

AGENDA

Environment and Economy Overview and Scrutiny Panel

Thursday, 12 March 2015 AT 10:00
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG

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

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

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

Public and Press

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

Minutes of Previous Meetings

To approve the minutes of the meeting held on 22 January 2015.
[Copy Minutes in Minute Book Volume 41(5)]

PART A

To be considered when the Public and Press are present

A.1 CALL-IN OF DECISIONS

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

A.1 OVERVIEW REPORT AND WORK PROGRAMME

5 - 10

(Cross Cutting)

To consider a report providing an overview of matters related to the work of the Environment and Economy Overview and Scrutiny Panel, together with the latest version of the Work Programme and details of the Key Decisions items relevant to this Panel as set out in the Notice of Executive Key Decisions.
(Copy Report OS.04/15 herewith)

A.2 CLEAN UP CARLISLE UPDATE

11 - 22

(Environment and Transport Portfolio)

The Director of Local Environment to submit a report that summarises the work carried out under the Clean Up Carlisle campaign over the last two years.
(Copy Report LE.08/15 herewith)

A.3 LITTER BIN TASK GROUP

23 - 24

(Environment and Transport Portfolio)

The Scrutiny Officer to submit the draft report of the Litter Bin Task and Finish Group which makes a number of recommendations for action for the Executive.
(Draft Litter Bin Task and Finish Group Report herewith. Appendix to follow)

A.4 SECTION 106 AGREEMENTS AND PLANNING OBLIGATIONS - 25 - 34
UPDATE

(Economy, Enterprise and Housing Portfolio)

The Director of Economic Development to submit a report that briefs Members of the Environment and Economy Overview and Scrutiny Panel on S106 Agreements and Planning Obligations.
(Copy Report ED.13/15 herewith)

A.5 QUARTER THREE PERFORMANCE REPORT 2014-15 35 - 50

(Cross Cutting)

The Policy and Communications Manager to submit a report that updates the Panel on the Council's service standards that help measure performance and customer satisfaction. The report also includes an update on key actions contained within the Carlisle Plan. (Copy Report PC.05/15 herewith)

PART B

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

-NONE-

Members of the Environment and Economy Overview and Scrutiny Panel

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

Labour – Caig (Vice Chairman), Dodd, Watson, Wilson, Bowditch (sub), Burns (sub), Harid (sub)

Independent – Graham, Betton (sub)

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

Economy & Environment Overview and Scrutiny Panel

**Agenda
Item:
A.1**

Meeting Date: 12th March 2015

Portfolio: Cross Cutting

Key Decision: No

Within Policy and
Budget Framework

Public / Private Public

Title: OVERVIEW REPORT AND WORK PROGRAMME

Report of: Overview and Scrutiny Officer

Report Number: OS 04/15

Summary:

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

Recommendations:

Members are asked to:

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

1. Notice of Key Executive Decisions

The most recent Notice of Key Executive Decisions will be published on 30th January 2015 and was circulated to all Members. There are no items within the remit of this Panel.

2. References from the Executive

The Executive met on 2nd February 2015. There are no references within the remit of this Panel from that meeting.

3. Overview & Scrutiny Annual Report 2014/15

All Scrutiny Members were sent an e-mail asking if there were particular issues they wished to see discussed in the annual report. If Members have not given their views yet, they are invited to do so at today's meeting or by e-mail soon afterwards. The Annual Report will be presented to Council on 28th April 2015 and Members of this Panel are requested to give permission for this Panel's views on the draft report via email in order to meet the deadline for reports.

4. Claimed Rights

Members will recall that the Panel received a report at the meeting on 3rd July 2014 updating Members on the transfer of Claimed Rights back to Cumbria County Council. Members were informed at this meeting that the County Council had agreed to a Memorandum of Understanding which detailed each Authorities responsibility and agreement. It was reported in October 2014 that this Memorandum had been drafted but had not been signed by Cumbria County Council and the City Engineer that there has been no progress in getting this signed and the County Council have not responded to requests from the City Council for updates.

5. Work Programme

The Panel's current work programme is attached at **Appendix 2** for comment/amendment.

Contact Officer: Nicola Edwards

Ext: 7122

Appendices attached to report:

1. Economy & Environment Work Programme 2014/15

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

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2014/15

Date last revised: 27 February 2015

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/ External Agency	Monitoring		3 Jul 14	14 Aug 14	25 Sep 14	21 Oct 14	27 Nov 14	22 Jan 15	12 Mar 15	23 Apr 15
CURRENT MEETING – 12 th March 2015														
Performance Monitoring Reports Steven O’Keefe/all PH	✓				✓	Monitoring of performance relevant to the remit of Panel	✓		✓		✓		✓	
Section 106 Agreements Jane Meek/Cllr Bradley					✓	Panel requested report detailing outstanding Section 106 agreements – to receive annual report on monies spent							✓	
Clean-up Carlisle	✓				✓	Update of project							✓	
TASK AND FINISH GROUPS														
Litter Bin Review			✓			Cllrs Bloxham, Dodd, Nedved and Wilson – evidence gathering		✓			✓		✓	
Business Support			✓			Evidence Gathering				✓	✓	✓		
FUTURE MEETINGS														
Carlisle Story Cllr Bradley & Glover/Jane Meek				✓		Report to include prospectus for Carlisle and Sense of Place update		✓						✓

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2014/15

Date last revised: 27 February 2015

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/External Agency	Monitoring		3 Jul 14	14 Aug 14	25 Sep 14	21 Oct 14	27 Nov 14	22 Jan 15	12 Mar 15	23 Apr 15
Re-thinking Waste Project Cllr Martlew/Angela Culleton		✓	✓	✓	✓	Sept – Presentation on project Nov – Meeting dedicated to waste issues			✓		✓			✓
Scrutiny Annual Report			✓		✓	Draft report for comment before Chairs Group								✓
COMPLETED ITEMS														
Local Plan Cllr Bradley/Jane Meek		✓				August – City Centre Development Framework September – evidence base for the revised housing target and the SHMAA		✓	✓			✓		
Budget Peter Mason/Darren Crossley/All Portfolio Holders		✓	✓			To consider budget proposals for 2015/16					✓			
TIC and Public Realm		✓			✓	Update on projects				✓				
Business Support				✓		Open session with partners at BIC				✓				

ENVIRONMENT AND ECONOMY OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2014/15

Date last revised: 27 February 2015

Issue Portfolio Holder & Lead officer	Type of Scrutiny					Comments/status	Meeting Dates							
	Performance Management	Key decision Item/Referred from Executive	Policy Review/Development	Scrutiny of Partnership/External Agency	Monitoring		3 Jul 14	14 Aug 14	25 Sep 14	21 Oct 14	27 Nov 14	22 Jan 15	12 Mar 15	23 Apr 15
Talkin Tarn Cllr Martlew/Angel Culleton			✓			Interim report August. Business Plan in October	✗	✓		✓				
Claimed Rights Angel Culleton/Cllr Martlew		✓				Monitoring of Highways services following transfer to Cumbria CC	✓							
Recycling			✓			Executive response to Task Group Report	✓							

Report to Community Overview and Scrutiny Panel

Agenda
Item:
A.2

Meeting Date: 12th March 2015
Portfolio: Environment and Transport
Key Decision: Not Applicable:
Within Policy and Budget Framework YES
Public / Private Public

Title: CLEAN UP CARLISLE UPDATE
Report of: The Director of Local Environment
Report Number: LE08/15

Purpose / Summary:

Clean up Carlisle has been a Corporate priority since 2012 because people were noticing and complaining about the deterioration in the tidiness of Carlisle's streets and parks. Temporary additional funding was found for two years to improve the enforcement, education and cleaning of the streets. This report summarises the work carried out over the last two years.

Recommendations:

To consider the report

Tracking

Executive:	
Overview and Scrutiny:	
Council:	

1. BACKGROUND

- 1.1** Local amenity and environmental quality remain a key priority for residents, Members and the Executive. The 2012 /13 budget setting process released additional annual funding of £155,000 for 2 years from the Reserves to make improvements in the cleanliness of Carlisle. This led to the “Clean Up Carlisle” campaign with its three key activities of improved cleansing, enforcement and education.
- 1.2** Over the last 2 years many of the planned processes have come to fruition; the coming on line of improved mechanisation; new programmes of street cleansing; the development of the Enforcement and Education Team, and partnerships and procedures with groups such as the Police and Housing Associations. This report provides a summary of the work carried out over the last two years under the “Clean Up Carlisle” campaign and looks at the impact that the cleaning, enforcement and educational activities have had on local amenity and environmental quality.

2. Enforcement

- 2.1** Levels of enforcement activity have been high during the “Clean Up Carlisle Campaign”. Table.1 details the number of fixed penalty tickets issued for environmental crime offences over the last few years.

Table.1. Number of Fixed Penalty Notices Issued

Year/Offence	2011 / 2012	2012 / 2013	2013 / 2014	2014/2015 (up to 26/02/15)
Dog Fouling	11	37	44	16
Dogs Off Leads	0	19	12	9
Littering	0	40	44	28
Waste Receptacles	0	11	5	4
Fly Posting	6	24	8	1
Total	17	131	113	58

In addition to fixed penalty notices 2012 / 2013 saw a total of 7 successful prosecutions for a variety of offences including the first fly tipping prosecution for a number of years.

In 2013 /2014 there were 7 successful prosecutions for dog fouling; 3 for dogs off leads; 2 for waste incorrectly put out for collection(waste receptacles) ; 1 each for littering, fly tipping and failing to ensure a dog wore a collar and tag. A total of 15 successful prosecutions were taken in 2013/14 . Two successful prosecutions have been taken in 2014/15 for littering and dog fouling with 2 prosecutions pending for littering and waste receptacles.

3. Prosecution Case Studies

Case Study 1

In November 2012 reports were received that household waste was being regularly dumped in a rear lane. The bags were then being ripped open and the contents scattered across a wide area. Evidence was obtained and the occupiers of a property were sent a Formal Notice. The problem continued and an individual was issued with a Fixed Penalty Notice (FPN) for failing to adhere to the notice. The FPN was not paid and while a prosecution file was being prepared a further offence was committed. In May 2013 the individual was found guilty of two offences of breaching the Formal Notice. He was fined £400 for each offence plus £200 costs

Case Study 2

A repeat dog fouling offender was taken to court after failing to pay an £80 Fixed Penalty Notice. He was found guilty and fined £200 along with £95 costs. As well as this a Housing Officer from Riverside has visited the man who lives with his mother and they have been advised that in accordance with their tenancy agreement they could have their right to keep a dog removed.

Case Study 3

In October 2013 a considerable amount of household waste was found fly tipped and traced to a house clearance company. The employee of the company alleged that the material was being left to create room in the van but had intended to pick it up later. The Magistrates imposed a fine of £660, costs of £350, compensation of £80 and victim support of £66, making a total of £1,156.

Case Study 4

A man allowed his dog to regularly foul in the same public lane to the annoyance of nearby residents. He was initially caught on a resident's private CCTV camera and officers from the Enforcement and Education Team eventually witnessed an offence themselves. The man was extremely abusive and walked away from officers. Further investigation was required and he was eventually traced; when the prosecution file was finalised it contained three separate offences (dog fouling, dog

off a lead and failing to give information) for which in February 2014 the defendant was fined £170 with £80 costs and a £20 victim support fine.

Case Study 5

Another dog fouling incident was witnessed occurring very close to a children's play area and football pitches in the Harraby area. As a result of officers witnessing the offence the defendant returned to pick up the fouling; however in February 2014 Magistrates agreed that the offence had been committed and that the defendant had only done this in response to being caught by officers and she was fined £200, with costs of £85 and victim support of £20.

Case Study 6

In August 2014, a woman who was originally convicted in February 2014 of failing to clean up after her dog fouled in a popular play park, challenged her conviction at Carlisle Crown Court, the lady who was originally fined a total of £285 lost her appeal and had to pay further costs of £1,400.

4. Complaints and Evidence of Improvement

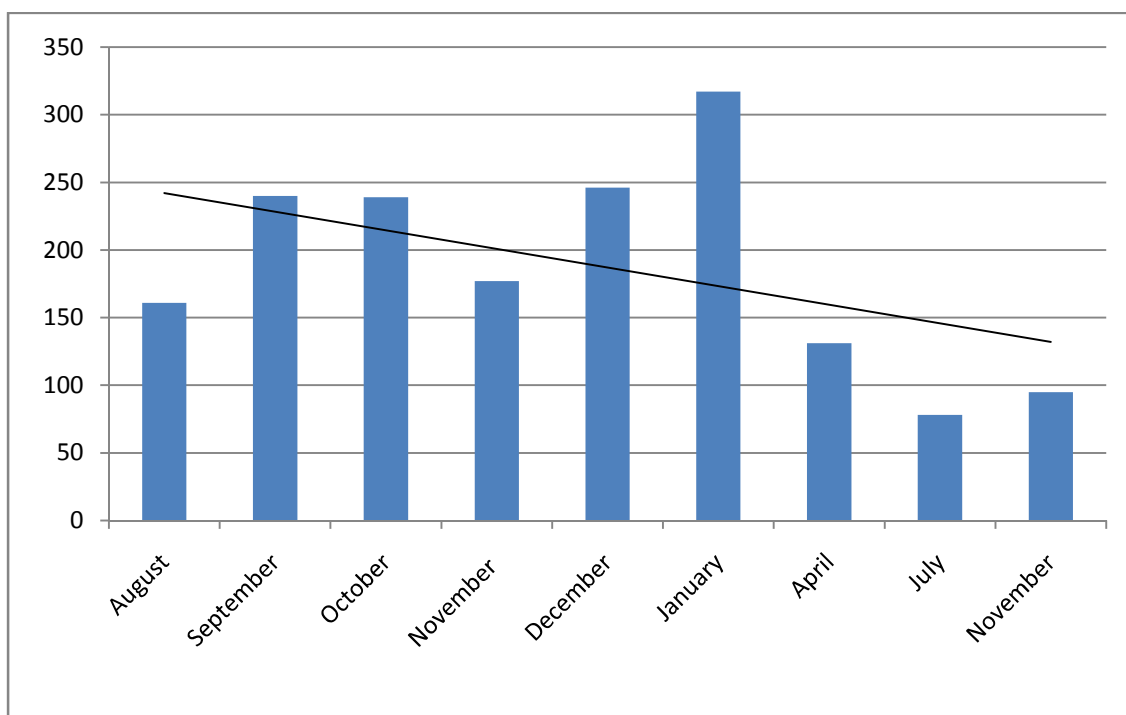
Table.2 Dog Fouling Complaints

2010 /11	2011 /12	2012 /13	2013 /14	2014/2015 (up to 26/02/15)
467	594	712	596	436

Table .2. details the number of service requests logged by the Enforcement and Education Team under the dog fouling category. The Clean up Carlisle Campaign generated a lot of publicity raising the profile of the work carried out by the Enforcement and Education Team, it is not surprising therefore that the complaints received by the Team increased during the Campaign. A better indicator of the success of Clean Up Carlisle would be a reduction in fouling visible on the streets.

It is pleasing that there has been a clear reduction and improvement of dog fouling in the areas monitored by the Education and Enforcement Team. The Team undertakes periodic counts on the same streets throughout the District and records the amount of fouling. In November 2013 the total count of dog fouling was 177, in November 2014 the total was 95, a 47% reduction. This reduction in total dog fouling visible is supported by graph.2.

Graph.2. Enforcement and Education Total Dog Fouling Counts August 2013 to November 2014



Graph.2. represents the total fouling counted during the monitoring period. A trend line confirms a significant trend towards less visible fouling on the streets monitored over the Clean Up Carlisle period. Historically dog fouling complaints and the fouling counts are greater in the winter months, probably due to the dark mornings and nights reducing the peer pressure which makes some dog owners pick up. Along with dog fouling the Education and Enforcement Team have been active in educational and enforcement work on littering and fly tipping. The case studies in section 3 and the number of fixed penalty notices issued reflects some of this work.

Table 3 Litter Service Requests to Environmental Health

Litter Complaints				
2010 /11	2011 /12	2012 /13	2013 /14	2014/2015 (up to 26/02/15)
42	70	85	98	65

Although the numbers of complaints have not reduced over the clean up Carlisle period, customer feedback from Council surveys has confirmed a 75% customer satisfaction rate with street cleanliness.

Table.4. Total Fly Capture Fly tipping Data

Total Fly Capture Fly tipping Data			
2010 /11	2011 /12	2012 /13	2013 /14
179	177	205	277

For fly tipping the complaints received during the campaign have risen (Table.4.). However, Table.5. shows (in column 4) a reduction in the amount of waste being picked up by the street cleaning team. There was an error in 2013 Bulky Waste and Street Cleaning figures due to a coding error on street cleaning vehicles containing street cleaning and a fly tipped item (e.g. a sofa or a fridge) as bulky waste. Actual figures are in brackets. The decrease in street cleaning shows that by keeping the streets regularly clean and tidy, people are less likely to drop litter themselves and place it into their own bin or recycling container.

Table.5. Waste Collected by Neighbourhood Services

	Refuse	Bulky Waste	Street Cleaning (including fly-tipping)	TOTAL
April – Dec 12	16,082	308	1647	18,037
April – Dec 13	15,948	826 (430)	1252 (1648)	18,026
April – Dec 14	16,147	342	1517	18,006

5. Education/Love Where You Live

- 5.1** The Enforcement and Education Team have been very proactive over the last two years and have visited many schools to reinforce the ethos of keeping our environment clean.
- 5.2** The Council embraced the Keep Britain Tidy's "Love Where You Live" campaign and has taken this campaign into schools; community groups and used it to generated media interest. One outcome of the Love Where You Live campaign was to have some community legacy at the end of the campaign. It was hoped that members of the community would act as champions and continue activities to encourage positive behaviours after the Enforcement and Education Team had left the area. The legacy from the community champions has been less successful. Although we can find people and groups to work with on initiatives, it is the Enforcement and Education Team who have had to drive the initiatives. Momentum is soon lost when that support is removed.

6.0 Improved Cleansing

- 6.1** The new equipment comprising the 5 Billy goats (for each of the mobile teams), hand blowers and footpath sweepers as well as the improved efficiency provided by the cleaning schedules have transformed and improved the quality of street cleansing; markedly reducing instances of detritus build up and improving the removal of dog fouling, littering and gum in the city centre. There has also been a huge improvement in the cleanliness of footpaths and pavements throughout the city. We are now able to transport the smaller sweepers to Brampton and Longtown and these areas are now included in scheduled programmes of work.
- 6.2** There has been a marked improvement in street cleansing, with the implementation of a blitz on the City Centre which was extended to the surrounding areas. This work will continue until all areas have been cleaned to an acceptable standard. Rural roads have also been included in improved programmes of street sweeping. Seven different types of street cleaning vehicles clean between 51 and 62 miles of streets per day within the District. Since the start of December 2014, a team of litter pickers have been picking up litter from the grass verges between Carlisle and Brampton, Brampton and Longtown, and Longtown to Carlisle.
- 6.3** Programmes of work have been developed for all three large mechanical sweepers and a programme of works has also been implemented for the mobile teams.
- 6.4** The rapid response team, established as part of the Clean up Carlisle project, provides a more reactive and invaluable service to requests from the public for cleansing between scheduled works. Priority is given to higher risk incidents such as dead animals, needles, blood staining, offensive graffiti, dog fouling and removal of fly tipping reported by the enforcement team. About 15 requests per day come through the CRM (Customer Relationship Management) system for the rapid response team and are printed off by the team Leader –street cleaning and prioritised accordingly dependant on the zone, ie any requests for zone one –town centre are done with immediate effect this also includes removal of offensive graffiti dog fouling and fly tipping. For 2 months of the year the Rapid Response team are also employed to help with the leaf fall clean up when needed. The Rapid Response Team also help the existing teams where cleaning is difficult due to parked cars.

Asbestos reports are dealt with by Environmental Health in the first instance and removal is carried out by fully trained operatives.

- 6.5** Leaf clearance has been improved this year by providing extra emphasis on streets with lots of trees. Leaf fall is the main concern for street cleaning during October and November. At the end of the leaf fall season, the rapid response team manually removed leaves from between parked cars as it is difficult to get access to these leaves with a mechanical sweeper and parked cars are a particular problem in certain areas. The 636 sweeper that sweeps the city centre on a morning also swept the main roads around the city in an afternoon. This has resulted in no insurance claims relating to leaf clearance. An additional 3 electric blowers which allow easy access to leaves that get blocked between parked cars are on order to improve leaf clearance even further in Autumn 2015.
- 6.6** The majority of street litter bins within the city centre were replaced in 2013. 200 new litter bins have been ordered to replace damaged and plastic bins. The roll out for them to be fitted commenced at the end of January 2015. This includes new litter bins for the town centre with a gold beading rather than a gold transfer as these bins are washed more regularly and the transfer tends to wear off eventually. 10 of the city centre litter bins will also have advertising panels. The current city centre bins will be used to replace other damaged/plastic bins. All of these new bins have ashtrays on the top to improve the amount of cigarette litter.
- 6.7** The efficiency of the street cleaning and rapid response teams have been improved with the purchase of 5 Billy Goats which mechanically remove litter and detritus. Also the purchase of other equipment such as strimmers and blowers has enabled the rapid response team to 'back line' areas maintaining pathways and areas of vegetation that would otherwise be overgrown.

Due to the problems with seagulls and cats ripping the purple sacks and causing a mess with litter on the streets, it was agreed that to address the problem, the council would introduce gull-proof sacks. A decision was made to transfer as many of the 5,600 properties onto bins or euro bins (if flats) and introduce gull-proof sacks to the remaining properties who were unable to have a bin.

The new gull sacks are working well. There were initial problems with some householders just placing out black sacks and not placing them into their gull sack and some householder putting loose waste or multiple carrier bags directly into the gull sacks. Education and awareness raising has been carried out at households where gull sacks were not used properly or not being used at all. The number of properties not using gull sacks has now dramatically reduced and loose waste is not longer a problem due to education. Smaller 90 litre gull sacks (standard is 160 litre) are now available for elderly residents who request them or other householder who do not create as much waste. They can also be used for waste audits.

The aims of replacing the purple sacks to gull sack project have met overall savings, costs and improvements to the cleanliness of these streets.

- 6.8** All crews attended discussions and training in early January 2015 which included the importance of returning containers after collection and picking up any litter they drop or that is laying in the street. A design improvement was made in May 2014 to the plastic and card bags which now include longer handles so that both handles can be held in one hand to avoid the bags tipping when being handled by the customer and crews and a T-shape velcro to provide easier fastening for the customer and to avoid the bags blowing open and the contents blowing all over the streets in windy weather.

When customers ring in to request green bags or green boxes, they are being reminded to squash plastic and flatten card to avoid over-filling the plastic and card bags which will result in less recycling being blown onto the streets. Box hats for green boxes are now free of charge therefore there has been a larger demand for them over the last few months which will result in less paper, cans and broken glass being blown onto the streets. A further reminder will be going out with the calendars in mid February 2015.

7. Succession planning

- 7.1** 80% of the Clean Up Carlisle money has gone on improved mechanisation and street cleaning. The remaining 20% (approximately £32,000 per year) was spent on increasing working hours and educational materials and programmes within enforcement and education. By budget management the full time equivalent (FTE) of one of the Clean Neighbourhood Enforcement Officers have been secured so this post will remain full time after the finance from Clean Up Carlisle has finished.

The extra money available for education has been invaluable in kick starting a cleaner Carlisle. One significant high profile campaign was the Love Where You Live posters on the back of the Council vehicles. This project cost approximately £2,000 for both the artwork and the vehicle fixings. Providing the advertising fixings on the Council's bins is another project funded through Clean Up Carlisle. Although the Enforcement and Education Team will use the advertising space for its promotional work the bin space will also be available for advertising income opportunities for the Council. The branding of Love Where You Live will continue over the next few years.

8. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 8.1** There is a perception that since the Clean up Carlisle campaign started Carlisle is indeed cleaner. The evidence of the reduced dog fouling counts and the reduction in street waste collected by Neighbourhood Services during the campaign would support this perception.
- 8.2** Improvements in mechanisation and street cleaning has made the cleaning process more efficient and effective. Adding the cigarette trays to the waste bins has significantly reduced one principal source of littering in the City Centre.
- 8.3** Enforcement and Education has increased during the campaign with many notable successes. The true success of education and enforcement in changing behaviours over the longer term is difficult to assess but there are indications that it is working – less fouling and less street waste collected.
- 8.4** Some legacy from the Clean Up Carlisle campaign will remain. The joined up working between the three strands of cleanup, enforcement and education will continue, as will the policies and procedures developed within the City Council and with those external partners such as the Police and Riverside. During the Clean Up Carlisle campaign budget management has allowed the continuation of the staffing levels and information and training support for those staff to ensure we can continue to keep up the momentum achieved so far in educating and enforcing the cleanliness of Carlisle. It is the public who own dogs and those that handle litter who have the greatest impact on their environment. Changing these behaviours does require a continuation of the activities started during the campaign. At the start of the campaign highly visible high priority signage was used to great effect with patrols in Botcherby with a noticeable improvement in dog fouling, once the signage and patrols were targeted at other areas fouling again increased in Botcherby. One lesson learnt from the campaign is that the public needs to see, or perceive, the Council is active in tackling unacceptable behaviours.

9. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

9.1

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:

- **None**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Deputy Chief Executive –

Economic Development –

Governance –

Local Environment –

Resources -

Environment & Economy Overview and Scrutiny Panel

Agenda
Item:
A.3

Meeting Date: 12th March 2015
Portfolio: Environment & Transport
Key Decision: No
Within Policy and Budget Framework: No
Public / Private: Public

Title: Litter Bin Task Group
Report of: Scrutiny Officer
Report Number: OS 05/15

Purpose / Summary:

The draft report of the Litter Bin Task and Finish group is attached at Appendix 1 (to follow). The report makes a number of recommendations for action for the Executive.

Recommendations:

Members are asked to approve the report and recommend it to the Executive, requesting a formal response;

Contact Officer: Nicola Edwards **Ext:** 7122

Appendices attached to report: 1.Draft Report from Task Group

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

None

Report to Environment and Economy Overview and Scrutiny Panel

Agenda
Item:
A.4

Meeting Date: 12th March 2015
Portfolio: Economy, Enterprise and Housing
Key Decision: No
Within Policy and
Budget Framework YES
Public / Private Public

Title: SECTION 106 AGREEMENTS / PLANNING OBLIGATIONS -
UPDATE
Report of: Director of Economic Development
Report Number: ED 13/15

Purpose / Summary:

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

Recommendations:

That the Report is noted.

Tracking

Overview and Scrutiny:	12 th March 2015
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1. INTRODUCTION

- 1.1 The purpose of this paper is to brief Members on the current legislation relating to Section 106's Agreements and Community Infrastructure Levy (CIL), the Council's current approach and future options. In addition an update of S106 money the Council currently holds or expects to receive is set out in Appendix 1.

2. NATIONAL LEGISLATIVE AND POLICY CONTEXT

- 2.1 In accordance with Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12(1) of the Planning Compensation Act 1991) planning obligations may:

- (a) restrict the development or use of the land;
- (b) require specified operations or activities to be carried out in, on, under or over the land;
- (c) require the land to be used in any specified way; or
- (d) require a sum or sums to be paid to the authority either in a single sum or periodically.

- 2.2 Planning obligations are usually entered into in the context of planning applications to ensure that developers address the additional community and infrastructure needs and mitigate the social, environmental and economic impacts of new development. Unless it is agreed otherwise, planning obligations run with the land in perpetuity and may be enforced against the original party and anyone else that acquires an interest in the land, until such time as they are discharged or otherwise modified.

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

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

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

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

agreements. The Community Infrastructure Levy (Amendment) Regulations 2014 extended the pooling to include Section 278s (Highways Agreements) and the implementation date was postponed from 06 April 2014 to 6 April 2015. The base date of 06 April 2010 remained unchanged

- 2.5 The National Planning Policy Framework introduced in March 2012 changed the emphasis that planning obligations should only be sought where they meet all the tests above and where the same objectives can not be achieved through the use of planning conditions.

3. RECENT CHANGES TO THE USE OF PLANNING OBLIGATIONS

- 3.1 As part of a technical review of planning guidance the Government consulted nationally in 2014 on several changes to the planning system including proposed thresholds for affordable housing and tariff style planning obligations i.e. the introduction of national rather than locally determined thresholds. These changes came into effect on the 28th November 2014 via acting to update national planning practice guidance .
- 3.2 Whilst the City Council objected to the introduction of a higher threshold the Government has allowed those authorities which are designated as 'rural' to introduce lower thresholds (to a minimum of five) for those areas. In simple terms development proposals for ten or less dwellings (providing a maximum combined gross floorspace does not exceed 1000sqm) are now exempt from tariff-style planning obligations or from contributing to affordable housing. In designated rural areas however, which much of Carlisle District is regarded, this threshold is reduced to five. Where this lower threshold is applied, guidance requires that local planning authorities should only seek affordable housing contributions from developments of between 6 to 10-units as financial contributions and not affordable housing units on site. Any payments made (whether as an affordable housing contribution or contribution to a pooled funding pot for general infrastructure provision) should also be commuted until after completion of units within the development.
- 3.3 Other changes introduced at the same time has seen self build developments exempt from tariff-style planning obligations or from contributing to affordable housing, and a reduced means of calculating such obligations where proposals bring back into use empty buildings or for replacement buildings.
- 3.4 In February 2015 the Government has launched a further consultation relating to planning obligations seeking views on proposals relating to the following two areas:

- speeding up the negotiation and completion of Section 106 planning obligations; and
- whether the requirement to provide affordable housing contributions act as a barrier to development providing dedicated student accommodation.

4. CURRENT POSITION

- 4.1 An Annual Report is prepared detailing all S106 agreements entered into each year and how they are being delivered [from both the developer and Council perspective]. It also gives a breakdown of agreements that are still outstanding in whole or part from previous years.
- 4.2 Current agreements include:
- Affordable Housing – on site or payments in lieu of onsite provision
 - Occupancy Restrictions
 - Open Space contributions – for both Capital and Maintenance
 - Highways and Transport contributions [includes pedestrian and cycleways plus public transport]
 - Education contributions – for extra provision or transport costs
 - Travel Plans
 - Land Transfer
- 4.3 Given the difficult economic conditions prevailing from the recent recession as the economy continues to recover, developers are increasingly challenging requests for S106 Agreements on the grounds of viability. In addition to new agreements there have been requests from developers to re-negotiate previously entered into S106 Agreements on the basis that the obligations are too onerous and that consequently the development is not viable. A Viability Assessment procedure has been agreed with developers which calculates the developers profit and what money could be used to deliver the Council's priorities. In order to aid negotiations the Council's priorities based on planning legislation and the Local Plan have been drawn up (see Appendix 1).
- 4.4 A summary of the value of financial contributions currently secured through S106 Agreements is provided in Table 1 below, with further details provided in Appendix 2. The below analysis excludes any covenants made directly between the developer and Cumbria County Council.

	Balance of Contributions Received (01/04/15)	Actual Spend 14/15	Residual Balance	Outstanding Contributions
For Quarterly Reports etc:				
Children's Play Areas & Facilities.	£397,193.59	£125,313.00	£217,880.59	£417,896.00
Provision & Maintenance of public open spaces.	£204,132.83	£51,756.20	£152,376.63	£0.00
In respect of incomplete sites or yet to be developed .	£213,062.41	£10,002.05	£203,060.36	£237,669.00
Total of balances held/expected	£814,388.83	£187,071.25	£627,317.58	£655,565.00
Affordable Housing Contributions	£21,250.00	£0.00	£21,250.00	£254,373.00
Schools etc	£0.00	£0.00	£0.00	£3,500,000.00
Cycleway & Public Realm (held in interest bearing a/c)	£706,056.07	£5,307.00	£700,749.07	£0.00
Transport & Pedestrianisation (to CCC)	£426,255.00	£0.00	£426,255.00	£308,285.00
Highways etc. [funds to/from CCC]:	£48,500.00	£0.00	£48,500.00	£185,000.00
Habitat Schemes	£0.00	£0.00	£0.00	£100,000.00
Provision of Refuse & Recycling Bins	£5,280.00	£0.00	£5,280.00	£3,780.00
Sports provision	£0.00	£0.00	£0.00	£48,584.00
Total for reports	£2,021,729.90	£192,378.25	£1,829,351.65	£5,055,587.00
Monitoring Fees, Legal, Admin Costs etc.	£0.00	£0.00	£0.00	£0.00
Planning applications/agreements have expired	£0.00	£0.00	£0.00	£0.00
Totals	£2,021,729.90	£192,378.25	£1,829,351.65	£5,055,587.00

5. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 5.1 Section 206 of the Planning Act 2008 (The Act) confers the power to charge Community Infrastructure Levy (CIL) on certain bodies known as charging authorities and came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (amended by the Community Infrastructure Levy (Amendment) Regulations 2011, 2014 and 2015). This provides the enabling powers for Local Authorities to apply CIL to development proposals to support infrastructure delivery in an area. The levy is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms.
- 5.2 In order for the Council to consider the implementation of a Community Infrastructure Levy there must be an up to date Development Plan. A pre-requisite of being able to apply CIL is therefore the adoption of the emerging Carlisle District Local Plan (2015 – 2030), which is anticipated to be adopted in early 2016. The Council are not therefore yet in a position to progress with adopting CIL.
- 5.3 Alongside the plan a Draft Infrastructure Delivery Plan has been produced which identifies the infrastructure requirements to support delivery of the Local Plan. The nature of infrastructure and circumstances within which it are required will be dictate whether CIL is needed or the best approach to funding new infrastructure.
- 5.4 Any draft charging schedule is subject to viability assessments, public consultation and an examination in public.

6. CONCLUSION AND REASONS FOR RECOMMENDATIONS

- 6.1 Members are asked to note the content of the report in order that they are aware of and understand, in overview terms, the current position with regards to the use of planning obligations and S106 agreements within the District.

7. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

- 7.1 The use of planning obligations can be seen to relate to the majority of the Council's established priorities.

Contact Officer: Fiona Kenmare

Ext: 7569

**Appendices
attached to report:**

- **Appendix 1 - Commuted Sums Schedule**

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

- **None**

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's -

Community Engagement –

Economic Development –

Governance –

Local Environment –

Resources -

X1130 - Commuted Sums [including S.106's] 2014/15														
Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreame nt/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2014/15	Estimate of annual sums	Scheme Code	Details
TOTAL B/F'wd				#REF!										Balance sheet 31st March 2013
22/08/2005		#REF!	£2,000.00	#REF!	11005	Persimmon Homes	The Beeches, Wigton Rd	S106		31/03/2015	2,000.00	1,000.00	OSM	Maintenance of The Beeches, Wigton Road, play area.
08/09/2005		#REF!	£600.00	#REF!	11006	Crowther Homes	Holme Head Bay, Carlisle	S106	08/09/2005	31/03/2020	600.00	600.00	OSM	Public Open Space at Holme Head Bay Carlisle
08/09/2005		#REF!	£1,630.00	#REF!	11007	Crowther Homes	Scotby Rd, Carlisle	S106	08/09/2005	31/03/2016	1,630.00	1,630.00	OSM	Public Open Space at Scotby Road Carlisle [10 years maintenance]
29/07/2005	£54,310.00	#REF!	£600.00	#REF!	11008	Persimmon Homes	Windsor Way	VA		31/03/2020	600.00	600.00	OSP	Windsor Way Play Area - further £54,310 as contribution towards maintenance, to fund from existing budgets when exhausted CS18/10 & RD15/10
24/01/2006		#REF!	£2,310.00	#REF!	11009	Barratt Homes	Walkmill, Warwick Rd	S106	21/09/2005	31/03/2020	2,310.00	2,310.00	OSM	Maintenance of Open Space at Walkmill, South of Warwick Road
12/05/2010		#REF!	£1,000.00	#REF!	11010	Barratt Homes	Wakefield Rd, Lowry Hill	S106	05/07/2006	31/03/2020	1,000.00	1,000.00	OSP	Wakefield Road Lowry Hill - to provide maintenance of above facilities within 1 month of completion of development
07/12/2007		#REF!	£1,000.00	#REF!	11011	Storys	Turnstone Park	S106	08/11/2005	28/02/2017	1,000.00	1,000.00	OSP	Turnstone Park Play Area
18/04/2008		#REF!	£268.00	#REF!	11012	Storys	Jock's Hill Brampton	Other		31/03/2018	268.00	268.00	OSM	Land at Jocks Hill, Brampton
20/06/2008		#REF!	£530.00	#REF!	11014	Persimmon Homes	Greenfield Lane, Brampton	S106		31/03/2018	2,000.00	#REF!	OSM	Public Open Space at Greenfield Lane, Brampton (SRB/LP595)
01/05/2009		#REF!	£4,535.00	#REF!	11016	Storys	Burgh Rd	S106		31/03/2013	4,535.00	4,535.00	OSM	Burgh Road, provision and maintenance of offsite pitches and open space [10 years from 09/10]
28/01/2010		#REF!	£60,000.00	#REF!	11017	Barratt Homes	London Rd, ex Cavaghan&Gray	S106		28/01/2020	77,750.00	0.00	OSP	London Rd recreational facilities or improvement at Petteril Bank CC & Keenan Park play area [10 yrs from 09/10] GL Code 90253 for capital spend
22/09/2010		#REF!	£3,335.00	#REF!	11018	Knightsbridge Developments	Harraby Methodist Church	S106	15/05/2009	31/03/2015	555.00	3,335.00	OSP	Harraby Methodist Church, Cumwhinton Rd Children's Play & Recreation Areas in vicinity [5yrs maintenance] repaid with interest HSBC Bank Rate +1% if unspent.
22/07/2009		#REF!	£1,800.00	#REF!	11019	Barratt Homes	Tribune Drive, Houghton	S106		31/03/2020	1,800.00	1,800.00	OSM	Tribune Drive, Houghton - £4,025 for remedial work & £16,000 for 10 years maintenance of public open space
07/09/2010		#REF!	£2,500.00	#REF!	11021	Two Castles	Brookside	S106		31/03/2020	2,500.00	2,500.00	OSM	Low Meadow, Brookside £25K for upkeep of Heysham Park with no time limit & £12K to CCC for bus shelters & raised curbs on
16/07/2010		#REF!	£14,377.00	#REF!	11022	Storys	Garlands	S106	12/07/2010	31/03/2015	14,377.00	14,377.00	OSM	Garlands estate [now Parkland Village] Maintenance of open spaces and tree re-planting - over 5 years
12/10/2010		£57,805.00	£57,805.00	£0.00	11023	Riverside [Barras Close Land]	Levens Drive /Newlaithes Ave	S106	21/08/2009	26/03/2013	57,805.00	0.00	OSP	Levens Drive/Newlaithes Ave - Provision of public space, formal sports & children's play facilities to be spent within 3 yrs or sums to be repaid with interest of +1% above HSBC BR
12/08/2011		£31,345.00		£31,345.00	11023	Riverside [Barras Close Land]	Levens Drive /Newlaithes Ave	S106	21/08/2009	26/03/2020	31,345.00	0.00	OSP	Levens Drive/Newlaithes Ave - Maintenance of public space, formal sports & children's play facilities to be spent within 10 yrs or repaid with interest of +1% above HSBC BR
30/09/2010		#REF!		#REF!	11024	Carlisle College	Strand Rd	S106	10/09/2010	31/03/2012	29,750.00	0.00	Transport	Strand Rd Cycle Network contribution & to improve pedestrian facilities in immediate vicinity [Capital spend 2012/13]
15/02/2011		£2,841.00	£355.00	£2,486.00	11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	2,841.00	355.00	OSM	Gelt Rise Brampton [Affordable Housing] - £3,551 10yrs maintenance
15/02/2011		£12,800.00		£12,800.00	11026	Two Castles	Gelt Rise, Brampton	S106	15/11/2010	31/03/2020	12,800.00	0.00	OSP	Gelt Rise Brampton [Affordable Housing] - £12,800 play area provision
18/02/2011		£340,406.07		£340,406.07	11027	Addleshaw & Goddard	Willowholme/Cald ewgate	S106	18/02/2011	31/03/2016		0.00	RingFence	Willowholme - Sainsbury's site: Caldew Cycleway to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90805 for capital spend
18/02/2011		£349,650.00	£5,307.00	£344,343.00	11027	Addleshaw & Goddard	Willowholme/Cald ewgate	S106	18/02/2011	31/03/2016		0.00	RingFence	Willowholme - Sainsbury's site: Public Realm contributions to be held in separate interest bearing a/c & repaid with interest if unspent by? GL code 90809 for capital spend
09/03/2011		#REF!		#REF!	11028	Knightsbridge Developments	W1 Hall, Brier Lonning	S106	09/02/2011	31/03/2012	0.00	0.00	Housing	Affordable Housing contribution relating to former W1 Hall land, Brier Lonning, Hayton Planning Permission 10/0970 commencement date 12/01/11
10/03/2011		£71,306.00	£10,283.00	£61,023.00	11029	Barratt Homes	Garlands	S106		31/03/2021	10,283.00	10,283.00	OSM	Garlands estate Carleton Grange etc. £102,837 10yrs Maintenance of open spaces & £10,330 one-off payment for remedial works
10/03/2011		£7,000.00	£1,000.00	£6,000.00	11029	Barratt Homes	Carleton Grange, Garlands	S106		31/03/2021	1,000.00	1,000.00	OSP	Garlands estate Carleton Grange etc. 10yrs £10,000 play area maintenance
12/08/2011		#REF!	£1,810.20	#REF!	11030	Riverside Group Ltd	Seatoller Close	S106		07/06/2016	3,620.39	#REF!	OSM	Seatoller Close - 23 Affordable Homes Development began 07/06/2011 - enhancement of off-site open space provision in Morton Ward to be spent within 5 years of commencement & any unspent monies repaid at HSBC BR +1%
20/01/2012		#REF!	£8,758.00	#REF!	11032	Riverside	Etterby Rd	S106	31/03/2011	24/06/2016	8,758.00	8,758.00	OSM	Etterby Road - contribution towards provision of maintenance and enhancement of public open space in the District - spend within 5 years - trigger point 24/06/2011 interest due for late payment
17/01/2012		£4,585.59	£573.00	£4,012.59	11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	573.00	573.00	OSP	Watts Yard, London Road - Off site public open space maintenance of play equipment for 10 years [£5,731.59] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
17/01/2012		£27,160.00		£27,160.00	11033	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	16/01/2022	0.00	0.00	OSP	Watts Yard, London Road - Off site public open space cum for provision of play equipment for Melbourne Park [£27,160] to be pd after sale of 60th dwelling - to be spent within 10 years of payment date, i.e. by 16/01/2022
01/06/2012		#REF!	£1,795.85	#REF!	11034	Two Castles	St Elisabeth's Harraby	S106	27/06/2012	31/05/2017	1,795.85	1,795.85	OS	Open Space contribution for Affordable Housing development (19 units) within Harraby ward to be spent by 5 years after date of receipt - 31st May 2017. If unspent returned with interest +1% above HSBC BR
17/08/2012									17/08/2022 &					Watts Yard, London Road - River Petteril Cycle Route Access Improvements [£79,580] 50% on 80th then on 98th - Invoice issued (Dr 5000001210) received 31/08/2012. 2nd invoice issued payment received 05/06/13 to be spent within 10 years of payment
05/06/2013	£0.00	#REF!		#REF!	11035	Persimmon Homes	Watts Yard, London Rd	S106	08/12/2009	04/06/2023	79,580.00	0.00	Transport	
21/08/2012		#REF!		#REF!	11037	Lovells	Raffles	UIA			12,823.00	0.00	OSM	Heysham Park & Adjacent vicinity of development - Maintenance of Off-site open space
04/09/2012		£16,000.00		£16,000.00	11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	0.00	Ringfenced	Caldew Cycleway Contribution: if not spent within 5 years of Payment Date return with interest HSBC BR + 1%
04/09/2012		£50,000.00		£50,000.00	11038	Border Construction	Caldewgate	S106	26/03/2012	03/09/2017	0.00	0.00	OS	Offsite Public Open Space Contribution: unspent return after 5 years interest of HSBC BR +1% - proposed for Norfolk St area?
28/05/2013	£0.00	#REF!	£8,206.20	#REF!	11039	Maris Properties	Briar Bank [Spice Enterprise]	S106	30/07/2012		9,973.71		OS	Open Space Contribution towards maintenance and enhancement of off-site provision in the District. Debtor 5000009132 Invoice for £9,973.71 to be paid prior to occupation of 7th unit sent 16/05/13 - proposal to spend on football mini pitches for 6-8 yrs olds
26/07/2013		£25,000.00		£25,000.00	11040	Storys	Crindledyke	S106	05/04/2012		25,000.00		Highways	Crindledyke - Highways Improvement contribution (1) due before 20th RU occupied
26/07/2013		£10,000.00		£10,000.00	11040	Storys	Crindledyke	S106	05/04/2012		10,000.00		Highways	Crindledyke - Highways Improvement contribution (2) due before 20th RU occupied
26/07/2013		£281,000.00		£281,000.00	11040	Storys	Crindledyke	S106	05/04/2012		281,000.00		Transport	Crindledyke - Transport Improvements contribution (2) due before any occupation
26/07/2013		£11,125.00		£11,125.00	11040	Storys	Crindledyke	S106	05/04/2012		11,125.00		Transport	Crindledyke - Travel Plan Administration Fee due on or before 1st RU occupied
1/5 before 28 days	£250,000.00	£0.00		£0.00	11040	Storys	Crindledyke	S106	05/04/2012				Transport	Crindledyke - Transport Improvements contribution (1)
Not to occupy >60	£3,500,000.00	£0.00		£0.00	11040	Storys	Crindledyke	S106	05/04/2012				Education	Crindledyke - New school Contribution/Bond
22/07/2013		£24,800.00		£24,800.00	11041	Developments [Cumbria] Ltd	Currock Cycle Link	S106	25/01/2010	21/07/2018	24,800.00		Transport	Currock cycle link - Maryport Cottages rail bridge to Currock & Upperby areas - to be returned if unspent within 5 years - if not paid by trigger incur penalty of HSBC bank rate +1%.
25/03/2010	£0.00	£3,570.75		£3,570.75	11042	Persimmon Homes	Pennine View	S106	29/10/2009		357.00		OSM	Pennine View - 10 years maintenance of two parcels of open space Parkland Village/Carleton Grange
04/12/2013		£93,440.08		£93,440.08	11043	Persimmon Homes	Durranhill	S106	20/10/2011	03/12/2023			OS	Improvement of current off-site Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of
04/12/2013		£50,669.37		£50,669.37	11043	Persimmon Homes	Durranhill	S106	20/10/2011	03/12/2023			OS	Maintenance of above Open Space & Play Provision - Index linked from date of agreement spend within 10 yrs of payment
04/12/2013		£13,500.00		£13,500.00	11044	Persimmon Homes	Durranhill	S106	20/10/2011		13,500.00		Highways	Provision of new footpath to south of Durranhill Rd from site to Rosehill IE or [at Council's discretion] upgrade existing footpath to
7.5% Value of 10 Units aggregate		£6,250.00		£6,250.00	11045	Learning & Leisure Group	Greensyke, Cumdivock	S106	08/05/2009				Housing	Greensyke, Cumdivock - Affordable Housing Contribution payable on occupation of each dwelling calculated on value at time payment is due - to spend within 5 years of each instalment
15/07/2014		£1,500.00		£1,500.00	11046	Story s	Rear of Scotby Green Steading	S106					Waste	Provision of refuse bins to the residential residents
17/12/2014	£50,000.00	£50,000.00		£50,000.00	11048	Storys	Rear of Scotby Green Steading	S106					OSP	For provision of a LEAP (Locally Equipped Area of Play) which meets the specification/defination of the National Playing field Association. To be spent within 5 years

Date of Receipt / Trigger point	Expected	Op/Bal & Receipts Detail code: 8191	Spend Detail code: 3899	Retained Balance	Ledger Code: X1130/****/ Classification Code	Received from	Development/ Address	S106/Uni lateral Agreeme nt/Other/ SIL	Agreement Date	Expected Scheme End Date	Spend Expected 2014/15	Estimate of annual sums	Scheme Code	Details
Parking facilities (CCC)			£0.00	£0.00	£0.00	Parking					£0.00			
Highways etc. [funds to/from CCC]:			£48,500.00	£0.00	£185,000.00	Highways					£48,500.00			
Habitat Schemes			£0.00	£0.00	£100,000.00	Habitat					£0.00			
Provision of Refuse & Recycling Bins			£5,280.00	£0.00	£3,780.00	Waste					£0.00			
Sports provision			£0.00	£0.00	£48,584.00	Sports					£0.00			
Total for reports			#REF!	£192,378.25	£5,055,587.00						£0.00			
Monitoring Fees, Legal, Admin Costs etc.			£0.00	£0.00	£0.00	Miscellaneous					£741,654.95			
Planning applications/agreements have expired			£0.00	£0.00	£0.00	Expired								
Totals			#REF!	£192,378.25	£5,055,587.00				Custodian only:		#REF!			#REF!
			#REF!	£0.00	£0.00	check difference								

Report to: Economy & Environment Overview & Scrutiny Panel

Agenda
Item:
A.5

Meeting Date: 12 March 2015
Portfolio: Finance, Governance and Resources
Key Decision: No
Within Policy and Budget Framework: Yes
Public / Private: Public

Title: Quarter Three Performance Report 2014/15
Report of: Policy and Communications Manager
Report Number: PC 05/15

Purpose / Summary:

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

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

Recommendations:

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

Tracking

Executive:	7 April 2015
Overview and Scrutiny:	Community – 26 February 2015 Resources – 5 March 2015 Economy and Environment – 12 March 2015
Council:	N/A

1. BACKGROUND

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

In December 2014 the Neighbourhood Services Team commenced formally recording Local Environment Quality (LEQ) surveys. This is a national recognised initiative to measure street cleanliness in terms of litter, detritus, graffiti and fly-posting. A baseline will be provided in the End of Year report and will be used in conjunction with the customer satisfaction surveys once an appropriate number of responses have been received.

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

2. PROPOSALS

None

3. CONSULTATION

The report was reviewed by the Senior Management Team at their meeting on 3 February 2015 and will be considered by the Overview and Scrutiny Panels on the following dates:

Community – 26 February 2015

Resources – 5 March 2015

Economy and Environment – 12 March 2015

4. CONCLUSION AND REASONS FOR RECOMMENDATIONS

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

5. CONTRIBUTION TO THE CARLISLE PLAN PRIORITIES

Detail in the report

Contact Officer:	Steven O’Keeffe	Ext:	7258
	Gary Oliver		7430

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

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

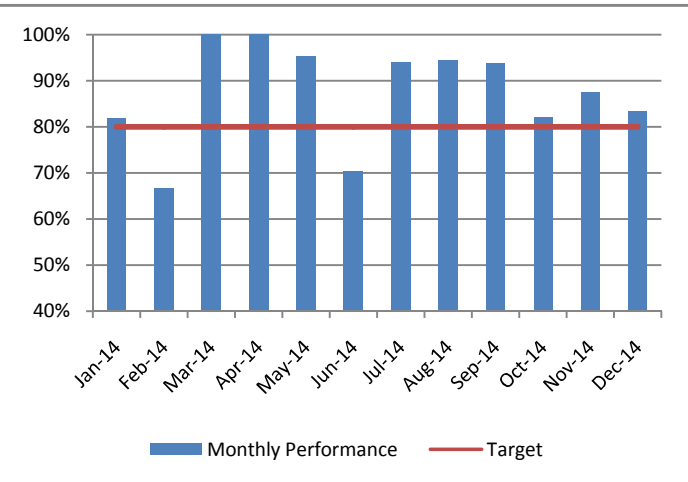
Governance – Responsible for corporate governance and managing team level service standards on a day-to-day basis.

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

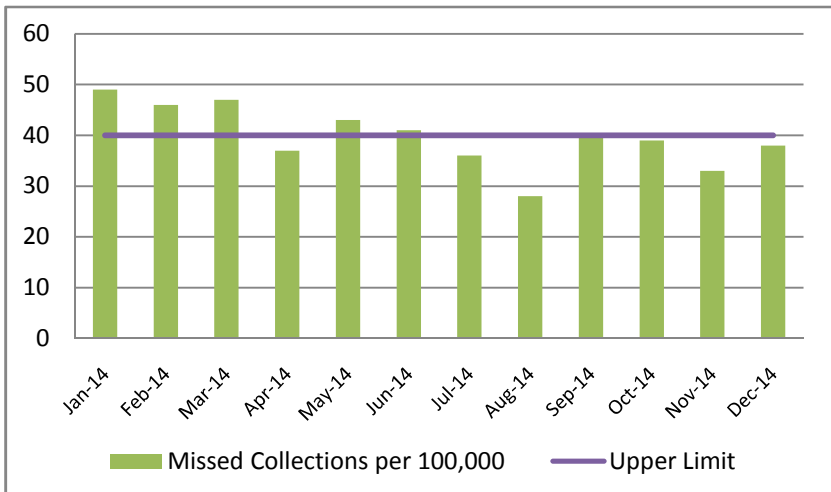
Resources – Responsible for managing high level projects team level service standards on a day-to-day basis.

SECTION 1: 2014/15 SERVICE STANDARDS

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

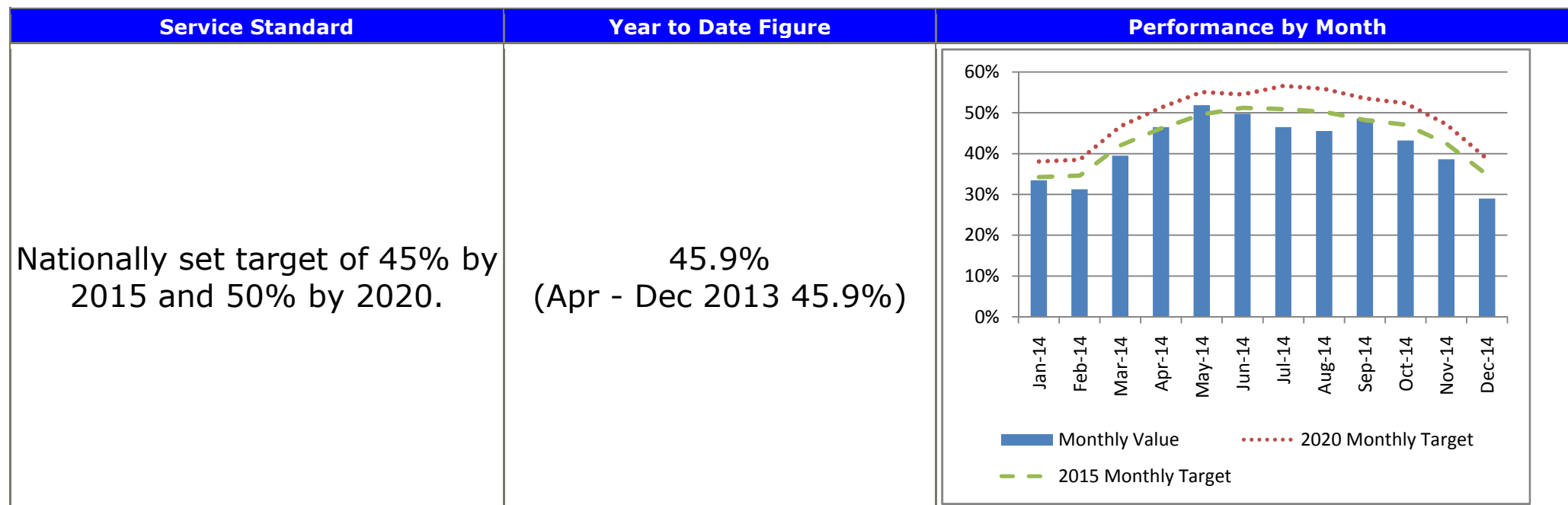
Service Standard	Year to Date Figure	Performance by Month																										
80% (Nationally set target)	90% (2013/14 88%)	 <table><caption>Monthly Performance Data</caption><thead><tr><th>Month</th><th>Monthly Performance (%)</th></tr></thead><tbody><tr><td>Jan-14</td><td>82%</td></tr><tr><td>Feb-14</td><td>68%</td></tr><tr><td>Mar-14</td><td>100%</td></tr><tr><td>Apr-14</td><td>100%</td></tr><tr><td>May-14</td><td>95%</td></tr><tr><td>Jun-14</td><td>70%</td></tr><tr><td>Jul-14</td><td>95%</td></tr><tr><td>Aug-14</td><td>95%</td></tr><tr><td>Sep-14</td><td>95%</td></tr><tr><td>Oct-14</td><td>82%</td></tr><tr><td>Nov-14</td><td>88%</td></tr><tr><td>Dec-14</td><td>85%</td></tr></tbody></table>	Month	Monthly Performance (%)	Jan-14	82%	Feb-14	68%	Mar-14	100%	Apr-14	100%	May-14	95%	Jun-14	70%	Jul-14	95%	Aug-14	95%	Sep-14	95%	Oct-14	82%	Nov-14	88%	Dec-14	85%
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Service Standard: Number of missed waste or recycling collections

Service Standard	Year to Date Figure	Performance by Month																										
40 missed collections per 100,000 (Industry standard)	Average of 37 misses per 100,000 collections per month (2013/14 36)	 <table><caption>Missed Collections per 100,000 by Month (2014)</caption><thead><tr><th>Month</th><th>Missed Collections per 100,000</th></tr></thead><tbody><tr><td>Jan-14</td><td>48</td></tr><tr><td>Feb-14</td><td>45</td></tr><tr><td>Mar-14</td><td>46</td></tr><tr><td>Apr-14</td><td>36</td></tr><tr><td>May-14</td><td>42</td></tr><tr><td>Jun-14</td><td>40</td></tr><tr><td>Jul-14</td><td>35</td></tr><tr><td>Aug-14</td><td>28</td></tr><tr><td>Sep-14</td><td>39</td></tr><tr><td>Oct-14</td><td>38</td></tr><tr><td>Nov-14</td><td>32</td></tr><tr><td>Dec-14</td><td>37</td></tr></tbody></table>	Month	Missed Collections per 100,000	Jan-14	48	Feb-14	45	Mar-14	46	Apr-14	36	May-14	42	Jun-14	40	Jul-14	35	Aug-14	28	Sep-14	39	Oct-14	38	Nov-14	32	Dec-14	37
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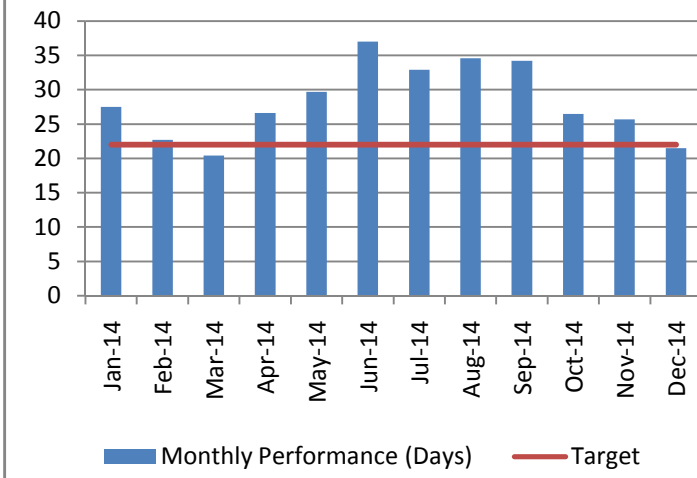
This service standard was previously measured as a percentage of all collections made whereas the industry standard is measured per 100,000 collections. To allow an easier comparison to be made with the industry standard and for benchmarking purposes the standard is now measured in the same format as the target. The Council made 1,154,478 collections during the quarter. The number of failures per 100,000 for the third quarter was 37 which equates to 419 actual failures.

Service Standard: Percentage of household waste sent for recycling



The graph above shows what the monthly target would be in order to achieve the national 2015 target of 45% and the 2020 target of 50%. The 45.91% recycling rate for Quarters 1, 2 and 3 in 2014/15 compares with 45.95% for the same period in 2013/14.

Service Standard: Average number of days to process new benefits claims

Service Standard	Year to Date Figure	Performance by Month																										
Average number of new claims should be processed within 22 days	29.8 days (2013/14 – 21.6 days)	 <table><caption>Monthly Performance Data (Days)</caption><thead><tr><th>Month</th><th>Performance (Days)</th></tr></thead><tbody><tr><td>Jan-14</td><td>28</td></tr><tr><td>Feb-14</td><td>23</td></tr><tr><td>Mar-14</td><td>21</td></tr><tr><td>Apr-14</td><td>27</td></tr><tr><td>May-14</td><td>30</td></tr><tr><td>Jun-14</td><td>37</td></tr><tr><td>Jul-14</td><td>33</td></tr><tr><td>Aug-14</td><td>35</td></tr><tr><td>Sep-14</td><td>34</td></tr><tr><td>Oct-14</td><td>27</td></tr><tr><td>Nov-14</td><td>26</td></tr><tr><td>Dec-14</td><td>22</td></tr></tbody></table> <p>Monthly Performance (Days) Target</p>	Month	Performance (Days)	Jan-14	28	Feb-14	23	Mar-14	21	Apr-14	27	May-14	30	Jun-14	37	Jul-14	33	Aug-14	35	Sep-14	34	Oct-14	27	Nov-14	26	Dec-14	22
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The summer dip in performance has now improved. The unprecedented levels of sickness and vacancies in the shared service have been mostly resolved and the backlog of assessment work has reduced.

Preliminary figures for January and February 2015 also reflect the improving trend.

Section 2: Carlisle Plan Update

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

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

Carlisle Local Plan 2015 - 2030

The emerging Carlisle Local Plan sets out a planning framework for guiding the location and level of development in the District up to 2030, as well as a number of principles that will shape the way that Carlisle will develop between now and then.

The Plan targets the delivery of approximately 9,000 new homes across the 2015-2030 period, and identifies the land available to accommodate this growth. This target represents the most ambitious level of housing growth pursued within Carlisle to date, in response to evidenced demographic and economic needs. The Plan also requires the delivery of a mix of dwelling types and tenures including affordable homes. From a housing perspective the Local Plan will therefore be amongst the most influential strategies at play across the next fifteen years.

Following consideration by and upon receipt of feedback from the Environment and Economy Overview and Scrutiny Panel, the Executive resolved at their meeting on the 26th January to refer the proposed submission draft of the Local Plan to Council to seek approval for the steps necessary to progress the Plan towards adoption. These steps include a further six week minimum period of public consultation which is anticipated to commence in late February and beyond this the submission of the Plan to government in order for it to be independently examined. Formal adoption of the Plan is still anticipated to be early 2016.

Promoting Carlisle including Prospectus for Carlisle

Kate Wilson of Business Toolbox Cumbria (BTC) and Michelle Masters of Michelle Masters Consulting have been appointed to deliver the Carlisle Ambassador Programme.

Employment sites – Durranhill

Access and environmental improvements to Durranhill Industrial estate. Planning consent has been granted for the new access road and we are now undertaking a tender process to appoint a contractor to undertake the work.

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

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

Old Town Hall Phase 2 / TIC

Cubby Construction started site works on 7th January 2015 with a scheduled completion of July 2015. The TIC has temporarily been moved to 40 Scotch Street for the duration of works.

The works will support the role of the Old Town Hall as a visitor attraction and destination whilst offering the services and facilities associated with a strategic Tourist Information Centre. Upgrades will include the installation of multi media equipment, discovery wall, retail fitments and desk installation with improved access from street level to the first floor and increased use of the adjacent Assembly Room.

Public Realm

A procurement exercise has been undertaken to appoint a contractor to manufacture public realm signage. Further work is being undertaken to turn the concepts into reality.

Arts Centre

Construction work started on 4 October with a scheduled completion of May 2015.

Harraby Campus Development

Construction work is now underway and progressing on schedule. A value engineering exercise was completed ahead of works which brought the scheme back under budget (allowing for additional funding supplied by the County Council). Discussions have also progressed with British Cycling to extend the scheme to include a 1km closed cycle track (funded via British Cycling).

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

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

Home Improvement Agency (HIA)

Homelife Carlisle has been awarded £1,000 from ESH Community fund to support interagency work with hoarders and have also received an additional £2,000 from Gas Safe for free boiler servicing and gas safety repairs for vulnerable homeowners.

Executive have approved a partnership with NPower to deliver energy efficiency measures in the District to reduce fuel poverty.

Homelessness Strategy

The information gained from consultation with key stakeholders along with local research findings has been utilised to form the basis of the draft local strategy. The draft strategy will be completed and agreed by key partners by the end of November; with the strategy and action plan agreed internally by March 2015 for implementation in April 2015.

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

The City Council continues to work closely with partners through the Carlisle Economic Partnership (CEP). Part of the CEP action plan of key priorities sets out actions to address skills gaps by identifying skills needs for growth and encouraging provision which meets those needs.

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

The City Council also continues to lead by example as one of Carlisle's large employers by investing in the development of its staff. This includes working with the University of Cumbria, Carlisle College and local training providers to deliver a wide range of technical and professional learning and development opportunities to staff.

PRIORITY - Together we will make Carlisle clean and tidy

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

There is evidence of less dog fouling and less street litter (Nov 2013 177 instances compared to Nov 2014 95 instances of dog fouling counted). The Enforcement and Education Team continue to take a proactive approach by visiting schools and holding responsible dog ownership days.

There has been an improvement to street cleansing with emphasis on leaf clearance during Oct /Nov and therefore there has been no insurance claims relating to leaf clearance. At the start of December 2014, a team of litter pickers have been picking up litter from grass verges between Carlisle and Brampton, and Carlisle and Longtown. The rapid response team has been extended for a further 2 years.

200 new litterbins have been purchased to replace existing broken and plastic bin. These all have ashtrays on the top to improve the amount of cigarette littering. The new bins are being rolled out during February and March 2015. Litterbin Operation Procedures are being compiled for the maintenance and replacement of litterbins.

The design of the plastic and card sacks has been improved to reduce the amount of recycling being blown into the streets. Box hats for green boxes are now available free of charge from the civic centre.

During the bad weather street cleaners gritted the town centre and also helped the County Council by gritting outside local shopping areas to help ensure the safety of the general public.

The Clean up Carlisle budget has been spent on tools and equipment, litter bins, improved bring sites, a new street cleaning vehicle, improved leaf clearance work and extra litter picking on grass verges.

Rethinking Waste Project

Following consultation with Scrutiny, the Waste Policy Framework has been rolled out to operational staff and the contact centre.

A 6 month review of sale of recyclates has taken place and the contract has been extended by 12 months.

The green box tender was won by the current contractor. The new contract will commence in June 2015 and will be for a 12 month period with the option to extend for up to a further year. The only changes from the existing contract are that the contractor will now purchase the green boxes themselves and the monthly fee has reduced.

Work has commenced on additional consultancy work to consider 2 stream collection and recycling credit sensitivity, and review assumptions.

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

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

Delivery of the Affordable Housing Programme:

Two schemes, developed by Riverside Cumbria at Dalton Avenue and Tomlinson Avenue are due to complete by the end of the financial year, successfully concluding the 2011-15 affordable housing programme. Nineteen affordable rented two bed bungalows and thirty-nine, two three and four bedroom affordable rented properties will be delivered, helping the District to meet need for older/mobility housing and family housing.

It is worth noting that between Jan – Dec 2014 we gave planning permission for schemes under which a total of 48 discounted sale dwellings, and 43 socially rented dwellings will be provided; and developers have agreed to pay financial contributions for off-site provision of affordable housing concerning a further 14 schemes.

Empty Homes:

There is a projected delivery of 54 units by March 2015 which will exceed the DCLG target by 9 units. As well as providing housing for up to 168 people, the project is significantly enhancing the local economy and has created 19 jobs.

Gypsy and Traveller Transit site:

A desktop review of the 2008 and 2013 Gypsy Traveller Accommodation Assessment shows that permanent pitch provision in the District has more than doubled since 2008 and currently stands at 74 pitches (including two with temporary planning permission. Transit provision has also increased from 24 units in the District in 2008 to 30 units currently. The incidence of unauthorised encampments has also reduced from 31 in 2006 to 9 in 2014. We are currently assessing how we can address any need.

YMCA making homes programme

The scheme closed on 31 December 2014. Nine properties have been returned to use.

