be evidenced then the information could be found to be unsound and the Officers had done a lot of work to ensure that did not happen.

- *Some of the maps require clarification of location and the public would not be able to identify various sites.*

The Director of Economic Development confirmed that the information would be included in the final document. The Principal Planning Officer confirmed that the Plan would have a brief description on the maps for clarity. She advised that, as the Council had enough sites for the first five years, the allocations were for the second five year period. During that period other sites would be monitored to be ready for allocation during the final five years of the plan.

- *If an allocated site was not developed could an alternative site be developed to ensure the target was achieved?*

The Director of Economic Development advised that would be the case.

Housing Allocations

The Principal Planning Officers explained that the SHLAA could be described as a catalogue of available sites. The City Council had asked people to identify sites for housing allocation and they had been included in the maps appended to the report.

The Director of Economic Development advised that discussion had taken place with some Members in respect of specific areas and reminded Members that they would be part of the consultation and their views would form part of the consultation.

The Principal Planning Officer confirmed that the SHLAA was assessed in collaboration with representatives from education, highways, United Utilities, the Environment Agency and Natural England. Each site was assessed in respect of deliverability and the constraints placed on that site. The information was updated every six months.

The Principal Planning Officer advised that the Policy team had met with all of the Parish Councils who had an appetite for limited housing in their Parishes. Villages could only be protected through their long-term support.

- *Supporting services to the villages would help young people to stay in the villages.*

In response to a query the Director of Economic Development advised that it would become clearer through consultation whether any of the Parish Councils did not support the Plans.

- *It was important that Parish Councils were encouraged to respond to the consultation.*

Brampton

- *There was a narrow point of access indicated into site BRAM2.*

That issue had been explored in the past with the Highways Authority who had seen all of the sites and were confident that they could find a solution to any problems.

Longtown – The preferred allocation was the site of the former secondary school.

Dalston – The main site was a greenfield site at Buckabank where development would help to support local services. No more than 10 dwellings would be built on the site. An application for development on a separate site in the centre of Dalston was currently under consideration by the Development Control Committee.

Wetheral – The site was in a central location and would support community services. The site was flat with no significant flood risk.

Scotby

- *There were currently 1 application that had been approved by the Development Control Committee and 2 awaiting consideration. Were they part of the preferred allocations?*

The Principal Planning Officer advised that Scotby was a large village close to Carlisle and that the site allocation was relatively small.

Linstock – A site had been allocated for the first time in Linstock which was linked to Carlisle via a dedicated cycleway and footpath. Any development would be in scale with the size of the village.

Rockcliffe – The village was small with a primary school and the preferred allocation was on a greenfield site and part of a bigger site. The scale would be appropriate for the village.

Cummersdale – The site allocated was supported by the Parish Council.

Cumwhinton – The site was small as the village had seen a lot of development in the past and the primary school was at capacity.

Warwick Bridge -

- *A Member was concerned that a site had been developed in the 1960s with provision allowed to carry on development of the site yet the report indicated that a different site had been allocated.*

The Principal Planning Officer explained that to date no-one had come forward with a proposal for the original site. People would be invited through the consultation to put alternative sites into the Plans.

- *Where would access onto the A69 be located?*

The Principal Planning Officer explained that that would be decided by the Highways Authority. All locations would be included in the Rural Masterplan and Officers had to ensure that there were landowners who were willing to sell their land.

Wreay – Only 10 dwellings would be allowed to be developed on the site. The village had a primary school, church, public house and a village hall.

Harker – There were no preferred options in the village but there was an alternative option.

Houghton – There had been a lot of development in Houghton in the past.

- *What was the current position regarding the old airfield? Would it be used for light industry?*

The Director of Economic Development advised that the site had been the subject of a recent planning application and was currently overgrown. Part of the site had been allocated for housing and she suspected the remainder would be developed for housing in the future. The site could be considered for employment if there was the appetite to do so. However, Officers would be reluctant to develop the site for employment as it was too far from the motorway and was not appropriate from an economic development viewpoint.

Smithfield – No site had been put forward as the village was a long way from Carlisle. The village did currently have a primary school and one or two dwellings would be considered if an application was brought forward.

- *The consultation period would conflict with summer holidays and it would be restrictive for obtaining the best responses. Would there be any flexibility?*

The Principal Planning Officer advised that the deadline for responses from the Parish Councils had been extended to October 2013. The Communications Team had worked hard to ensure as many people as possible would be included. Some specific questions would be forwarded to some stakeholders and partners and there would be a press release nearer to the start of the consultation. The Director of Economic Development had been part of radio and television interviews and would continue to do so.

The Investment and Policy Manager advised that the consultation would end on 16 September 2013 to enable Officers to progress the Plan to the next stage but would continue dialogue after the deadline.

RESOLVED – 1) The Panel thanked the Officers for their work in producing the report.

2) The link between Policy S1 and Policy S6 should be made clearer in the final document

- 3) The Panel would like some consultation with regard to the clarification of potential school sites (Policy S2).
- 4) The Panel were satisfied that Policy S5 would fit the requirements of the City for the future.
- 5) The Panel were content with the draft local allocations and for the report to progress to the Executive and then Council to approve consultation.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 1 JULY 2013

**EX.068/13 **CARLISLE DISTRICT LOCAL PLAN 2015 – 2030 – PREFERRED
OPTIONS CONSULTATION**
(Key Decision – KD.014/13)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny
Procedure Rules, the Mayor had agreed that call-in procedures should not
be applied to this item)

Portfolio Economy and Enterprise

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

Pursuant to Minute EX.55/13, the Deputy Leader and Economy and Enterprise Portfolio Holder submitted report ED.17/13 setting out details of the draft Preferred Options stage Carlisle District Local Plan.

Members of the Executive had previously considered the policies of the draft plan and made the draft plan available for the Environment and Economy Overview and Scrutiny Panel to consider at their meeting on 13 June 2013. The feedback from the Overview and Scrutiny Panel had been included in the report along with suggested changes and minor amendments that had come to light as Officers continued to refine the policies during the Committee cycle (Table 1). A copy of Minute Excerpt EEOSP.38/13 had been circulated.

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

Summary of options rejected None

DECISION

That the Executive:

1. Had considered the feedback provided by the Environment and Economy Overview and Scrutiny Panel (as detailed in Minute EEOSP.38/13) and the table of minor amendments
2. Referred the draft Preferred Options stage Carlisle District Local Plan to Council on 16 July 2013 for approval for public consultation.

Reasons for Decision

Approval for the draft preferred options policies, along with the site allocations, would enable continued progress on the development of the Local Plan in line with the timescale set out in the Local Plan project plan. Having an up to date Local Plan in place was a requirement set out by central Government and was essential in providing the Council with the tools for an effective Planning Service and ensured that Council and community aspirations for Carlisle District were met.

Meeting Date: 16 July 2013

Portfolio: All Areas

Key Decision: Not applicable

Within Policy and Budget Framework: Yes/No (delete as appropriate)

Public/Private*: Public

Title: **REPRESENTATIVES ON OUTSIDE BODIES**

Report Number: GD.35/13

Report of: Director of Governance

PURPOSE/SUMMARY:

To nominate Members to serve on various outside bodies.

RECOMMENDATIONS:

The City Council is requested to nominate Members to serve on the Various outside bodies listed in paragraph 1.0..

TRACKING:

Executive:	N/A
Overview and Scrutiny:	N/A
Council:	16 July 2013

1. BACKGROUND

1.1 Set out in below are the details of those bodies to which the City Council is responsible for making appointments:

Outside Body	Current Representation	Required Appointments
Cumbria Pensions Forum	Councillor Tickner	1 nomination
Reserve Forces and Cadets Association for the North West of England	Councillor Stothard	1 nomination
Cumbria Police and Crime Panel	Councillor Bowditch	1 nomination

2. RECOMMENDATIONS

2.1 The City Council is requested to nominate Members to serve on the Cumbria Pensions Forum and the Reserve Forces and Cadets Association for the North West of England as listed in Paragraph 1.0 above.

Contact Officer: Rachel Rooney

Ext: 7039

Appendices attached to report: None

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:

- Carlisle City Council's Constitution

IMPLICATIONS:

Chief Executive's – To ensure that the Council are represented on outside bodies within the Community

Community Engagement – None

Economic Development – None

Governance – Have been included in the drafting of the report.

Local Environment – None

Resources - None

Report to Council

Agenda
Item:

23

Meeting Date: 16 July 2013
Portfolio: Cross Cutting
Key Decision: Not Applicable:
Within Policy and
Budget Framework YES
Public / Private Public

Title: Code of Conduct: Principles in Public Life
Report of: Director of Governance
Report Number: GD.36/13

Purpose / Summary:

This Report reviews the first twelve months' operation of the City Council's Code of Conduct and proposes amendment to the seven principles of public life in accordance with the January 2013, fourteenth report of the Committee on Standards in Public Life.

Recommendations:

That Council:

- i. Note the operation of the new Standards arrangements during their first twelve months;
- ii. Consider the recommendation of the Standards Committee that the Code of Conduct be amended to incorporate the updated wording associated with the "seven principles of public life".

Tracking

Standards Committee:	26 June 2013
Council:	16 July 2013

1. BACKGROUND

- 1.1 As Members are aware, since 1 July 2012 the Council has been operating under revised arrangements as regards the Standards Committee and Code of Conduct. The changed arrangements have operated well; two matters have been raised which have been dealt with informally, one formal complaint has been made which was duly considered in accordance with the approved procedures and held to be unfounded.
- 1.2 In January of this year the Committee on Standards in Public Life ("the CSPL") (a non-departmental public body, established in 1994, sponsored by the Cabinet Office) published its fourteenth report (the CSPL is the committee formerly chaired by Lord Nolan). The CSPL's work relates standards of conduct of all holders of public office and its reports and recommendations formed the basis of our existing standards framework and, in particular, the principles of conduct.
- 1.3 The full report is available on request from the Director of Governance and covers topics such as the promotion of high ethical standards; ethical regulation; public confidence, trustworthiness and ethical standards; and, risks to ethical standards. Of particular relevance for the purpose of this Report, the CSPL document also recommends a revision to 'the seven principles of public life' which, as Members are aware, are incorporated into our Code of Conduct. For ease of reference, the relevant extract (Chapter 3) of the CSPL report is shown as Appendix 1.
- 1.4 In summary, the CSPL has decided that the principles should remain the same as promoted by Lord Nolan but recommend that the descriptions be updated. Again for ease of reference, a table showing the existing wording and the revised wording is shown at Appendix 2.

2. PROPOSALS

- 2.1 It is proposed that the Council revise its Code of Conduct to incorporate the seven principles of public life as per the recommendation in the CSPL's fourteenth report.

3. CONSULTATION

- 3.1 The existing Code of Conduct and Guidance was formulated and approved on a Cumbria wide basis. The revisions to the principles have been discussed by the Cumbria Monitoring Officers' Group and the member officers will be reporting back to their respective Council to update the Principles.

- 3.2 The Council's Independent Person, Dr Peter Tiplady, has been consulted and has advised that, "the seven principles of public life are still highly relevant and to be supported. The Code of Conduct regime has been promoted by the Committee on Standards in Public Life since it first established the said principles. The updated wording as suggested by the Committee should be accepted and endorsed by the Council and its Code of Conduct updated accordingly."
- 3.3 The Council's Standards Committee considered the report on 26 June 2013 and agreed:
- "1) That the operation of the new Standards arrangements during their first twelve months be noted;
- 2) That the wording associated with the 'seven principles of public life' be amended as recommend by the Committee for Standards in Public Life and as set out in Appendix 2 of report GD.33/13;
- 3) That the Standards Committee recommend to the City Council that the Code of Conduct be amended to incorporate the said updated wording."

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Council should note the recommended changes to the seven principles wording as promoted in Chapter 3 of the CSPL's Fourteenth Report and agree to amend its Code of Conduct accordingly.

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 5.1 The Code of Conduct exists to provide Members a clear ethical framework in which they may work and, secondly, instil confidence in the public in the ethicality and transparency of the conduct of elected Members activities.

Contact Officer: Mark Lambert

Ext: 7019

Appendices Appendix 1: Chapter 3 – CSPL Fourteenth Report
attached to report: Appendix 2: Revised, recommended wording of 7 principles.

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:

- Committee on Standards in Public Life: Fourteenth Report, January 2013

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - None

Community Engagement – The Code of Conduct engenders public confidence in the Council's activities.

Economic Development – The ethicality and transparency that the Code of Conduct requires is fundamental to the Council's economic development and development control activities.

Governance – Contained within the body of the Report.

Local Environment – The Code of Conduct engenders public confidence in the Council's activities.

Resources - The Code of Conduct engenders public confidence in the Council's activities.

EXTRACT FROM THE COMMITTEE FOR STANDARDS IN PUBLIC LIFE – FOURTEENTH REPORT

Chapter 3: The seven principles of public life

Introduction

3.1 Any values system needs to be based on clear, broadly expressed principles which are aspirational, rooted in the core purposes of an organisation or profession and easy to communicate and understand. These values should underpin an organisation's governance and be embedded in all its processes:

"A hallmark of good governance is the development of shared values, which become part of the organisation's culture, underpinning policy and behaviour throughout the organisation, from the governing body to all staff. These are in addition to compliance with legal requirements..."²⁶

Seven principles of public life

3.2 The seven principles of public life have been an influential example of the values with which organisations seek to underpin their ethical framework. They have been adopted by a significant proportion of public sector organisations in the UK.

3.3 Many of these organisations have chosen to adapt the principles for their own purposes. We welcome this development as evidence of active consideration by those organisations of the way in which key values can best be expressed to be most relevant to their own work. In all the cases of which we are aware the underlying sentiments are recognisably the same.

3.4 The civil service, for example, has chosen to promote four values – integrity, honesty, objectivity and impartiality.²⁷ The Scottish Commission for Ethical Standards in Public Life has nine principles, adding "duty and public service" and "respect". They have also amended "accountability" to "accountability and stewardship".²⁸ The Welsh code of conduct for local councillors has ten principles, adding "duty to uphold the law", "stewardship" and "equality and respect" and amending "integrity" to "integrity and propriety".²⁹ The detailed definitions are recognisably similar in both the latter two cases. The voluntary code of conduct for local councillors in Northern Ireland does not make any reference to the seven principles as such, but includes versions of a number of them in its description of the "general duties" of a councillor (including "accountability and openness", "selflessness and stewardship", "objectivity and propriety" and "integrity". Honesty and leadership are not mentioned specifically.³⁰

3.5 The fact that other organisations have felt the need to adapt the seven principles raises the question of whether the principles should be reformulated. A number of participants in our seminars suggested that they should.

3.6 Our view is that changing the principles now would be both pointless and unnecessary. It is clear to us that they can be criticised on a number of philosophical, semantic or other grounds. We

doubt that if we were inventing them for the first time today they would look exactly the same. But we see no advantage, and the risk of some possible confusion, in seeking to alter them now. As with many ethical principles, their value lies not in their exact formulation but in the behaviour which they stimulate when – adapted or not – they become part of an organisation’s culture.

Amending the descriptions

3.7 Leaving the principles as they are does not mean that we cannot change the words used to describe them. Since the seven principles were first formulated our understanding of the meaning of certain words has developed. This does matter. As the Chair of the Committee’s Research Advisory Board has put it:

“Most people are not professional philosophers and while they may have very strong intuitions about certain things, those intuitions are not easily turned into analytically precise principles. But that is one reason why principles in the public domain should be clear, and should depart as little as possible from their ordinary meanings. Too much divergence breeds misunderstanding, and misunderstanding exacerbates mistrust.”³¹

3.8 Comments made to us during the course of this review, and previously, suggest there are a number of areas where the descriptions of the seven principles could usefully be brought up to date.

- The description of the present formulation of honesty refers to holders of public office having a duty to declare any conflicts of interest. The avoidance of conflicts of interest fits more obviously into our current understanding of integrity. Most people today would expect honesty to have a much broader meaning, focusing on truthfulness. This has particular resonance at the present time since a number of issues of current concern have involved allegations of inappropriate behaviour being covered up.

A focus group participant demonstrated a nuanced understanding of honesty:

“It may not be appropriate to give complete truth on something, as long as you’re not directly lying or misleading... Like you wouldn’t necessarily want to hear about the complete plans for anti-terrorism in the run up to the Olympics, so concealing that is appropriate to do so, but you wouldn’t lie about something.”³²

- Discussion around the importance of public office-holders making decisions on merit, including in our focus groups, tends to refer more frequently to impartiality than to objectivity. We think it would be helpful to include impartiality in the description of the meaning of objectivity.
- Equality of opportunity has become even more of a central tenet of thinking about ethics and values in the period since the principles were first established. We think it would be helpful to make clearer that objectivity requires giving full regard to the importance of equality of opportunity and fair treatment, irrespective of individual characteristics such as disability, race, gender or sexual orientation.

- Public office-holders sometimes need to show courage in speaking up about difficult issues, speaking “truth to power” and making or sticking by difficult decisions.³³ We see this as a key element of ethical leadership and have amended the description of leadership accordingly.

3.9 In the course of our review a number of people suggested to us that a public organisation could have high standards yet deliver neither an effective service nor value for money. This may be true in principle. But we doubt that an organisation delivering poor service or value for money could really be described as having integrity. We also suspect that there may often be a positive empirical relationship between high ethical standards and high service standards. More to the point perhaps, while public office-holders should certainly be held to account for their use of public money, it is not the role of ethical regulators to do so.

3.10 The revised descriptions of the seven principles which the Committee will use in all future publications are set out in figure 4 (for the original descriptions see appendix 6). The revisions include some clarifications reflecting earlier research carried out for the Committee.³⁴

Figure 4: The seven principles of public life

Principle	Revised description
<i>Preamble</i>	The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.
<i>Selflessness</i>	Holders of public office should act solely in terms of the public interest.
<i>Integrity</i>	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and

resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

To whom should the seven principles apply?

3.11 There is a growing area of ambiguity occupied by people contracted to deliver public services who may not be public office-holders. We strongly believe that the ethical standards captured by the seven principles should also apply to such individuals and their organisations. Like traditional public servants they are being paid public money to provide services on behalf of the community to individuals who may not have a choice about going elsewhere.

3.12 Principles are what matters in determining what people “should” do as opposed to what they might “get away with”. But the more ambiguous the circumstances (that is the less the principles might seem to an individual to be clearly applicable) the less purchase they are likely to have. This seems likely to be particularly important in the case of non-traditional suppliers of public services. Unless the principles are clearly translated into contracts and clear guidance, it is unlikely that private contractors in particular will believe that they are unambiguously applicable to them (given the likelihood of conflicts between the motives of private profit and public service), or spend time deducing from the principles how they are supposed to behave. There is therefore a responsibility on public office-holders to specify particular and proportionate ethical requirements in the contracts they let on behalf of the public sector.³⁵ This is a difficult area, the implications of which will require some effort to work out in practice. It is an issue of possible future inquiry for the Committee.

The private behaviour of public office-holders

3.13 The seven principles specifically apply to public life. Public office-holders do, of course, also have private lives, which are affected by a whole range of emotions and other factors in which the seven principles of public life are unlikely to be a major consideration.

3.14 It is important both for reasons of principle and to prevent unnecessary inhibitions on willingness to perform public roles that the privacy of the personal lives of public office-holders should be respected. The legal protection of the right to privacy under the Human Rights Act 1998 applies to public office-holders as well as to other citizens.

3.15 On the other hand, the separation between the public and private lives of public office-holders can never be absolute. There are circumstances in which private behaviour can legitimately affect an individual's employment in public office because of its impact on the reputation or integrity of the organisation concerned.

3.16 Some of these circumstances are recognised in law. If an individual is declared bankrupt or insolvent, for example, they cannot stand as a Parliamentary candidate and can be denied employment in a wide number of public posts. Others are incorporated in specific codes. The General Teaching Council for Scotland's ethical guidance to teachers, *Code of professionalism and conduct*, states that:

*"You should avoid situations both within and without the professional context which could be in breach of the criminal law, or may call into question your fitness to teach... you must uphold standards of personal and professional conduct, honesty and integrity so that the public have confidence in you as a teacher and teaching as a profession... you should maintain an awareness that as a teacher you are a role model to pupils."*³⁶

These guidelines are clearly intended to apply to teachers' private as well as public lives. The code is not statutory. But any serious breach or series of minor breaches of it could lead to an adverse "fitness to teach" finding and possible sanctions.

3.17 Whatever the law or principle might imply, the public are likely to draw conclusions about an individual's public behaviour from what they know of their private behaviour. History provides numerous examples of apparently scandalous behaviour, usually of a sexual or financial nature, casting such doubt on the suitability of politicians or others for public office that they have resigned or been removed from their posts. This is not necessarily an irrational reaction to media pressure – though it can sometimes be. It is not unreasonable for people to think that individuals who display poor behaviour or bad judgement in their private lives are at risk of doing the same in their public lives. Moreover, people's own willingness to behave well can be critically affected by what they see of the behaviour of those in leadership positions. There is no reason to think that in doing so they discriminate between behaviour in public and in private roles. One focus group participant expressed this as follows:

*"At the end of the day, if you're in a place of power, you've got to be honourable no matter what – whether you're at home in bed, or sitting and having tea with the Queen."*³⁷

3.18 We are not seeking to impose public morality on private life. But it is important to recognise that there are occasions when public and private lives can overlap and where private acts that become known can damage public confidence in office-holders and institutions. There are

therefore circumstances in which it is appropriate to take account of the private behaviour of public office-holders in judging their suitability for office. Such intrusions should be exceptional, always proportionate, and only happen where the public interest clearly requires it. The Parliamentary Commissioner for Standards recently expressed it thus in recommending a revision to the code of conduct for MPs:

*"I recognise the House's concern about any intrusion into a member's private and personal life. Like anyone else, Members are entitled to a private and personal life and for that to remain private. Any intrusion into that should be both necessary and proportionate. There needs to be a very clear public interest in such intrusion, recognising, as a rule in the Code says, that any conflict between the private and public interest must be resolved in favour of the public interest."*³⁸

3.19 In our view instances where an individual's private behaviour might affect their public life need to be looked at case by case. They should be addressed not by a lengthy philosophical debate but by clarity about acceptable behaviours and possible sanctions.

Summary

■ ■ The seven principles of public life remain broadly relevant, but there is scope for updating what they mean in practice, particularly in respect of honesty and integrity.

■ ■ There is a growing area of ambiguity occupied by people contracted to deliver public services who may not be public office-holders. The ethical standards captured by the seven principles should also apply to such people. There is therefore a responsibility on public office-holders to specify requirements about standards of behaviour in the contracts they let on behalf of the public sector.

■ ■ Public office-holders are entitled to privacy in their personal lives. But it is important to recognise that there can be circumstances in which private behaviour can affect the reputation and integrity of a public institution, and which require an appropriate response. Such intrusion should only happen where there is a clear public interest to justify it, and should always be proportionate.

²⁶ The Independent Commission on Good Governance, *The good governance standard for public services*, 2004, p.13.

²⁷ *Civil Service Code*, paragraph 3.

²⁸ Commission for Ethical Standards in Public Life in Scotland, *Annual report 2011–12*, September 2012, inside front page.

²⁹ Public Service Ombudsman for Wales, *The code of conduct for members of local authorities in Wales: Guidance from the Public Service Ombudsman for Wales*, March 2012, pp.8–9.

³⁰ Department of the Environment, *The Northern Ireland code of local government conduct: A code of recommended practice for the guidance of local councillors*, April 2003, pp.3–8.

³¹ Mark Philp, *The seven principles of public life: What they say and what they mean*, report to the Committee, 2002 (revised 2012), p.10.

³² *Qualitative research on public perceptions of ethical standards in public life*.

³³ One focus group participant described the resignation of a Chief Constable because he felt that due to spending cuts he was no longer able to provide an adequate level of service as a courageous act which he attributed to the individual's high level of personal ethical standards: "He was ambitious in the –shire police and he was a very, very fine police officer, now he's recently stepped down because he has decided that with the money that I'm now being given I can't provide a service to the people of –shire and he said I'm not putting my name to this... he's walked away from it and all credit to the guy for doing that" (*Qualitative research on public perceptions of ethical standards in public life*).

The seven principles of public life (revised descriptions)

Principle	Current description	Revised description
Preamble	None	The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.
Selflessness	Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.	Holders of public office should act solely in terms of the public interest.
Integrity	Holders of public office should not place themselves under any financial or other obligations to outside individuals or organisations that might seek to influence them in the performance of	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain

Principle	Current description	Revised description
	their official duties.	financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
Objectivity	In carrying out public business, including making public appointments, awarding contracts, or benefits, holders of public office should make choices on merit.	Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
Accountability	Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.	Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
Openness	Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.	Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
Honesty	Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.	Holders of public office should be truthful.
Leadership	Holders of public office should promote and support	Holders of public office should exhibit these principles in

Principle	Current description	Revised description
	these principles by leadership ad by example, and should act in a way that secures or preserves public confidence.	their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

EXCERPT FROM THE MINUTES OF THE STANDARDS COMMITTEE HELD ON 26 JUNE 2013

ST.11/13 CODE OF CONDUCT: PRINCIPLES IN PUBLIC LIFE

The Director of Governance submitted report GD.33/13 which reviewed the first twelve months' operation of the City Council's Code of Conduct and proposed an amendment to the Council's Code of Conduct to reflect the recommendation made in relation to the seven principles of public life in the January 2013 report on Standards in Public Life.

The Director of Governance reminded the Committee that the Council had been operating under revised Standards Committee and Code of Conduct arrangements since 1 July 2013. The changed arrangements had operated well and two matters had been raised which had been dealt with informally. One formal complaint had been made which was duly considered in accordance with the approved procedures and held to be unfounded.

In January 2013 the Committee on Standards in Public Life (CSPL) published its fourteenth report. The CSPL's work related to standard of conduct of all holders of public office and its reports and recommendations formed a significant part of the City Council's standards framework, and in particular, the principles of conduct. The report recommended a revision to the 'the seven principles of public life' which were incorporated into the Council's Code of Conduct. The CSPL report decided that the principles should remain the same but recommended that the descriptions be updated and a preamble be added. Appendix 2 of report GD.33/13 showed the existing wording and the revised wording.

The Director of Governance informed the Committee that the revisions to the principles had been discussed by the Cumbria Monitoring Officers' Group and, in addition, the Council's Independent Person, Dr Tiplady, had been consulted and his comments had been included in the report.

RESOLVED – 1) That the operation of the new Standards arrangements during their first twelve months be noted;

2) That the wording in the City Council Code of Conduct associated with the 'seven principles of public life' be amended as recommended by the Committee for Standards in Public Life and as set out in Appendix 2 of report GD.33/13;

3) That the Standards Committee recommend to the City Council that the Code of Conduct be amended to incorporate the said updated wording.

Report to Council

Agenda
Item:

25

Meeting Date: 16 July 2013
Portfolio: Cross Cutting
Key Decision: Not Applicable
Within Policy and Budget Framework NO
Public / Private Public

Title: OPERATION OF THE PROVISIONS RELATING TO CALL-IN AND URGENCY
Report of: Director of Governance
Report Number: GD.34/13

Purpose / Summary:

To report on the operation of call-in and urgency since the previous report to Council on 30 April 2013.

Recommendations:

That the position be noted.

Tracking

Executive:	N/A
Overview and Scrutiny:	N/A
Council:	30 April 2013

1. BACKGROUND

This report has been prepared in accordance with Rule 15(i) of the Overview and Scrutiny Procedure Rules which deal with the procedure in respect of occasions where decisions taken by the Executive are urgent, and where the call-in procedure should not apply. In such circumstances the Chairman of the Council (i.e. the Mayor) must agree that the decision proposed is reasonable in the circumstances and should be treated as a matter of urgency.

The record of the decision and the Decision Notice need to state that the decision is urgent and not subject to call-in. Decisions, which have been taken under the urgency provisions, must be reported to the next available meeting of the Council together with the reasons for urgency.

2. OPERATION OF THE PROVISIONS RELATING TO CALL IN AND URGENCY

The Executive, at their meeting on 1 July 2013, considered the following reports which were referred to Council. These items are all to be considered by the Council on 1 July 2013. If a call-in were to be received on any of the items, the call-in procedure would overlap the City Council meeting.

All Members will have received copies of the reports and minutes with the Summons for the Council meeting and will have the opportunity to consider the items at the Council meeting on 1 July 2013.

(1) Food Law Enforcement Service Plan

The above report was made available for consideration by the Community Overview and Scrutiny Panel. However, the Panel received the report for information only.

(2) Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants)

The matter was considered by the Community Overview and Scrutiny Panel on 30 May 2013.

(3) Treasury Management Counterparties

The matter was considered by the Resources Overview and Scrutiny Panel on 6 June 2013.

(4) Carlisle District Local Plan 2015-2030 – Preferred Options

The matter was considered by the Environment and Economy Overview and Scrutiny Panel on 13 June 2013.

(5) 2012/13 Summary of Service Standards

The matter was considered by the Community Overview and Scrutiny Panel on 30 May; the Resources Overview and Scrutiny Panel on 6 June; and the Environment and Economy Overview and Scrutiny Panel on 13 June 2013.

It was considered that any delay caused by a call-in on the items detailed above would prejudice the Council's interests by delaying approval of the matters.

The Mayor has agreed that the above decisions are urgent and, for the reasons set out above, that the call-in process should not be applied to the decisions.

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

4.1 That the position be noted.

Contact Officer: Morag Durham

Ext: 7036

Appendices None
attached to report:

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

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – N/A

Community Engagement – N/A

Economic Development – N/A

Governance – Report is by the Director of Governance and legal comments are included.

Local Environment – N/A

Resources - N/A

