



CARLISLE CITY COUNCIL

Minutes of Council, Executive,
Committees and Panels

Volume 47(5)

5 January 2021 to 1 March 2021

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CITY COUNCIL – SPECIAL MEETING

TUESDAY 15 DECEMBER 2020 AT 6.45 PM

PRESENT: The Mayor (Councillor Mrs Bowman), Councillors Alcroft, Allison, Mrs Atkinson, Bainbridge, Birks, Bomford, Christian, Dr Davison, Denholm, Ellis, Ms Ellis-Williams, Mrs Finlayson, Mrs Glendinning, Glover, Higgs, Mrs McKerrell, McNulty, Mrs Mallinson, Mallinson (J), Meller, Mitchelson, Morton, Nedved, Patrick, Robson, Shepherd, Miss Sherriff, Tarbitt, Dr Tickner and Miss Whalen.

ALSO

PRESENT: Town Clerk and Chief Executive
Corporate Director of Governance and Regulatory Services

C.134/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Brown, Councillor Paton, Councillor Southward and Councillor Tinnion.

Councillor Collier attempted to join the meeting but was unable to do so due to technical reasons.

C.135/20 DECLARATIONS OF INTEREST

A roll call of persons in attendance was taken.

In accordance with the Council's Code of Conduct Councillor Patrick declared a personal interest in respect of item 5 – Interim Chief Executive arrangements with Eden District Council. Her interest was in relation to her employment which delivered the homeless function on behalf of Eden District Council.

C.136/20 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed.

C.137/20 ANNOUNCEMENTS

(i) The Mayor

The Mayor thanked Members for their hard work in the local communities and wished them a safe Christmas and healthy new year following such a difficult year.

(ii) The Leader of the Council

The Leader announced that he had met with the Leader of Eden District Council, the Minister for Regional Growth and Local Government and a Senior Civil Servant to discuss the submissions regarding the Local Government Review. The submissions would be carefully considered, and an 8 week consultation was expected to begin in February. The responses to the consultation would be considered followed by a decision in June.

The Elections in 2021 had also been discussed. It was unknown if the County and City elections would progress, however outstanding by-elections would be held once the Covid restrictions expired in May 2021.

(iii) Members of the Executive

The Communities, Health and Wellbeing Portfolio Holder announced that she had circulated information to all Councillors regarding the vaccination roll out, Winter Welfare and free School meals during holiday periods.

(iv) Town Clerk and Chief Executive

There were no announcements from the Town Clerk and Chief Executive.

C.13820 INTERIM CHIEF EXECUTIVE ARRANGEMENTS WITH EDEN DISTRICT COUNCIL

There was submitted a report of the Town Clerk and Chief Executive (CE.08/20), the purpose of which was to enable Carlisle City Council to consider the request from Eden District Council (EDC) that the City Council's Town Clerk and Chief Executive provides temporary part-time support as Interim Chief Executive at EDC.

The proposed Agreement between the two authorities, which would run until 30 May 2021 and could be terminated by either side for any reason with one month's notice, was appended to the report.

Assuming that the Agreement ran until 30 May 2021, Carlisle City Council would receive approximately £21,000 from EDC in payment for services. The Town Clerk and Chief Executive would receive no additional remuneration and was content with that arrangement.

Councillor Mallinson (J) (Leader) presented the report clarifying the dates of the agreement as 1 January to 30 May 2021. He was confident that the City Council had the talent and capacity within the organisation for the agreement to be successful.

Councillor Mallinson (J) moved and Councillor Ellis seconded the report and recommendations set out therein.

A number of observations and concerns were raised by Members during the debate, including:

- the Senior Management Team were already under substantial pressure due to the pandemic and the City Council's involvement in a number of significant projects. Reducing the Town Clerk and Chief Executive's role to two and a half days a week would further increase the pressure on the remaining members of the Team.
- the report had not provided information on the possible risks to the City Council or how the existing workload of the Town Clerk and Chief Executive would be addressed.
- there were benefits to the agreement including additional income, personal growth and improved relationships between the two authorities.
- a neighbouring authority had asked for the support of the City Council in difficult times and the agreement was a short term arrangement that could be ended quickly if required.

Councillor Mallinson (J) responded to certain comments raised in discussion.

Following voting it was:

RESOLVED – That the City Council:

- i. agree the request from Eden District Council for Carlisle City Council to provide Interim Chief Executive services as described in the Agreement appended to Report CE.08/20.
- ii. delegate authority to the Corporate Director of Governance and Regulatory Services to agree any minor changes to the Agreement in the unlikely event that that became necessary. (For the avoidance of doubt, such delegation would not include any changes to the substantive terms as set out in this Report and approved by Council.)

C.139/20 COMMUNICATIONS

There were no communications or items of business brought forward by the Mayor as a matter of urgency to be dealt with at the meeting.

[The meeting ended at 7.36pm]

CITY COUNCIL

TUESDAY 5 JANUARY 2021 AT 6.45 PM

PRESENT: The Mayor (Councillor Mrs Bowman), Councillors Alcroft, Allison, Mrs Atkinson, Bainbridge, Betton, Birks, Bomford, Brown, Christian, Collier, Dr Davison, Denholm, Ellis, Ms Ellis-Williams, Mrs Finlayson, Mrs Glendinning, Glover, Higgs, Mrs McKerrell, McNulty, Mrs Mallinson, Mallinson (J), Meller, Mitchelson, Morton, Nedved, Patrick, Robson, Shepherd, Miss Sherriff, Southward, Dr Tickner, Tinnion and Miss Whalen.

ALSO

PRESENT: Town Clerk and Chief Executive
Corporate Director of Governance and Regulatory Services

C.01/21 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Paton and Councillor Tarbitt.

C.02/21 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Item 14.(ii) – Tullie House Business Plan 2021/22

Councillor Bomford and Councillor Dr Tickner declared a registrable interest. The interest related to the fact that they served on the Tullie House Museum and Art Gallery Trust Board.

Item 10(i) – Culture, Heritage and Leisure Portfolio Holder Report

Councillor Glover declared a registrable interest. The interest related to the fact that he was a Trustee of the King's Own Border Regiment Museum Trust (Cumbria Museum of Military Life).

Item 15 – Statement of Licensing Policy 2021-26

Councillor Mitchelson declared a pecuniary interest. The interest related to his business interest.

Councillor Shepherd declared a registrable interest. The interest related to the fact that he was the Vice Chair and Bar Chair of Brampton Conservative Club.

C.03/21 MINUTES

The Mayor moved the receipt and adoption of the Minutes of the Meeting of the City Council held on 13 October, 3 November and 1 December 2020.

RESOLVED – That the Minutes of the meetings of the City Council held on 13 October, 3 November and 1 December 2020 be received and signed as a true record of the meeting.

C.04/21 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.05/21 ANNOUNCEMENTS

(i) The Mayor

The Mayor wished everyone present a very happy and healthy New Year.

(ii) The Leader of the Council

The Leader noted that the Covid-19 infection rate was very serious, and he encouraged everyone to stay safe. He detailed the arrangements that had been put in place to ensure the safety of all staff who continued to work and provide services in such difficult circumstances.

(iii) Members of the Executive

The Economy, Enterprise and Portfolio Holder provided an update on the funding offer of £9.1m from the Future High Street Fund. He thanked the Corporate Director of Economic Development, the Regeneration Manager and all staff involved in developing the projects.

(iv) Town Clerk and Chief Executive

The Town Clerk and Chief Executive expressed thanks to Reverend Teasdale for the support and advice he had provided as the City Council's Chaplain. He wished him well in his retirement.

C.06/21 QUESTIONS BY MEMBERS OF THE PUBLIC

Pursuant to Procedure Rule 10.1, the Corporate Director of Governance and Regulatory Services reported that no questions had been submitted on notice by members of the public.

C.07/21 PETITIONS AND DEPUTATIONS

Pursuant to Procedure Rule 10.11, the Corporate Director of Governance and Regulatory Services reported that no petitions or deputations had been submitted by members of the public.

C.08/21 QUESTIONS FROM MEMBERS OF THE CITY COUNCIL

Pursuant to Procedure Rule 11.2, the Corporate Director of Governance and Regulatory Services reported that no questions had been submitted on notice by members of the City Council.

C.09/21 EXECUTIVE

Councillor Mallinson (J) moved and Councillor Ellis seconded that the Minutes of the meetings of the Executive held on 9 November, 7 December and 14 December 2020 be received and adopted.

RESOLVED – That the Minutes of the meetings of the Executive held on 9 November, 7 December and 14 December 2020 be received and adopted.

C.10/21 PORTFOLIO HOLDER REPORTS

Copies of reports from the following Portfolio Holders had been circulated prior to the meeting:

Culture, Heritage and Leisure
Communities, Health and Wellbeing
Environment and Transport
Economy, Enterprise and Housing
Finance, Governance and Resources
Leader's Portfolio

The Culture, Heritage and Leisure Portfolio Holder moved his report.

The Communities, Health and Wellbeing Portfolio Holder moved her report.

When moving his report the Environment and Transport Portfolio Holder provided an update on the kiosk facilities at Talkin Tarn which had been closed following the new lockdown restrictions.

The Economy, Enterprise and Housing Portfolio Holder moved his report.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved his report.

The Leader then moved his report.

Members questioned individual Portfolio Holders on details of their report and it was:

RESOLVED – (1) That the reports of the Portfolio Holders be received.

(2) That the Culture, Heritage and Leisure Portfolio Holder arrange to:

- (i) provide Councillor Dr Davison with details of the candidates which would join a new Interim Development Group to develop the Carlisle Culture Strategic Framework;
- (ii) provide a written response to Councillor Dr Davison setting out the commissioning details of the options appraisal and feasibility study into potential interventions and investments that may help to develop Carlisle's Roman Heritage tourism offer, along with the cost of the appraisal and the expectation in terms of cost benefits.

(3) That the Economy, Enterprise and Housing Portfolio Holder make arrangements for the Beverly Rise Demonstration Project film to be presented at a future informal council briefing.

(4) That the Deputy Leader, and Finance, Governance and Resources Portfolio Holder provide Councillor Dr Tickner with written details of the number of applications received weekly from businesses for the Business Support Grant.

(5) That the Leader provide Councillor Southward with updated figures and a break down of the number of food parcels which had been distributed during the Covid 19 pandemic.

C.11/21 MINUTES

The Mayor moved and the Deputy Mayor seconded the receipt and adoption of the Minutes of the meetings as detailed within Minute Book Volume 47(4):

Committee	Meeting Date
Health and Wellbeing Scrutiny Panel	8 October and 19 November 2020
Business and Transformation Scrutiny Panel	15 October and 1 December 2020
Economic Growth Scrutiny Panel	26 November 2020
Regulatory Panel	18 November 2020
Licensing Committee	18 November 2020
Development Control Committee	7 and 9 October and 6 November 2020
Appeals Panels	21 October and 20 November 2020
Standards Committee	10 December 2020

RESOLVED – That the Minutes of the meetings as detailed above be received and adopted.

C.12/21 SCRUTINY

(a) Health and Wellbeing Scrutiny Panel

Councillor Mrs Finlayson (Vice Chair) moved the Chair's Report.

RESOLVED – That the Chair's Report be received and adopted.

(b) Business and Transformation Scrutiny Panel

Councillor Bainbridge moved his Chair's Report.

RESOLVED – That the Chair's Report be received and adopted.

(c) Business and Transformation Scrutiny Panel

Councillor Birks moved her Vice Chair's Report.

RESOLVED – That the Vice Chair's Report be received and adopted.

(d) Economic Growth Scrutiny Panel

Councillor Brown moved her Chair's Report.

RESOLVED – That the Chair's Report be received and adopted.

C.13/21 NOTICE OF MOTION

Pursuant to Procedure Rule 12, the Corporate Director of Governance and Regulatory Services to report that no motions have been submitted on notice by Members of the Council.

C.14/21 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK

(i) Dates and Times of Meetings 2021/22

Pursuant to Minute EX.156/20, consideration was given to recommendations from the Executive concerning the schedule of dates and times of meetings for 2021/22. A copy of report GD.05/21 and the Minute Extract had been circulated.

Councillor Mallinson (J) moved and Councillor Ellis seconded the recommendations set out.

Councillor Patrick noted that there had been no consultation undertaken with Members, other than the Scrutiny Chairs Group and the Executive, in the preparation of the calendar. She reminded Council that many Members had work and carers commitments and consultation should be undertaken with Members to enable Council to operate in an effective and strong Council. She requested meaningful consultation with all Members of the Council as to how dates and times of meetings worked best for Members in a Member led authority.

Councillor Tickner commented that many potential candidates were unable to take time off work to attend meetings. He added that the number of Members had been reduced but the number of committees remained the same and he suggested that a Task and Finish Group carry out a best practice exercise with other authorities.

The Leader responded that the dates and times of meetings was a very difficult matter and, although many Members worked, many also had evening commitments. He agreed to consider the arrangements for the preparation of the calendar and discuss it further with the Executive.

RESOLVED – (1) That the schedule of dates and times of meetings in the 2021/22 municipal year, as set out in the calendar attached as an Appendix to Report GD.05/21, be approved.

(2) That the dates and times of meetings of the Executive as chosen by the Leader be noted.

(3) The Leader to consider whether any changes needed to be implemented regarding the arrangements for the timing of future Meetings.

(ii) Tullie House Business Plan 2021/22

Pursuant to Minute EX.121/20 and EX.158/20, consideration was given to recommendations from the Executive concerning the Tullie House Museum and Art Gallery Trust Business Plan 2021/22. A copy of report CS.04/21 and relevant Minute Extracts had been circulated.

Councillor Higgs thanked the Health and Wellbeing Scrutiny Panel, Council Officers and Tullie House Representatives for their suggestions and input in the deliberation of the Plan. Consideration had been given to the budgetary implications to Tullie House, however, the Council had suffered from a severe reduction in income and were not in a position to change the budget as set out in the Medium Term Financial Plan.

Councillor Higgs moved and Councillor Mrs Mallinson seconded the report and recommendations set out therein.

RESOLVED – That the City Council:

1. Had considered the comments of both the Health and Wellbeing Scrutiny Panel (as detailed in the Minute Excerpt of their meeting on 19 November 2020) and the comments

and recommendations of the Executive (as detailed in the Minute Excerpt of their meeting on 14 December 2020).

2. Confirmed the agreed levels of core funding for 2021/22 and the indicative levels for 2022/23 and 2023/24.

C.15/21 STATEMENT OF LICENSING POLICY 2021-2026

Councillor Mitchelson, having declared a disclosable pecuniary interest, left the meeting and took no part in this item of business.

Councillor Shepherd, having declared a registrable interest, left the meeting and took no part in this item of business

Pursuant to Minute LC.18/20 and LC.23/20, consideration was given to a recommendation from the Licensing Committee that Council adopt the final draft of the Statement of Licensing Policy 2021-2026.

Councillor Ms Ellis-Williams moved, and Councillor Morton seconded the recommendation.

RESOLVED – That the reviewed Statement of Licensing Policy 2021-2026, as appended to report GD.03/21, be approved and adopted for publication by 7 January 2021.

C.16/21 COMMITTEE NOMINATIONS

Councillor J Mallinson moved, and Councillor Ellis seconded the following changes to the membership of Committees and Panels:

Development Control Committee

Councillor Finlayson to replace Councillor Collier as a full Member

Councillor Collier to replace Councillor Finlayson as a substitute Member

Regulatory Panel and Licensing Committee

Councillor Ellis to replace Councillor Collier as a full Member

Councillor Collier to replace Councillor Ellis as a substitute Member

Councillor Glover moved, and Councillor Dr Tickner seconded the following changes to the membership of Committees and Panels:

Regulatory Panel and Licensing Committee

Councillor Alcroft to be added as a substitute Member.

Standards Committee

Councillor Atkinson and Councillor Patrick to be removed as substitute Members.

Councillor Alcroft and Councillor Whalen to be added as substitute Members.

Development Control Committee

There were no nominations for the vacancy on the Development Control Committee.

RESOLVED – That the membership of Committees and Panels be amended as outlined below:

Development Control Committee

Councillor Finlayson to replace Councillor Collier as a full Member

Councillor Collier to replace Councillor Finlayson as a substitute Member

Regulatory Panel and Licensing Committee

Councillor Ellis to replace Councillor Collier as a full Member

Councillor Collier to replace Councillor Ellis as a substitute Member

Councillor Glover moved, and Councillor Dr Tickner seconded the following changes to the membership of Committees and Panels:

Regulatory Panel and Licensing Committee

Councillor Alcroft to be added as a substitute Member.

Standards Committee

Councillor Atkinson and Councillor Patrick to be removed as substitute Members.

Councillor Alcroft and Councillor Whalen to be added as substitute Members.

**C.17/21 OVERVIEW AND SCRUTINY PROCEDURE RULES CALL-IN
AND URGENCY**

Pursuant to Overview and Scrutiny Procedure Rule 15(i), consideration was given to a report of the Corporate Director of Governance and Regulatory Services (GD.06/21) on procedures in respect of occasions where decisions taken by the Executive were urgent.

RESOLVED – That the report be noted.

C.18/21 COMMUNICATIONS

There were no communications or items of business brought forward by the Mayor as a matter of urgency to be dealt with at the meeting.

[The meeting ended at 8.56pm]

(Received and adopted by Council on 5 January 2021)

EXECUTIVE – SPECIAL MEETING

MONDAY 7 DECEMBER 2020 AT 4.00 PM

PRESENT:

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

OFFICERS:

Deputy Chief Executive
Corporate Director of Governance and Regulatory Services
Corporate Director of Finance and Resources

ALSO PRESENT:

Councillor Birks (Vice-Chair of the Business and Transformation Scrutiny Panel – until 4.12 pm)

REGISTER OF ATTENDANCE AND DECLARATIONS OF INTEREST

A roll call of persons in attendance was taken.

In accordance with the Council's Code of Conduct Councillors Mrs Mallinson; Mallinson (J) and Ellis submitted declarations of interest in relation to Item A.2: Local Government Reorganisation – Approval of Carlisle City Council's Submission due to the fact that they are Members of Cumbria County Council.

The Members reported that they had received dispensations to discuss local government reorganisation at this meeting.

APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of the Town Clerk and Chief Executive; and the Corporate Director of Economic Development.

PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

CALL-IN AND URGENCY PROCEDURES

The Leader reported that the Mayor had, on 27 November 2020, agreed that Agenda item A.2 – Local Government Reorganisation – Approval of Carlisle City Council's Submission should be exempt from call-in since, if a call-in was received, call-in procedures would delay transmission of the final submission on the topic to Government by the 9 December 2020 deadline, thereby prejudicing the Council's interests.

EX.138/20 BUDGET 2021/22 – FEEDBACK FROM THE SCRUTINY PANELS ON THE DRAFT BUDGET REPORTS (Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

Speaking at the invitation of the Leader, the Deputy Leader indicated that the Scrutiny Panels had scrutinised the draft Budget Reports for 2021/22 considered by the Executive on 9 November 2020.

The Executive would now consider feedback from the Scrutiny Panels, as detailed within the Minutes of the undernoted Panel meetings, copies of which were submitted:

(a) Health and Wellbeing – 19 November 2020 (HWSP.67/20)

The Deputy Leader advised that the substantive resolution from the Panel was that more detailed information be provided with regard to the policy which the City Council would pursue in relation to climate change.

The Deputy Leader reported that information had now been incorporated into the Executive's Budget Proposals, the most significant change being that any carbon reducing schemes would initially have to be funded from resources currently contained in the Council's existing revenue and capital budgets; with any new climate change initiatives following formal adoption and approval of the Local Environment (Climate Change) Strategy being supported by a robust business case and a cost benefit analysis provided.

The Chair of the Health and Wellbeing Scrutiny Panel had been invited to speak but was not in attendance today.

(b) Economic Growth – 26 November 2020 (EGSP.59/20)

The Deputy Leader stated that, having scrutinised the Charges Review Report 2021/22 - Community Services, the Panel had resolved that a review of the parking permit scheme at Talkin Tarn be carried out.

He believed that the Executive would agree that consideration should be given to the strategy governing parking at Talkin Tarn in terms of the management of parking and income received therefrom. Accordingly, certain of those proposals would be reviewed.

The Chair of the Economic Growth Scrutiny Panel had been invited to address the Executive but was not present at the meeting.

(c) Business and Transformation – 1 December 2020 (BTSP.73/20)

The Deputy Leader highlighted the Panel's request that the Executive give further consideration to the introduction of a pest control charge for dealing with rats and the impact upon households in the event that they could not meet the charge.

In response, the Deputy Leader could confirm that the Executive had taken that on board and that the Charges Review Report 2021/22 – Governance and Regulatory Services (GD.48/20) had been amended to ensure that the intended discount for senior citizens was available for domestic rat and mice treatments.

The Environment and Transport Portfolio Holder confirmed that he had nothing to add at this time.

The Vice-Chair of the Business and Transformation Scrutiny Panel was pleased to note that the Executive was looking to amend the pest control charges and discounts as alluded to by the Deputy Leader.

She explained that the Scrutiny Panel had also asked that the Executive look at introducing an element of flexibility for waste services charges to assist households that were struggling financially. The feeling at the meeting was that collections from households were increasing. A cost benefit analysis may therefore be useful since, if people were able to dispose of their waste, that may be beneficial from a fly tipping perspective.

The Vice-Chair concluded by questioning whether the Executive was also prepared to look at that issue.

The Deputy Leader replied that investigation into some of those charges would comprise a larger piece of work than could be undertaken within the timescales to date. He did not, however, think that the Executive was opposed to looking into the matter.

The Environment and Transport Portfolio Holder reported that he had discussed the issue with Officers. One alternative to bulky household waste collection was the County Council's household waste sites which took items free of charge. Clearly, however, not everyone could avail themselves of that service.

The Portfolio Holder added that work would be required to try to understand the manner by which a scheme could be put in place, and that the matter was under consideration.

The Vice-Chair thanked the Deputy Leader, and the Environment and Transport Portfolio Holder for their responses.

The Leader wished to place on record his thanks to the Scrutiny Panels for their consideration of the draft Budget Reports and for their comments and recommendations. He was also appreciative of the Vice-Chair's attendance today.

The Executive would give detailed consideration to the issues and recommendations raised prior to putting forward their draft Budget Proposals for consultation on 14 December 2020.

The Leader so moved and the Deputy Leader duly seconded.

Summary of options rejected None

DECISION

That the Scrutiny Panels be thanked for their scrutiny of the draft Budget reports; and their comments / recommendations, as detailed within the Minutes submitted, be taken into consideration as part of the Executive's deliberations on the 2021/22 Budget.

Reasons for Decision

The views of the Scrutiny Panels be taken into consideration as part of the 2021/22 Budget process.

The Vice-Chair of the Business and Transformation Scrutiny Panel left the meeting

**EX.139/20 **LOCAL GOVERNMENT REORGANISATION – APPROVAL OF
CARLISLE CITY COUNCIL'S SUBMISSION**
(Key Decision – KD.32/20)

(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 Cross-cutting

Relevant Scrutiny Panel Business and Transformation

Subject Matter

The Leader submitted report CE.07/20, the purpose of which was for the Executive to consider the views and decisions taken at the special meeting of the City Council held on 1 December 2020, relating to Local Government Reorganisation and delegate approval of the final submission to the Chief Executive and himself.

Copies of the Cumbria Local Government Reorganisation Case for Change – December 2020 submission document and an Excerpt from the Minutes of the special Council meeting (C.133/20) had also been circulated.

The Leader was pleased to move the report, adding that the Executive believed that Carlisle City Council's submission represented the best way forward for local government reform in Cumbria. The arguments were well rehearsed at the full Council meeting and he did not propose to reiterate the same.

Whilst the decision was clearly one to be taken by the Executive today, the Leader was further pleased that Council had been consulted; and, whilst one could not claim total unanimity, he could record that only one vote was recorded against the option before the Executive at full Council on 1 December 2020.

The Leader truly believed that the Executive's preferred north / south option, which provided the correct balance between economies of scale and community cohesion, was the one which would best serve Cumbria for decades to come. It would be one of four submissions and he felt sure that it would be judged to be the strong and compliant bid that it was. He had numerous discussions with fellow District Leaders and numerous other people since February 2020.

The Leader was grateful to Members of this Council for their support and, in particular, wished to record thanks to the Chief Executive and his Team, without whom a submission of that quality would not have been possible.

The Leader concluded his presentation by moving the recommendation that the Executive approve the Carlisle City Council's draft proposal for local government reorganisation, attached to the report and delegate submission of the final document, with any minor amendments and corrections, to the Chief Executive in consultation with himself.

The Deputy Leader seconded the recommendation.

The Communities, Health and Wellbeing Portfolio Holder also wished to support the recommendation. It was currently a very exciting time, a time to put right the 1992 Maud Report which saw Cumbria come into existence.

Cumbria was too large and diverse, with the north looking to Scotland and the north-east for their television and hospital services, and the south of the county very much looking towards Manchester for service provision.

The Portfolio Holder emphasised the diverse nature of the county, believing that local government reorganisation would present jobs and opportunities for the residents of Cumbria. People, including herself, were looking forward to discussing the matter in due course, including the potential for two unitary councils to be created in Cumbria so that we could look to the locality working which the District Councils were exceptionally good at.

Summary of options rejected that the draft proposal and delegation should not be approved

DECISION

That the Executive approve the Carlisle City Council's draft proposal for local government reorganisation, attached to Report CE.07/20 and delegate submission of the final document, with any minor amendments and corrections, to the Chief Executive in consultation with the Leader of the Council.

Reasons for Decision

To enable Carlisle City Council to submit its proposals for Local Government Reorganisation to UK Government before the deadline on 9 December 2020

EX.140/20 NOTICE OF EXECUTIVE KEY DECISIONS
(Non Key Decision)

Portfolio Cross-Cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth;
Business and Transformation

Subject Matter

The Notice of Executive Key Decisions dated 9 November 2020 was submitted for information.

Summary of options rejected None

DECISION

That the Notice of Executive Key Decisions dated 9 November 2020 be noted.

Reasons for Decision

Not applicable

[The meeting ended at 4.19 pm]

MONDAY 14 DECEMBER 2020 AT 4.00 PM

PRESENT:

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

OFFICERS:

Town Clerk and Chief Executive
Deputy Chief Executive
Corporate Director of Economic Development
Corporate Director of Governance and Regulatory Services
Corporate Director of Finance and Resources

ALSO PRESENT:

Councillor Birks (Vice-Chair of the Business and Transformation Scrutiny Panel)
Councillor Mrs Finlayson (Vice-Chair of the Health and Wellbeing Scrutiny Panel)

REGISTER OF ATTENDANCE AND DECLARATIONS OF INTEREST

A roll call of persons in attendance was taken; there were no declarations of interest affecting the business to be transacted.

APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf Councillor Brown, Chair of the Economic Growth Scrutiny Panel

PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

CALL-IN

The Leader reported that The Mayor had, on 9 December 2020, agreed that the following items should be exempt from call-in for the reasons stated:

A.5 – Town Deal Capital Accelerated Fund

The funding allocated by the MHCLG to deliver the project must be committed by March 2021 and therefore approval from Members needed to be secured before Christmas to enable the project development work and procurement to commence in early January 2021.

A.13 – Dates and Times of Meetings 2021/22

B.1 – Tullie House Business Plan 2020/21

If a call-in was received, call-in procedures would overlap the virtual City Council meeting on 5 January 2021 when Council was scheduled to consider the matters, thereby prejudicing the Council's interests in approving the same.

Further to Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chair of the Economic Growth Scrutiny Panel has agreed that the decision to be taken in respect of the Borderlands Inclusive Growth Deal (Agenda item B.2) is urgent and requires to be taken today in order that the matter may move through the City Council's democratic process, culminating with submission to full Council in mid-February 2021. The decision cannot wait until the next scheduled Executive meeting since that would prevent sign off in accordance with the February 2021 deadline and submission of the signed Deal to the UK and Scottish Governments.

BUDGET PROCESS 2021/22

EX.141/20 BUDGET UPDATE - REVENUE ESTIMATES 2021/22 TO 2025/26

(Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.122/20, the Deputy Leader submitted report RD.42/20 providing an update to the Corporate Director of Finance and Resources' report to the Executive of 9 November 2020 (RD.32/20).

Summarised within the report were the revised revenue base estimates for 2020/21, together with the base estimates for 2021/22 and forecasts up to 2025/26 for illustrative purposes.

The report drew Members' awareness to the fact that a number of significant factors affecting the budget were currently unresolved. In particular, the following were key to the budget process and details thereon would be considered as the budget progressed.

- Ongoing impact of COVID-19
- Local Government Finance Settlement – announcement due by December 2020
- Further expected changes in government grant e.g. New Homes Bonus, Housing Benefit Administration Grant
- Future borrowing requirements
- Commercial and investment opportunities

Set out at Section 3 was an overview of the outstanding key issues and resource assumptions, with details of the potential new spending pressures/bids that needed to be considered also provided at Section 4.

In terms of savings and additional income proposals, the report recorded that the current MTFP included a recurring savings requirement to be found by 2021/22 of £1 million rising to £1.850 million in 2023/24. That additional saving requirement would increase the savings needed for 2021/22 to £1.2 million and the total savings required being £2.050 million by 2023/24. Savings would need to be identified by a combination of reviewing the items listed at paragraph 5.6.

The Council's current levels of balances set out at Appendix A included any impact of the proposed pressures and savings outlined in the report. The Projects Reserve would be used as a first call for any projected revenue budget deficit however, maintaining the current level of reserves was dependent upon the achievement of the transformation savings. A risk-based review of reserve levels had been undertaken and showed that the minimum level of General Fund Reserves should remain at £3.1million due to uncertainties around future funding from Business Rates; however that would be reviewed during the budget process.

The Deputy Leader then moved the recommendations, which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted the revised base estimates for 2020/21 and base estimates for 2021/22;
- (ii) Noted that the estimates in the report were draft and would be subject to the confirmation of Local Government Finance Settlement in December 2020;
- (iii) Noted the current MTFP projections, which would continue to be updated throughout the budget process as key issues became clearer and decisions were taken;
- (iv) Noted the budget pressures, bids and savings which needed to be taken into account as part of the 2021/22 budget process;
- (v) Noted the Statutory Report of the S.151 Officer outlining the risks associated with the draft budget figures and that minimum reserves may need to be reviewed in the future depending upon the outcome of the Local Government Finance review.

Reasons for Decision To ensure that a balanced budget is set.

EX.142/20 REVISED CAPITAL PROGRAMME 2020/21 AND PROVISIONAL CAPITAL PROGRAMME 2021/22 TO 2025/26
(Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.127/20, the Deputy Leader submitted report RD.43/20 which provided an update to the Corporate Director of Finance and Resources' report to the Executive of 9 November 2020 (RD.32/20).

The report set out the proposed capital programme for 2021/22 to 2025/26 in the light of new capital proposals identified and summarised the estimated capital resources available to fund the programme.

The resources available to support the capital programme could only be estimated during the year. The final position was dependent, in particular, on how successful the Council had been in achieving Capital Receipts from the sale of assets against its target.

The cost of externally borrowing £1m to fund the capital programme would result in a charge to the revenue account in the next full year of approximately £47,000. That was made up of

£17,000 for the cost of the interest payable (1.7% of £1m equated to £17,000) and a principal repayment provision of 3% of the outstanding sum (3% of £1m equated to £30,000).

The revised capital programme for 2020/21 (Appendix A) now totalled £19,390,400. The revised anticipated resources available and their use to fund the capital programme were depicted at Appendix B.

The Deputy Leader then moved the recommendations, which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted the revised capital programme and relevant financing for 2020/21 as set out in Appendices A and B of Report RD.43/20, for recommendation to Council;
- (ii) Had given initial consideration and views on the proposed capital spending for 2021/22 to 2025/26 given in the report in the light of the estimated available resources, for recommendation to Council;
- (iii) Noted that any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved.

Reasons for Decision To ensure that a balanced budget is set

EX.143/20 DRAFT TREASURY MANAGEMENT STRATEGY STATEMENT, INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION STRATEGY 2021/22
(Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.129/20, the Deputy Leader submitted report RD.44/20 setting out the Council's draft Treasury Management Strategy Statement for 2021/22 in accordance with the CIPFA Code of Practice on Treasury Management. The Investment Strategy and the Minimum Revenue Provision Strategy for 2020/21 were incorporated as part of the Statement, as were the Prudential Indicators as required within the Prudential Code for Capital Finance in Local Authorities.

The report would be considered by the Audit Committee; and the Business and Transformation Scrutiny Panel on 18 December 2020 and 7 January 2021 respectively.

The Deputy Leader moved the recommendation set out within the report and the Leader seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive noted the draft Treasury Management Strategy Statement for 2021/22, which incorporated the Investment Strategy and the Minimum Revenue Provision (MRP) Strategy, together with the Prudential Indicators for 2021/22 as set out in Appendix A and the Treasury Management Policy Statement as set out at Appendix D to Report RD.44/20; and sought comments from the Business and Transformation Scrutiny Panel in January 2021.

Reasons for Decision

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

EX.144/20 REVIEW OF CHARGES 2021/22 (Key Decision – KD.25/20)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

Pursuant to Minutes EX.123/20, EX.124/20, EX.125/20 and EX.126/20, further consideration was given to the Charges Reviews in respect of charges falling within the responsibility of the Community Services; Economic Development; Governance and Regulatory Services Directorates; and the Licensing Section.

Extracts from the Minutes of the meetings of the Health and Wellbeing Scrutiny Panel on 19 November 2020 (HWSP.67/20); Economic Growth Scrutiny Panel on 26 November 2020 (EGSP.59/20); and Business and Transformation Scrutiny Panel on 1 December 2020 (BTSP.73/20) in respect of the proposed charges were submitted.

Executive Members were asked to refer to the Charges Review Reports contained within the Budget Book – CS.30/20 and Addendum; ED.28/20 and GD.54/20.

Also provided was Report GD.48/20 (Amended) setting out the proposed fees and charges for areas falling within the responsibility of the Governance and Regulatory Services Directorate; and including an amendment relative to the discount to senior citizens for the charge for domestic rat and mice treatments.

The Deputy Leader, in moving the recommendations, outlined a proposed amendment to the Community Services Charges report (CS.30/20) in respect of car parking charges at Talkin Tarn. The Deputy Leader had considered the representations made by the Brampton Ward Councillors and asked the Executive to agree that there would be no increase to the price of car parking permits at Talkin Tarn for 2021/22.

The Leader seconded the recommendation.

Summary of options rejected a number of alternative charges as detailed in the above reports

DECISION

1. That the fees and charges for 2021/22 relating to those services falling within the responsibility of the Community Services Directorate including a freeze to the price of the

car parking permits for Talkin Tarn for 2021/22, as set out in Report CS.30/20, the Addendum and relevant Appendices, be approved with effect from 1 April 2021.

2. That the fees and charges for 2021/22 relating to those services falling within the responsibility of the Economic Development Directorate, set out in Report ED.38/20 and accompanying Appendices, be approved with effect from 1 April 2021.
3. That the fees and charges for 2021/22 relating to the areas falling within the responsibility of the Governance and Regulatory Services Directorate, as detailed and set out in Report GD.48/20 (amended) and accompanying Appendices, be approved with effect from 1 April 2021.
4. That the Executive noted the Licensing Charges which had been approved by the Regulatory Panel on 14 October 2020; and approved the fees under the Scrap Metal Dealers Act 2013 with effect from 1 April 2021.

Reasons for Decision

The proposed charges and options reflected the Corporate Charging Policy as set out in the Medium Term Financial Plan, whilst attempting to recognise service pressures and trends

EX.145/20 EXECUTIVE RESPONSE ON THE 2021/22 BUDGET (Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Business and Transformation

Subject Matter

The Deputy Leader reported that the Executive was issuing their 2021/22 Budget Proposals for consultation, copies of which were circulated.

The Deputy Leader commented that the Executive understood the impact that Covid-19 had on households and businesses and had kept the proposed increases to the Council Tax to a minimum.

Over the next four weeks, the Executive would be consulting on its budget proposals with businesses, trade union representatives and its residents. The deadline for comments was 9.00 am on 11 January 2021. The Executive would respond to consultees' feedback at its meeting on 13 January 2021.

The Deputy Leader concluded by moving the recommendation that the Executive's draft Budget proposals be agreed and circulated for consultation; the Leader seconded the recommendation.

Summary of options rejected a number of options which had been considered as part of the Council's 2021/22 budget deliberations as identified in various reports

DECISION

That the Executive's draft Budget proposals, as circulated at the meeting and appended to these Minutes as Appendix A, be agreed and circulated for consultation.

Reasons for Decision To produce the draft Budget proposals for consultation purposes

EX.146/20 BITTS PARK INTERACTIVE WATER FEATURE
(Key Decision – KD.26/20)

Portfolio Communities, Health and Wellbeing

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Communities, Health and Wellbeing Portfolio Holder submitted report CS.33/20, the purpose of which was to seek Executive approval for the release of the capital allocation for full mechanical and electrical reinstatement of the children's interactive water feature in Bitts Park, following flood damage in February 2020. The background position was as recorded at Section 1.

The Communities, Health and Wellbeing Portfolio Holder moved the recommendation, which was seconded by the Leader.

Summary of options rejected that approval should not be granted.

DECISION

That the Executive approved the addition of £73,591.50 for the reinstatement and repair of the water feature at Bitts Park, pending the finalisation and acceptance of the insurance settlement.

Reasons for Decision

The interactive water feature was an integral and universally popular component of Bitts Park play area, the authority therefore has a responsibility to ensure its continued presence on the site so long as that remained practicable and the facility was fully insured

The flood damage incurred in February 2020 was repairable and the Council's insurer had already settled the resulting claim in full

With the release of the capital funds, as per the recommendation of the report, the authority may progress the repair and recommissioning of the water feature in preparation for re-opening in spring 2021.

EX.147/20 REVIEW OF PUBLIC SPACE PROTECTION ORDERS
(Key Decision – KD.27/20)

Portfolio Communities, Health and Wellbeing

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Communities, Health and Wellbeing Portfolio Holder reported (CS.36/20) that the City Council was committed to maintain a clean and safe environment for everyone.

This report introduced the Local Environmental Crime, Action and Enforcement Strategy that set out the Council's approach to maintaining clean streets and neighbourhoods across the district of Carlisle and highlighted the wide ranging work and powers of the Civil Enforcement Officers in raising awareness of environmental crime, including challenging unacceptable behaviour and

taking robust enforcement action, when necessary as the Council worked to keep Carlisle clean.

The Portfolio Holder thanked officers and Local Police for their input into the document and moved the recommendation, which was duly seconded by the Leader.

Summary of options rejected that the report should not be referred for scrutiny

DECISION

That the Executive had reviewed the content of Report CS.36/20 and referred it to the Health and Wellbeing Scrutiny Panel for their review and comment.

Reasons for Decision To seek the views of the Health and Wellbeing Scrutiny Panel

EX.148/20 **TOWNS FUND CAPITAL ACCELERATED FUND
(Key Decision – KD.30/20)

(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, Enterprise and Housing

Relevant Scrutiny Panel Economic Growth

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder submitted a report providing Members with a background to the £1,000,000 grant that had been awarded to the City Council from the Ministry of Housing, Communities and Local Government through the Towns Fund initiative to accelerate the delivery of capital projects in the city and meet the objectives of the Town Investment Plan.

Members' attention was drawn to Section 2 which set out proposals to create a budget of up to £1,000,000 to cover works associated with Project 1 – Caldew Riverside and Project 2 – Bitts Park 'Pod Village', details of which were provided.

In moving the recommendations the Economy, Enterprise and Housing Portfolio Holder thanked the Regeneration Manager, Economic Development Team and the Green Spaces Operations Manager, which were duly seconded by the Culture, Heritage and Leisure Portfolio Holder.

Summary of options rejected that authority should not be granted.

DECISION

That the Executive:

1. Authorised the development and delivery of the Caldew Riverside and Bitts Park projects as outlined in Section 2 of the Report .
2. Authorised a budget of £1,000,000 to be added to the Council's Capital Programme, fully financed by the accelerated capital grant awarded by the MHCLG, to deliver the Caldew Riverside and Bitts Park projects.

Reasons for Decision

The Caldew Riverside and Bitts Park projects outlined in the report would both make a significant contribution to the objectives of the Carlisle TIP (Section 1.2) and fulfil the investment priorities for the accelerated funding set out by the MHCLG (Section 1.5)

EX.149/20 AIR QUALITY ACTION PLAN CONSULTATION AND ADOPTION (Key Decision – KD.31/20)

Portfolio Environment and Transport

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Environment and Transport Portfolio Holder submitted report GD.60/20, the purpose of which was to put forward a summary of the Local Authority's Air Quality Action Plan, whilst also undertaking consultation with key stakeholders.

The Environment and Transport Portfolio Holder moved the recommendation, which was duly seconded by the Leader.

Summary of options rejected not to agree the measures recommended in the Air Quality Action Plan

DECISION

That the Executive agreed to the measures recommended in the Air Quality Action Plan.

The recommended key measures had been identified in conjunction with the key partners, so that the City Council was able to deliver improvements to Nitrogen Dioxide concentrations in the Air Quality Management Areas. Government guidance required local authorities to have regard to the cost effectiveness and feasibility of measures in their Air Quality Action Plans.

Reasons for Decision

The revised action plan would be formally consulted upon as a draft, with the final version to be adopted by the Executive after a period of consultation

The update in Appendix C of the main report featured online, would replace the previous 'air Quality and Land Use Planning' guidance document, which was produced in 2006 and was not out of date

EX.150/20 ST CUTHBERT'S GARDEN VILLAGE MASTERPLAN FRAMEWORK (Key Decision – KD.33/20)

Portfolio Economy, Enterprise and Housing

Relevant Scrutiny Panel Economic Growth

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder submitted report ED.50/20 apprising the Executive of the finalised Masterplan Framework for St Cuthbert's Garden Village.

The St Cuthbert's Garden Village Masterplan Framework; the St Cuthbert's Garden Village Masterplan Framework – Infrastructure Schedule, and the St Cuthbert's Garden Village Masterplan Framework – Design Guidance were appended to the report.

The Economy, Enterprise and Housing Portfolio Holder thanked the St. Cuthbert's Garden Village Team, the Member Advisory Group, St Cuthbert's Without and Cummersdale Parish Councils and the Economic Growth Scrutiny Panel.

The Economic Growth Scrutiny Panel scrutinised the matter on 26 November 2020 resolving:

“That the Panel had considered the final St Cuthbert's Garden Village Masterplan Framework and agreed its content as evidence to inform the St Cuthbert's Village Local Plan.”

A copy of Minute Excerpt EGSP.60/20 setting out the Panel's observations was also submitted.

The Chair of the Economic Growth Scrutiny Panel had been invited to address the Executive but was not in attendance at the meeting.

The Economy, Enterprise and Housing Portfolio Holder concluded by moving the recommendation, which was duly seconded by the Leader.

Summary of options rejected that the Masterplan Framework should not be agreed as Evidence to inform the emerging St Cuthbert's Garden Village Local Plan

DECISION

That the Executive agreed the finalised St Cuthbert's Garden Village Masterplan Framework (contained in Appendices 1 – 3 of Report ED.50/20) as evidence to inform the emerging St Cuthbert's Garden Village Local Plan.

Reasons for Decision

Progress remained on track to deliver the key components that would support the delivery of St Cuthbert's Garden Village. The suite of Masterplanning Framework documents comprised a significant part of the evidence base which had been used to inform the emerging Local Plan for the Garden Village which warranted scrutiny and endorsement by the Executive. It was an obligation of the HIF funding agreement that the Masterplan Framework was finalised, and it was therefore important that the programme of work leading to the adoption of the emerging Local Plan remained on track

EX.151/20 NOTICE OF EXECUTIVE KEY DECISIONS (Non Key Decision)

Portfolio Cross-Cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

The Notice of Executive Key Decisions dated 13 November 2020 was submitted for information.

Subsequent to publication of the Notice, it was determined that Key Decision (KD.29/20) – Carlisle Station Gateway – Phase 1 would be incorporated within a private report concerning the Borderlands Inclusive Growth Deal – Progress to Deal Update.

The Leader moved and the Communities, Health and Wellbeing Portfolio Holder seconded the paper.

Summary of options rejected none

DECISION

That, subject to the above, the Notice of Executive Key Decisions dated 13 November 2020 be received.

Reasons for Decision Not applicable

EX.152/20 SCHEDULE OF DECISIONS TAKEN BY THE LEADER AND PORTFOLIO HOLDERS
(Non Key Decision)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

Details of decisions taken by the Leader and Portfolio Holders under delegated powers were submitted.

The Leader moved and the Communities, Health and Wellbeing Portfolio Holder seconded the paper.

Summary of options rejected none

DECISION

That the decisions, attached as Appendix A, be noted.

Reasons for Decision Not applicable

EX.153/20 SCHEDULE OF DECISIONS TAKEN BY OFFICERS
(Non Key Decision)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

Details of decisions taken by Officers under delegated powers were submitted.

The Leader moved and the Deputy Leader seconded the paper.

Summary of options rejected none

DECISION

That the decisions, attached as Appendix B, be noted.

Reasons for Decision Not applicable

EX.154/20 JOINT MANAGEMENT TEAM
(Non Key Decision)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

The Minutes of the meeting of the Joint Management Team held on 9 November 2020 were submitted for information.

The Leader moved and the Deputy Leader seconded the paper.

Summary of options rejected none

DECISION

That the Minutes of the meeting of the Joint Management Team held on 9 November 2020, attached as Appendix C, be received.

Reasons for Decision Not applicable

EX.155/20 QUARTER 2 PERFORMANCE REPORT 2020/21
(Non Key Decision)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

The Deputy Leader submitted report PC.30/20 containing the Quarter 2 performance against the current Service Standards, together with a summary of the Carlisle Plan 2016-19 actions as defined in the 'plan on a page'. Performance against the 2020/21 Key Performance Indicators was also included.

The Health and Wellbeing; Economic Growth and Business and Transformation Scrutiny Panels had scrutinised performance at their meetings held on 19 and 26 November; and 1 December 2020 respectively.

Excerpts from the Minutes of those meetings (HWSP.68/20; EGSP.62/20 and BTSP.76/20) were also submitted.

The Chairs of the Health and Wellbeing and Economic Growth Scrutiny Panels had been invited to speak but were not in attendance.

The Vice-Chair of the Business and Transformation Scrutiny Panel acknowledged the higher level of exceptions in the performance which were a result of the impact of Covid-19. She drew

attention to the decrease in staff absenteeism which reflected the commitment of staff during such difficult circumstances.

In conclusion, the Deputy Leader moved the recommendation which was seconded by the Leader.

Summary of options rejected none

DECISION

That the Executive had considered the performance of the City Council as presented in Report PC.30/20 with a view to seeking continuous improvement in how the Council delivered its priorities.

Reasons for Decision

To seek Executive's consideration of the performance of the City Council as presented in the report.

EX.156/20 **DATES AND TIMES OF MEETINGS 2021/22
(Non Key Decision)

(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 Cross Cutting

Relevant Scrutiny Panel Economic Growth; Health and Wellbeing; and Business and Transformation

Subject Matter

The Leader submitted report GD.61/20 concerning proposed dates and times of meetings of the City Council, the Executive, Scrutiny Panels, the Audit Committee and the Regulatory Committees for the 2021/22 municipal year.

The proposals with regard to meetings and the coronavirus pandemic were set out at Sections 2 and 3 of the report.

The Leader then moved the recommendations and the Deputy Leader seconded them.

Summary of options rejected none

DECISION

1. That the City Council be requested to agree the schedule of dates and times of meetings in the 2021/22 Municipal Year as set out in the calendar attached as an Appendix to Report GD.61/20.
2. That the dates and times for meetings of the Executive, which had been chosen by the Leader, be noted.

Reasons for Decision

In order to recommend to the City Council a schedule of dates and times for meetings covering the 2021/22 Municipal Year as required by Procedure Rule 1.1(x).

EX.157/20 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraph numbers (as indicated in brackets against the minutes) of Part 1 of Schedule 12A of the 1972 Local Government Act.

EX.158/20 **TULLIE HOUSE BUSINESS PLAN 2021/22

(Key Decision – KD.24/20)

(Public and Press excluded by virtue of Paragraph 3)

(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 Culture, Heritage and Leisure

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

Pursuant to Minute EX.121/20, the Culture, Heritage and Leisure Portfolio Holder submitted private report CS.37/20 providing an overview and analysis of the September 2020 update of the Tullie House Museum and Art Gallery Trust 2020-2025 Business Plan (Appendix 1).

Members were reminded that the purpose of this report was to allow consideration of the Business Plan in order that the Council may in due course agree core funding for the Trust. That was in line with Section 5 of the Partnership Agreement between the Council and Tullie House Trust (THT), which stated that the Business Plan submitted by the Trust to the City Council should be used as the basis agreeing future years funding.

The Culture, Heritage and Leisure Portfolio Holder highlighted the £494,800 award which Tullie house had received as part of the Government's Culture Recovery Fund and the impact to core funding. He provided an update on matters since the production of the report

The Health and Wellbeing Scrutiny Panel had scrutinised the matter on 19 November 2020, resolving that:

- 1) That the Panel had considered the funding proposals made by Tullie House Board, in the context of the information that they provided regarding challenges and opportunities set out in their Business Plan contained in report CS.35/20.
- 2) The Panel recommend to the Executive that they revisit the Business Case for investment in Project Tullie.
- 3) That Mr Smith, Mr Mackay and Ms Smalley be thanked for their presentations and for their detailed answers to the Panel's questions.

Minute Excerpt HWSP.71/20, setting out the Panel's observations on the matter, was also submitted.

The Culture, Leisure and Heritage Portfolio Holder concluded by moving the recommendation that future core grant allocations for 2021/22 to 2023/24 remain as built into the Council's Medium Term Financial Plan. The Communities, Health and Wellbeing Portfolio Holder seconded the recommendation.

Summary of options rejected other options on the level of core grant to be provided

DECISION

That the Executive:

1. Had reviewed the Tullie House Business Plan before making any recommendations to full Council for consideration.
2. Had considered the proposals made by the Tullie House Board for core funding from 2021/22 to 2023/24 as at page 42, point 6.3 of the Business Plan; and that future core grant allocations for 2021/22 to 2023/24 remain as built into the Council's current Medium Term Financial Plan.

Reasons for Decision

The recommendations allowed the report, the associated Business Plan and core funding to be approved in line with the Partnership Agreement

EX.159/20 **BORDERLANDS INCLUSIVE GROWTH DEAL

(Non Key Decision)

(Public and Press excluded by virtue of Paragraph 3)

(In accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chair of the Economic Growth Scrutiny Panel had agreed that the decision in relation to this item of business was urgent and could not reasonably be deferred)

Portfolio Leader's

Relevant Scrutiny Panel Economic Growth

Subject Matter

The Leader submitted private report ED.48/20 providing an overview of the Borderlands Inclusive Growth Deal and key components of the Full Deal proposal that was scheduled to be submitted to both the UK Government and the Scottish Government in February 2021.

The Leader moved the recommendations which were duly seconded by the Deputy Leader.

Summary of options rejected other options set out within the report.

DECISION

That the Executive:

1. Noted the strategy, strategic objectives and projects upon which the Deal had been developed.

2. Noted the governance and delivery arrangements for the Deal, including the establishment of the Borderlands Programme Management Office.
3. Noted the financial revenue resources required to support the operation of the Borderlands Programme Management Office, which was an annual sum of £80,000 for the 10-year period of the Deal.
4. Noted that that delivery of key Borderlands projects in Carlisle was dependent on land and property owned by the City Council being made available; and give consideration of what terms that land may be made available.
5. Approved that a report be taken to the Economic Growth Scrutiny Panel to provide feedback on the proposals and potential land transfers required to support the delivery of key projects.

Reasons for Decision

Progress towards a Borderlands Inclusive Growth Deal had continued at pace with submission of the Deal to Scottish and UK Governments planned for February 2021.

Members of the Executive were therefore asked to note progress to date and the governance arrangements that need to be put in place to agree the Deal.

[The meeting ended at 4.36pm]

Notice of Decision taken by The Leader – Councillor John Mallinson

Leader's Decision Reference:	LD.07/20
Subject Title and Decision Taken:	Local Government Reorganisation – Carlisle City Council's Outline Submission

Subject Matter:	To submit an outline submission in response to UK Government's invitation to submit proposals for Local Government Reorganisation in Cumbria.
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Relevant Portfolio Area:	Leader
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Key or Non-Key Decision:	NO
	YES – Key Decision Reference:

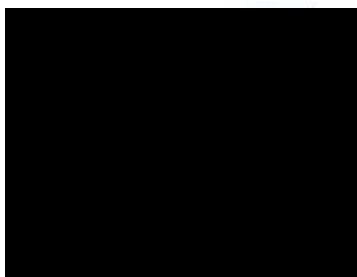
Date Decision Made:	9 November 2020
Reports and Background Papers considered:	Outline Submission and supporting letter from the Leader of the Council appended.
Reasons for Decision:	The submission of the outline proposal by the deadline of 9 November 2020 is required to participate in the process that will allow submission of the full proposal on 9 December 2020, following consideration by the City Council.
Details of alternative options considered and rejected:	The alternative, to not submit, was rejected in order to ensure that the City Council can still participate in the process defined by UK Government.
Interests Declared:	None
Date published:	10 November 2020
Urgent Decision not subject to call in:	YES

Consent of Chair/Deputy Chair of Council to Urgency:	YES/ NO – 10 November 2020
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Deadline for call-in:	N/A
Implementation date if not called in:	10 November 2020

Relevant Scrutiny Panel:	N/A
Call-in notified to and date notified:	N/A
Approved for implementation on:	10 November 2020

Signed:



Date: 11 November 2020

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

Notice of Decision taken by The Leader – Councillor John Mallinson

Leader's Decision Reference:	LD.08/20
Subject Title:	COVID-19 – Additional Restrictions Grant

Subject Matter:	Carlisle City Council's Policy on the administration of the COVID-19 Additional Restrictions Grant scheme
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Relevant Portfolio Area:	Leader
Decision Taken:	To adopt this policy which sets out Carlisle City Council's approach to administration of this Government funded discretionary grant scheme. That the administration of the COVID-19 Additional Restrictions Grant Scheme in Carlisle be undertaken by Economic Development team, with the Corporate Director for Economic Development certifying grant payments following assessment of applications against the criteria set out within the policy

Key or Non-Key Decision:	NO

Date Decision Made:	20 November 2020
Reports and Background Papers considered:	Covid-19 – Additional Restrictions Grant Carlisle City Council Policy
Reasons for Decision:	Carlisle has been allocated a fixed budget of £2.17 million to distribute to local businesses. This budget can be expended during Tier 3 and National Lockdown to support local

	businesses during 2020/21 and 2021/22. The Council has therefore sought to use this allocation to provide grants	
Details of alternative options considered and rejected:	None	
Interests Declared:	None	
Date published:	20 November 2020	
Urgent Decision not subject to call in:		YES
Consent of Chairman/Deputy Chairman of Council to Urgency:		YES – 20 November 2020

Deadline for call-in:	N/A
Implementation date if not called in:	20 November 2020

Relevant Scrutiny Panel:	Economic Growth Scrutiny Panel
Call-in notified to and date notified:	N/A
Approved for implementation on:	20 November 2020

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

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

PF.8/20 St Cuthbert's Garden Village Masterplan Framework

Portfolio Holder who made the Decision: Councillor Mr Paul Nigel Hamilton Nedved

Portfolio Area:

Subject Matter:

To invite comments from Economic Growth Scrutiny (26 November 2020) on the St Cuthbert's Garden Village Masterplan Framework, including Design Guidance and an Infrastructure Schedule and these are forwarded to Executive (14 December 2020) in order to finalise the suite of documents.

Summary of Options rejected: None

DECISION

Agreed to inviting comments from Economic Growth Scrutiny (26 November 2020) on the St Cuthbert's Garden Village Masterplan Framework, including Design Guidance and an Infrastructure Schedule and so that any views are forwarded to Executive (14 December 2020) in order to finalise the suite of documents.

Reasons for Decision

Finalisation of the St Cuthbert's Garden Village Masterplan Framework, including Design Guidance and an Infrastructure Schedule forms the main evidence base and building block to critically inform and support the preparation of the St Cuthbert's Local Plan and a Design Supplementary Planning Document (SPD) which is currently being progressed. The Masterplan will serve as evidence to inform the emerging Local Plan and SPD.

Background Papers considered:

ED 39/20 - Report to Executive - St Cuthbert's Garden Village Local Plan Consultation

Date Decision Made: 09 November 2020 **Implementation Date:**

INDIVIDUAL PORTFOLIO HOLDER DECISIONS

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

PF.9/20

Parish Burial Grants 2020/21

Portfolio Holder who made the Decision:

Councillor Mr Gareth Michael Ellis

Portfolio Area:

Subject Matter:

Payment of Parish Burial Grants for 2020/21 for those parishes that provide burial services and for which accounts for burial services are in deficit. Four parishes complete burial accounts and for the year ended 2019/20, only one, Brampton was in deficit. As in previous years when concurrent grants were payable, the burial element of the grant was 40% of any deficit on burial services. Therefore, Brampton is due a grant at 40% of their 2019/20 deficits.

Summary of Options rejected:

None

DECISION

To pay a parish burial grants to Brampton PC of £2,026.87

Reasons for Decision

Payment of grant to parish councils

Background Papers considered:

None

Date Decision Made:

19 October 2020

Implementation Date:

Officer Decisions

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

Decision Ref No	Title: Subject and Decision Taken:	Reports and Background Papers considered:	Date Decision Taken:	Decision Maker:
OD.124/20	Licensing Decisions taken between 1 November and 30 November 2020 The Licensing Manager has granted the attached licences or permissions under an express authorisation delegated to her and in accordance with the Council's policy requirements.	Applications for various licences. Private Not for Publication by Virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act.	02 December 2020	Licensing Manager
OD.120/20	Payments to Third Party Organisations Payments to third party organisations to cover grants of £10,000 for both Hospice at Home and Eden Valley Hospice who have been adversely affected by the pandemic in terms of their ability to generate income from fund-raising activities. To be funded from reserves released specifically for COVID related costs.	None	26 November 2020	Corporate Director of Finance and Resources
OD.122/20	Flood Reserve – release of funds To release £1,944,785 from the Flood Reserve to fund the Civic Centre Redevelopment Work as approved by full Council on 5 th May 2020. The use of this reserve is set out within the Council's MTFP and can only be released, under delegate powers, by the Corporate Director of Finance & Resources.	None	26 November 2020	Corporate Director of Finance and Resources
OD.118/20	The Near Boot Inn, Whiteclosegate The decision, following consultation with Councillor Mallinson, Communities, Health & Wellbeing Portfolio Holder, is to list the Near Boot Inn, Whiteclosegate, Carlisle, as a community asset under the Localism Act 2011.	PC 15/14 – Community Right to Bid report at Executive 15/12/14 Application form for Community Right to Bid - Private * Not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972	24 November 2020	Chief Executive

OD.119/20	<p>Appointment of Contractors to a Framework Agreement for Arboricultural Works</p> <ul style="list-style-type: none"> The authority's existing framework agreement for tree surgery works on council property expired in 2019, following a successful three-year duration. Internal consultation within the Healthy City Team led to a replacement framework agreement being drafted with two distinct lots: 1) Tree Surgery; and 2) Forestry and Conservation Tree Work. The creation of two lots allows the council to appoint contractors based on their ability to carry out specific themes of work, which do not overlap. Contractors were permitted to be apply for positions on both lots if desired. Estimated annual expenditure for all works across both lots is expected to be approximately £30,000. The Invitation to tender was placed on the Chest procurement portal on the 3rd July 2020 and was open to returns for four weeks. Interested parties were requested to: quote for example projects and provide risk assessments/method statements; provide their hourly/day rates for routine activities; and supply full insurance details. Four responses were received for each lot and following an evaluation process the following appointments were made: <p>Lot 1 (Tree Surgery) Greaves Tree Services Ltd Orchard Tree Surgery Ltd Lot 2 (Forestry and Conservation Tree Work) M&H Tree Services Ltd OpenSpace Ltd Orchard Tree Services Ltd The new agreement will now be finalised and contractors appointed for a period of 2 years effective from November 2020, with an option for the council to extend for an additional 24 months.</p>	Tender documentation – Not for publication by virtue of Paragraph 3 to Schedule 12A to the Local Government Act 1972.	17 November 2020	Deputy Chief Executive
OD.115/20	<p>Local Government Reorganisation: Cumbria. Dispensation for Members of Carlisle City Council</p> <p>All Members of Carlisle City Council be granted a dispensation for a period of four years (until 23:59 on 16 November 2024) for matters relating to Local Government Reform, Reorganisation and 528 ⁵²⁹Resolution.</p>	Briefing Note (attached).	17 November 2020	Monitoring Officer: Delegation from Council.

OD.116/20	<p>Warm Homes Fund (WHF) Extension from 30th November 2020 to 31st December 2020</p> <p>To accept the Warm Homes Fund Team's offer to extend the WHF contract for all First Time Central Heating installations to be completed by 31st December 2020. The Warm Homes Fund Team agreed to increase the total number of installations to 130. The extension was granted on the basis that the City Council were able to confirm contracts are in place for the installers to commence work once the gas connections have been completed.</p>	WHF offer and signed acceptance letter dated 12 th November 2020 (attached)	13 November 2020	Corporate Director of Governance and Regulatory Services
OD.113/20	<p>Community Protection Notice issued under the Anti-Social Behaviour, Crime and Policing Act 2014 during the period of September 2020</p> <p>Empty property enforcement action has been taken where empty properties are in such a condition that the owners have allowed them to cause persistent anti-social behavioural impact on the community, which has resulted in enforcement action after an initial warning notice has been issued to the responsible person (s)</p> <p>The serving of a community protection notice (s) under Section 43 Anti-Social Behaviour, Crime and Policing Act 2014.</p> <p>Action taken against 1 individual Date served: 29th September 2020 Date operative: 29th October 2020 Case reference: R/128210</p> <p>[Enforcement action has been taken by the Officers under a delegation by the Corporate Director of Governance and Regulatory Services in accordance with the Council's policy requirements.</p> <p>Officer involved: Empty Homes and Grants Officer]</p>	Statutory Guidance and Private Sector Housing Enforcement Policy. Public notice register of notices.	06 November 2020	Principal Health and Housing Officer
OD.112/20	<p>Community Protection Notice issued under the Anti-Social Behaviour, Crime and Policing Act 2014 during the period of September 2020</p>	Statutory Guidance and Private Sector Housing Enforcement Policy.	06 November 2020	Principal Health and

	<p>Empty property enforcement action has been taken where empty properties are in such a condition that the owners have allowed them to cause persistent anti-social behavioural impact on the community, which has resulted in enforcement action after an initial warning notice has been issued to the responsible person(s)</p> <p>The serving of a community protection notice (s) under Section 43 Anti-Social Behaviour, Crime and Policing Act 2014.</p> <p>Action taken against 1 individual Date served: 8 September 2020 Date operative; 13th October 2020 Case reference: MAU 007607/NOT 002488</p> <p>[Enforcement action has been taken by the Officers under a delegation by the Corporate Director of Governance and Regulatory Services in accordance with the Council's policy requirements Officer involved: Private Sector Housing Technical Team Manager]</p>	Excel copy of public notice register.		Housing Officer
OD.117/20	<p>Extension of Agreement to Service the National Air Quality Monitoring Unit at Paddy's Market</p> <p>To extend the City Council's servicing of the national air quality monitoring station at Paddy's Market.</p> <p>Due to the pandemic the EA have extended the national contract contact with Bureau Veritas; this decision confirms that we will continue to service the site over the period of the extension.</p>	None	06 November 2020	Regulatory Services Manager
OD.121/20	<p>Test and Trace Discretionary Policy</p> <p>To implement the discretionary policy for self-isolation payments for those individuals on low incomes instructed to self-isolate by the NHS, following a positive test result, for which the Council has received a fixed allocation of £27,942.</p>	None	03 November 2020	Corporate Director of Finance and Resources
OD.111/20	<p>The Housing Act 2004, Part 2 Licensing of the Houses in Multiple Occupation (HMO)</p>	As detailed in the attached spreadsheet.	03 November 2020	Principal Health and

	Officers within the Housing and Pollution Team under a delegated power by the Director of Governance and Regulatory Services, between 1 st January 2020 and 31 st October 2020, have issued 2 HMO licences, these are relicence applications.			Housing Officer
OD.108/20	<p>Discretionary Disabled Facility Grants (DFG) Repayment</p> <p>A request has been received for the Council to waive the repayment on a DFG Repayment under the SCHEME OF HOUSING ASSISTANCE RENEWAL POLICY 2018 a property in Carlisle (case reference CL-002674). The Housing Renewal Assistance policy document, lays out the reason for using discretion to waive the payment, the Corporate Director of Governance and Regulatory Services is approved to make the final decision.</p>	<p>Housing Renewal and Assistance Policy 2018 (paragraph 4.2)</p> <p>Email from home-owner stating she has to move and a letter of support confirming the reasons why she has to move. The applicant had not intended to move house when she applied for the grant but now has to move area for the reasons outlined in the confidential letter of support. The applicant is not able to afford to repay the full amount. Only grant amounts over £5,000 are registered as a land charge - Private *Not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972</p>	02 November 2020	Corporate Director of Governance and Regulatory Services
OD.109/20	<p>Licensing Decisions taken between 1 October 2020 and 2 November 2020</p> <p>The Licensing Manager has granted the attached licences or permissions under an express authorisation delegated to her and in accordance with the Council's policy requirements.</p>	Applications for various licences. Private Not for Publication by Virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act.	02 November 2020	Licensing Manager

OD.107/20	Land at Georgian Way, Carlisle, Cumbria Approval of updated heads of terms to be included in the disposal documentation as negotiated by the Property & Legal Services teams for the disposal of this property asset as required by point 2 of the Decision made by the Executive (ref. EX.53/20) on 27 May 2020. The Property Services Manager (PSM) has confirmed that these updated terms represent best consideration.	Key Decision KD.14/20 (published prior to Executive 27 May 2020) Report GD.16/20 (27 May 2020) Executive Minute. 53/20	28 October 2020	Corporate Director of Governance & Regulatory Services
OD.110/20	The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, adopted Housing Assistance Policy July 2013. The Principal Health and Housing Officer at Carlisle City Council has considered applications for Disabled Facility Grants and Discretionary Housing grants in the period January 2020 to April 2020. Total grant sum approved £548,665.03 Taking into account all the available information, a decision has been taken to approve each applicants grant application on the basis that they meet the requirement for DFG applications of the Housing grants, construction and regeneration Act 1996.	Housing Renewal Assistance Policy 2018 Occupational Therapist referral for each client * 67 individual DFG applications * <i>(* These items are not for publication by virtue of Paragraph1 to Section 12A to the Local Government Act 1972 as they contain information relating to any individual).</i>	27 October 2020	Principal Health and Housing Officer
OD.114/20	Transfer of funds from Planning Reserve to Development Management Operational Budget To transfer £24,775 to cover a series of in-year improvements to the operation of Development Management to improve efficiency of service delivery and staff training/resources for the following budget areas: Salary Costs £16,000 (Planning graduate plus admin support costs) Training Fees £750 Software Upgrades £660 Software Maintenance £7,365	N/A	21 October 2020	Town Clerk and Chief Executive

JOINT MANAGEMENT TEAM

MINUTES – 9th November 2020

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

Agenda Item 1 – Minutes of Meeting 12th October 2020	Action
Noted and agreed	
Agenda Item 2 – Public Space Protection Order (PSPO)	
The Team Manager, Parking & Enforcement led this Agenda item focusing on the previously circulated document. Following a full and detailed discussion, this will now be subject to a consultation with stakeholders and partners prior to going through the Scrutiny process with a view to the new Order going live in March 2021. The Executive thanked everyone involved in preparation of the document	

Agenda Item 3 – Carlisle Plan Timetable	
The Deputy Chief Executive led this discussion and suggested amendments / additions were noted and agreed. The Corporate Director of Economic Development will circulate a “Plan on a Page” in due course to JMT	<i>Corporate Director of Economic Development</i>
Agenda Item 4 - Updates on Borderlands; The Sands; Civic Centre; St Cuthbert’s Garden Village; Central Plaza; J44	
Members of SMT provided the Executive with their update on the current position regarding each area	
Agenda Item 5 – Future Items for Notice of Executive Key Decisions	
Noted and agreed	
Agenda Item 6 - JMT Forward Plan	
Reviewed and agreed	

EXECUTIVE

WEDNESDAY 13 JANUARY 2021 AT 4.00 PM

PRESENT:

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

OFFICERS:

Town Clerk and Chief Executive
Deputy Chief Executive
Corporate Director of Economic Development
Corporate Director of Governance and Regulatory Services
Corporate Director of Finance and Resources

ALSO PRESENT:

Councillor Bainbridge (Chair of the Business and Transformation Scrutiny Panel)
Councillor Meller (Chair of the Audit Committee)

DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct Councillor J Mallinson and Councillor Mrs Mallinson declared a Disclosable Pecuniary Interest in agenda item A.11 Green Homes Grant Local Authority Delivery Phase 1b. The interest related to the fact that they were private landlords.

APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Brown (Chair of the Economic Growth Scrutiny Panel).

PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

MINUTES OF PREVIOUS MEETINGS

The Minutes of the meetings of the Executive held on 12 October and 9 November 2020 were signed by the Chairman as a true record of the meetings

CALL-IN **

The Leader reported that The Mayor had, on 4 January 2021, agreed that the following items should be exempt from call-in as call-in procedures would overlap the City Council meeting on 2 February 2021 when the 2021/22 Budget proposals were scheduled for consideration:

- A.2(a) Budget Update - Revenue Estimates 2021/22 to 2025/26
- A.2(b) Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26

- A.2(c) Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy 2021/22
- A.2(d) Provisional Local Government Finance Settlement 2021/22
- A.3 Executive Response to the Budget Consultation and Recommendations for the 2021/22 Budget

The Mayor also agreed on 4 January 2021 that A.11 – Green Homes Local Authority Delivery Phase 1b should be exempt from call in as it was likely that any grants would have to be accepted quickly and a call in would prejudice the Council's interests as any delay in accepting the grant may result in the loss of the monies.

EX.01/21 BUDGET 2021/22 – CONSIDERATION OF CONSULTATION FEEDBACK (Key Decision – KD.25/20)

Portfolio Finance, Governance and Resources

Relevant Scrutiny Panel Business and Transformation

Subject Matter

The Executive Budget Proposals 2021/22 had been issued for consultation on 14 December 2020, the deadline for responses being 9 am on 11 January 2021. Specific meetings had taken place as part of the budget consultation process.

Copies of the following minutes had been circulated prior to the meeting:

- (a) Business and Transformation Scrutiny Panel in relation to the Budget – 7 January 2021
- (b) Budget consultation meeting with Trade Union Representatives – 4 January 2021
- (c) Budget consultation meeting with Non-Domestic Ratepayers / Business Representatives – 4 January 2021
- (d) Feedback received in response to the budget consultation process

In moving the documentation the Deputy Leader, and Finance, Governance and Resources Portfolio Holder thanked all those who participated in the budget consultation process. The Leader seconded the recommendation.

Summary of options rejected None

DECISION

1. That the Minutes of the consultation meetings with Trade Union representatives; representatives of Non-Domestic Ratepayers / Business Representatives, attached as Appendices B and C; and the Extract from the Minutes of the Business and Transformation Scrutiny Panel be received.
2. That the consultation feedback be received, it being noted that the Executive had taken those comments into account when formulating their final recommendations for the City Council's 2021/22 Budget to be submitted later in the meeting.

Reasons for Decision

To take account of consultation feedback when formulating recommendations on the 2021/22 Budget

EX.02/21 **BUDGET UPDATE - REVENUE ESTIMATES 2021/22 to 2025/26
(Key Decision – KD.25/20)

(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 Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.122/20 and EX.141/20, the Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.52/20 providing an update to reports RD.32/20 and RD.42/20, with a summary of the Council's revised revenue base estimates for 2020/21, together with base estimates for 2021/22 and forecasts up to 2024/25 for illustrative purposes. Potential new spending pressures, bids and savings were also considered within the report.

It was noted that the figures within the report were indicative and now incorporated the provisional finance settlement received on 17 December 2020.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendations which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

- (i) noted the revised base estimates for 2020/21 and base estimates for 2021/22;
- (ii) noted that the estimates in the report were provisional and would be subject to the confirmation of final Local Government Finance Settlement in January/February 2021;
- (iii) noted the current MTFP projections and the outstanding issues, which would continue to be updated throughout the budget process and be incorporated into the Executive's budget proposals tabled at the meeting, if available;
- (iv) noted the budget pressures, bids and savings which needed to be taken into account as part of the 2021/22 budget process.

Reasons for Decision

To prepare a draft budget proposal for 2020/21 for recommendation to the City Council

EX.03/21 **REVISED CAPITAL PROGRAMME 2020/21 AND PROVISIONAL CAPITAL PROGRAMME 2021/22 – 2025/26
(Key Decision – KD.25/20)

(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 Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.127/20 and EX.142/20, the Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.53/20 providing an update to RD.33/20 and RD.43/20; setting out the proposed capital programme for 2021/22 to 2025/26 in the light of new capital proposals identified and summarising the estimated capital resources available to fund the programme.

The Communities, Health and Wellbeing Portfolio Holder highlighted the assumption for the 2021/22 Disabled Facilities Grant figures and thanked officers and staff for the continuous delivery of the Grants to those in need during the pandemic.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendation, which was seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted the revised capital programme and relevant financing for 2020/21 as set out in Appendices A and B for recommendation to Council;
- (ii) Had given consideration and views on the proposed capital spending for 2021/22 to 2025/26 given in the report in the light of the estimated available resources, for recommendation to Council;
- (iii) Noted that any capital scheme for which funding has been approved by Council may only proceed after a full report, including business case and financial appraisal, has been approved.

Reasons for Decision

To prepare a draft budget proposal for 2021/22 for recommendation to the City Council

EX.04/21 **TREASURY MANAGEMENT STRATEGY STATEMENT, INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION STRATEGY 2021/22
(Key Decision – KD.22/19)

(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 Scrutiny Panel Business and Transformation

Subject Matter

Pursuant to Minute EX.143/20, the Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.54/20 setting out the Council's Treasury Management Strategy Statement for 2021/22 which had been prepared in accordance with the CIPFA Code of Practice on Treasury Management. He added that the Investment Strategy and Minimum Revenue Provision (MRP) Strategy for 2021/22 were incorporated as part of the Statement, as were the Prudential Indicators as required within the Prudential Code for Capital Finance in Local Authorities.

The draft Statement had been considered by the Executive on 14 December 2020 prior to the consultation period on the Executive Budget Proposals for 2021/22. It had also been considered by the Audit Committee and the Business and Transformation Scrutiny Panel on 18 December 2020 and 7 January 2021 respectively (Minute Excerpts AUC.39/20 and BTSP.08/21) referred).

The Chair of Business and Transformation Scrutiny Panel reiterated the Panel's support for the introduction of ultra short investments and thanked officers for their innovation on the matter.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendation, which was seconded by the Leader.

Summary of options rejected None

DECISION

That the Treasury Management Strategy Statement for 2021/22, which incorporated the Investment Strategy and Minimum Revenue Provision Strategy, together with the Prudential Indicators for 2021/22 as set out in Appendix A and the Treasury Management Policy Statement as set out in Appendix D, be approved for submission to the City Council on 2 February 2021.

Reasons for Decision

To recommend the Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy for 2021/22 to the City Council.

EX.05/21 **PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2021/22
(Key Decision – KD.25/20)

(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 Scrutiny Panel Business and Transformation

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder submitted report RD.55/20 providing an analysis of the 2021/22 Provisional Finance Settlement received from Central Government and the impact it had on the Council's Revenue budget.

Details of the amendments to the revenue budget as a result of the provisional finance settlement were provided at Section 2.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendations as recorded within the report and the Leader seconded them.

Summary of options rejected None

DECISION

That the Executive:

- (i) noted and had considered the updated budget projections, in respect of the Provisional Finance Settlement which was received on 17 December 2020, noting that the overall financial impact formed part of the Revenue report considered elsewhere on the agenda; and
- (ii) delegated responsibility to the Corporate Director of Finance and Resources to respond, if required, to the Local Government Finance Settlement consultation document, following consultation with the Portfolio Holder for Finance, Governance and Resources.

Reasons for Decision

To seek Executive consideration of the Provisional Local Government Finance Settlement 2021/22

EX.06/21 **EXECUTIVE RESPONSE TO THE BUDGET CONSULTATION AND RECOMMENDATIONS FOR THE 2021/22 BUDGET
(Key Decision – KD.25/20)

(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 Scrutiny Panel Business and Transformation

Subject Matter

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder referred to the Executive's Budget Proposals for 2021/22 (13 January 2021), copies of which were circulated at the meeting.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder acknowledged the exceptionally difficult time for the City, as a result the Executive had kept the Council Tax changes as low as possible whilst maintaining the services the people of Carlisle relied on.

The Executive budget proposals recommended a 50p per month increase for band D properties and, taking into account consultation responses, recommended that £60,000 be spent on environmental clean-up and enforcement to make Carlisle a better place to live.

The Economy, Enterprise and Housing Portfolio Holder endorsed the Deputy Leader's, and Finance, Governance and Resources Portfolio Holder comments and drew attention to the major investment and large projects which were being planned which would help the City recover after the pandemic.

The Environment and Transport Portfolio Holder made assurances that the climate change strategy and action plan, when agreed, would be fully integrated into the work of the Council and grant funding would be sought to move the agenda forward.

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder moved the recommendation that the Executive Budget Proposals for 2021/22 be forwarded to the City Council for approval on 2 February 2021.

In seconding the recommendation the Leader thanked the Corporate Director of Finance and Resources and her team for their diligent work in such difficult circumstances.

Summary of options rejected A number of options which had been considered as part of the Council's 2021/22 budget deliberations as identified in various reports

DECISION

That the Executive Budget Proposals for 2021/22, attached as Appendix D, be forwarded to the City Council for approval on 2 February 2021.

Reasons for Decision

To produce the Executive's budget proposals for 2021/22 for recommendation to the City Council.

**EX.07/21 HOMELESSNESS PREVENTION AND ROUGH SLEEPING STRATEGY
2021-26**
(Key Decision – KD.07/20)

Portfolio Economy, Enterprise and Housing

Relevant Scrutiny Panel Health and Wellbeing

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder presented the Homelessness Prevention and Rough Sleeping Strategy 2021-2026 which had undergone a comprehensive review (GD. The Homelessness Strategy 2015-20 had shifted the Council's approach from dealing with the effects of homelessness to a preventative approach and the review determined identified strategic aims, priority objectives and actions targeting Homelessness Prevention and Rough Sleeping in Carlisle from 2021 to 2026. The report also contained a refreshed Action Plan.

The Economy, Enterprise and Housing Portfolio Holder thanked the Homelessness Prevention and Accommodation Manager for her work in preparing the Strategy and he moved the recommendation.

In seconding the recommendation the Communities, Health and Wellbeing Portfolio Holder highlighted the support the Strategy provided for victims of domestic abuse and their children who were at risk of homelessness. She thanked the Homelessness Prevention and Accommodation Manager and her team for their exceptional work during the pandemic.

Summary of options rejected None

DECISION

That the draft Homelessness Prevention and Rough Sleeping Strategy 2021 – 2026 be approved for consultation.

Reasons for Decision

To agree the Homelessness Prevention and Rough Sleeping Strategy 2021-2026.

EX.08/21 ST CUTHBERT'S GARDEN VILLAGE LOCAL PLAN CONSULTATION
(Key Decision – KD.28/20)

Portfolio Economy, Enterprise and Housing

Relevant Scrutiny Panel Economic Growth

The Economy, Enterprise and Housing Portfolio Holder submitted report ED.01/21 which detailed feedback from the Economic Growth Scrutiny Panel meeting, held on 26 November 2020, on the St Cuthbert's Garden Village Local Plan preferred option policies which were being publicly consulted on between 10 November 2020 and 22 December 2020.

The Economy, Enterprise and Housing Portfolio Holder reported that, since the publication of the report, a further 60 consultation responses had been submitted and 60 online questionnaires had been completed. He thanked the team for their hard work and for the innovative measures they had introduced to carry out the consultation process.

The Economy, Enterprise and Housing Portfolio Holder concluded by moving the recommendation, which was seconded by the Environment and Transport Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive considered feedback on the preferred options for the St Cuthbert's Local Plan from the Economic Growth Scrutiny Panel (26/11/20) and agreed that the feedback would be considered alongside other responses received during consultation when producing the next stage of the St Cuthbert's Local Plan.

Reasons for Decision

Executive's approval to consult on the draft policies and objectives which would form the St Cuthbert's Local Plan was needed as the version of the plan that would go out to consultation would represent the Council's 'preferred option', before the Regulation 19 Publication version of the plan is produced in Spring 2021. It is an obligation of the HIF funding agreement that the St Cuthbert's Local Plan is adopted by July 2022, and it is therefore important that the programme of work leading to adoption remains on track

**EX.09/21 RELEASE OF CAPITAL BUDGET FOR ESSENTIAL MAINTENANCE WORKS
AT SKEW BRIDGE (DENTON HOLME) CARLISLE**
(Key Decision – KD.34/20)

Portfolio Environment and Transport

Relevant Scrutiny Panel Economic Growth

Subject Matter

The Environment and Transport Portfolio Holder presented a report seeking approval for the release of the capital allocation for the restoration of the Skew Bridge (Denton Holme). The figure of £70,000 for the project had been included in the 2020/21 capital budget. (CS.03/21)

The proposal was to replace the existing bridge deck with a new, non-slip version that would improve the safety of bridge users, the work would be undertaken in autumn and winter of 2021.

The Environment and Transport Portfolio Holder moved the recommendation and it was seconded by the Culture, Leisure and Heritage Portfolio Holder.

Summary of options rejected Not to spend the money and close the bridge.

DECISION

That the Executive:

- 1) approved the release of £70,000 as allocated in the 2020/21 capital programme for the restoration of the Skew Bridge (Denton Holme);
- 2) awarded the tender to Thomas Armstrong Construction Ltd.

Reasons for Decision

The Skew Bridge formed an important link for users of the Caldew riverside cycle and pedestrian route between Carlisle and Dalston. The decking had caused problems in the recent past due to its slippery surface and the failure of anti-slip materials previously tried. The investment would protect users of the riverside path and also protect the City Council from unnecessary insurance payments.

EX.10/21 LOCAL ENVIRONMENT (CLIMATE CHANGE) STRATEGY
(Key Decision – KD.35/20)

Portfolio Environment and Transport

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth

Subject Matter

The Environment and Transport Portfolio Holder presented a progress report on the adoption of the Local Environment (Climate Change) Strategy (PC.01/21). Further consultation on the Strategy had taken place, details of which had been set out in the report, and the Strategy and the draft action plan had been updated. The amended Strategy and draft action plan would be made available to the Health and Wellbeing Scrutiny Panel and the Economic Growth Scrutiny Panel for their consideration.

The Environment and Transport Portfolio Holder moved the recommendation and the Communities, Health and Wellbeing Portfolio Holder seconded it.

Summary of options rejected that the draft Strategy should not be referred to Scrutiny

DECISION

That the amended Local Environment (Climate Change) Strategy and supporting draft action plan be made available for scrutiny.

Reasons for Decision

That the Council's reputation would be damaged if it does not translate the resolution made in March 2019 into a working strategy and action plan.

EX.11/21 NOTICE OF EXECUTIVE KEY DECISIONS (Non Key Decision)

Portfolio Cross-Cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

The Notice of Executive Key Decisions dated 14 December 2020 was submitted for information. The Leader moved the paper.

Summary of options rejected none

DECISION

That, subject to the above, the Notice of Executive Key Decisions dated 14 December 2020 be received.

Reasons for Decision Not applicable

EX.12/21 SCHEDULE OF DECISIONS TAKEN BY OFFICERS (Non Key Decision)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

Details of decisions taken by Officers under delegated powers were submitted.

The Leader moved the paper.

Summary of options rejected none

DECISION

That the decisions, attached as Appendix A, be noted.

Reasons for Decision Not applicable

EX.13/21 JOINT MANAGEMENT TEAM
(Non Key Decision)

Portfolio Cross-cutting

Relevant Scrutiny Panel Health and Wellbeing; Economic Growth; Business and Transformation

Subject Matter

The Minutes of the meeting of the Joint Management Team held on 14 December 2020 were submitted for information.

The Leader moved the paper.

Summary of options rejected none

DECISION

That the Minutes of the meeting of the Joint Management Team held on 14 December 2020, attached as Appendix E, be received.

Reasons for Decision Not applicable

EX.14/21 **GREEN HOMES GRANT LOCAL AUTHORITY DELIVERY PHASE 1b
(Key Decision – KD.37/20)

(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 pecuniary interests Councillor Mallinson J and Councillor Mrs Mallinson left the meeting and took no part in the item.

Councillor Ellis thereupon took the Chair.

Portfolio Economy, Enterprise and Housing

Relevant Scrutiny Panel Economic Growth

Subject Matter

The Economy, Enterprise and Housing Portfolio Holder submitted details of the City Council's application to the Green Homes Grant local authority delivery (LAD phase 1 b) (GD.01/21). The City Council has applied for £1,150,000 Green Homes Grant funding to address fuel poverty and improve energy efficiency and carbon savings in at least 100 private sector properties.

If accepted Carlisle City Council will use the GHG in 100 private sector properties to improve fuel poverty and improve energy efficiency and carbon savings. The project would be delivered by the Homelife HIA, with assistance from the Housing and Pollution team, under a Memorandum of Understanding with Secretary of State for Business, Energy and Industrial Strategy.

The Economy, Enterprise and Housing Portfolio Holder thanked the regulatory Manager for the work undertaken to prepare the submission and moved the recommendation, the Culture, Heritage and Leisure Portfolio Holder seconded the recommendation.

Summary of options rejected Not to accept the award if the bid was successful.

DECISION

That the Executive:

1) Accept the award from Department for Business Energy and Industrial Strategy (BEIS) for the Green Homes Grant local authority delivery (LAD phase 1b) if the bid is successful;

2) Delegate authority to the Corporate Director of Governance and Regulatory Services to deliver activities and services funded by the grant in accordance with the Memorandum of Understanding between the City Council and Secretary of State for Business, Energy and Industrial Strategy.

Reasons for Decision

Carlisle had over 2,250 owner-occupied and over 700 privately rented properties which had an EPC rating of E, F or G but which were capable of achieving a minimum C Rating. The Green Homes Grants would allow the Council to improve about 100 of those properties saving the occupiers money and reducing the properties carbon footprints.

[The meeting ended at 4.48pm]

Officer Decisions

Appendix A

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

Decision Ref No	Title: Subject and Decision Taken:	Reports and Background Papers considered:	Date Decision Taken:	Decision Maker:
OD.129/20	Landlord's consent to lease extensions. To grant Landlord's consent to the extension of leases of flats 5, 15 & 26 at The Lanes shopping centre.	None	15 December 2020	Property Services Manager
OD.128/20	Real Living Wage Increase - January 2021 Real Living Wage Increase Carlisle City Council supports paying all staff the Real Living Wage (RLW) or above. In line with the annual increase the Living Wage Foundation have increased the RLW rate from £9.30 per hour to £9.50 per hour. It is proposed that the Council adopt the increase and implements with effect from 1 st January 2021. The Minimum Wage (set by the Government as a minimum for under 25's) is £8.21 per hour. This payment is statutory. The Minimum Wage (set by the Government as a minimum for over 25's) is £8.72 per hour. This payment is statutory. The real Living wage (set by the Living Wage Foundation) is £9.50 per hour (£10.85 per hour in London) for over 18's. This payment is voluntary and is based on the cost of living according to a basket of household goods and services. This will impact on salary scale Grade A - Pay Point P1 and will cost the Council approximately £1400 per annum which can be met from base budgets. The government has not yet set out the minimum wage rates from April 2021.	N/A	09 December 2020	Deputy Chief Executive
OD.126/20	Landlord's consent to a lease renewal, lease extension and licence to carry out works To grant Landlord's consent to the grant of a new leases of units 20, 30, 40, 52, 56b, 57, 70, 88 & 89 at The Lanes shopping centre.	None	07 December 2020	Property Services Manager

OD.127/20	<p>Planned Maintenance Capital Programme 2020/21 Bousteads Grassing Roof Repairs</p> <p>The capital repair was programmed following the building survey inspections. Decision taken to award a contract to a suitably qualified contractor to undertake the works.</p>	<p>Corporate Assets Capital Programme 20/21 and 3 Year Maintenance Programme 2019/20 – 2021/22</p> <p>(www.carlisle.cmis.uk)</p> <p>Responses to request to quote exercise. Not for publication by virtue of Paragraph 3 of Schedule 12A of the Local Government Act.</p>	04 December 2020	Property Services Manager
OD.125/20	<p>Decision to submit an application to the Low Carbon Skills Fund. The Public Sector Low Carbon Skills Fund (LCSF) has been launched alongside the Public Sector Decarbonisation Scheme (referred to as the Grant Scheme) to provide complementary funding across three activities relevant to the Grant Scheme.</p> <p>Firstly, all eligible public sector bodies can use LCSF funding to engage specialist and expert advice to identify and develop energy efficiency and low carbon heat upgrade projects for non-domestic buildings. This Officer Decision notice is to apply to the fund for this first element.</p> <p>If successful a specialist would be engaged to prepare robust and effective applications for the Public Sector Decarbonisation Scheme (referred to as the Grant Scheme).</p> <p>Additionally, we will use this additional capacity to apply for LCSF funding:</p> <ul style="list-style-type: none"> - to engage the specialist and expert advice and skills required to enable the delivery of projects funded by the main grant scheme. - to put in place a Heat Decarbonisation Plan <p>The decision at this stage is to submit an application for £8,000 to the LSCF:</p> <ul style="list-style-type: none"> - to engage specialist and expert advice to identify and develop energy efficiency and low carbon heat upgrade projects for the Carlisle City Council assets and then prepare a robust and effective application for the Public Sector Decarbonisation Scheme. 	Council Climate Change Commitment	02 December 2020	Property Services Manager
OD.124/20	<p>Licensing Decisions taken between 1 November and 30 November 2020</p> <p>548</p>	Applications for various licences. Private Not for Publication by Virtue of	02 December 2020	Licensing Manager

	The Licensing Manager has granted the attached licences or permissions under an express authorisation delegated to her and in accordance with the Council's policy requirements.	Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act.		
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**BUDGET CONSULTATION MEETING WITH TRADE UNION REPRESENTATIVES
MONDAY 4 JANUARY 2021 AT 2.00 PM**

PRESENT: Councillor J Mallinson (Leader)
Councillor Ellis (Deputy Leader, and Finance, Governance and Resources
Portfolio Holder)

**ALSO
PRESENT:** 5 x Trade Union Representatives

OFFICERS: Chief Executive
Corporate Director of Finance and Resources

1. APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

2. WELCOME

The Deputy Leader, and Finance, Governance and Resources Portfolio Holder welcomed the Trade Union representatives and thanked them for taking the time to attend the meeting and respond to the Executive's Budget Proposals 2021/22 issued for consultation, the deadline for responses being 9 am on Monday 11 January 2021.

All of those present had been afforded the opportunity to read the documentation prior to the meeting.

3. CITY COUNCIL BUDGET 2021/22

The Executive Budget Proposals 2021/22 were issued for consultation on 14 December 2020. Copies of the Budget Proposals and document entitled 'Have Your Say' had been circulated prior to the meeting.

The Executive Budget Proposals 2021/22 to 2025/26 recorded that the Council was facing many financial challenges over the next five-year planning period and forecast resources were not anticipated to cover the expenditure commitments without 'transformational' savings being identified in accordance with the Council's Savings Strategy.

The main issues included:

- Government Finance Settlement – impact of the 2020 Spending Round, and the deferral of the Business Rates Retention and Fair Funding Reviews;
- Further changes in Government Grant e.g. New Homes Bonus, Housing Benefit Admin Grant;
- Future borrowing requirements;
- Commercial and Investment Opportunities

The Corporate Director explained that:

- the 2021/22 Executive Budget Proposals issued for consultation constituted a balanced budget;
- reserves were maintained at prudent levels;
- the current MTFP included a recurring savings requirement to be found by 2023/24 of £1.850million; however, a revised savings requirement had been calculated that would see savings increase to £1.200million by 2021/22, increasing to £2.050million in 2023/24 which took into account the pressures and bids and the additional savings identified;
- the draft budget proposed an annual £5 increase per Band D in Council Tax for the City Council for 2020/21.

She summarised the Recurring Budget Increases itemised at Schedule 3; the Non-Recurring Budget Increases at Schedule 4; the proposed Capital Programme at Schedule 8; and the Usable Reserve Projections depicted at Schedule 10. She referenced the investment the Council continued to make in respect of staffing, assets and the ICT infrastructure.

The Corporate Director concluded her presentation by explaining that Government reviews would be deferred a further year which allowed the Council to continue, if it so wished, with the Cumbria Business Rates Pooling arrangements. She also detailed the Government's consultation process on the settlement figures being offered to the Council, which would alter (and reduce) the savings required in 2021/22.

A Trade Union Representative requested additional information on a non-recurring grant which had been detailed in the budget. The Corporate Director of Finance and Resources agreed to provide a written response to the representatives.

[The meeting ended at 2.15pm]

**BUDGET CONSULTATION MEETING WITH
NON-DOMESTIC RATEPAYERS / BUSINESS REPRESENTATIVES
MONDAY 4 JANUARY 2021 AT 3.18pm**

PRESENT: Councillor J Mallinson (Leader / Chair)
Councillor Ellis (Deputy Leader, and Finance, Governance and Resources
Portfolio Holder)

Chief Executive
Corporate Director of Finance and Resources

ALSO

PRESENT: 4 x Business Representatives / Non-Domestic Ratepayers

1. WELCOME

The Leader welcomed all those present to the budget consultation meeting.

2. APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

3. BUDGET 2021/22

The Executive Budget Proposals 2021/22 were issued for consultation on 14 December 2020. Copies of the Budget Proposals and document entitled 'Have Your Say' had been circulated prior to the meeting.

The Executive Budget Proposals 2021/22 to 2025/26 recorded that the Council was facing many financial challenges over the next five-year planning period and forecast resources were not anticipated to cover the expenditure commitments without 'transformational' savings being identified in accordance with the Council's Savings Strategy.

The main issues included:

- Government Finance Settlement – impact of the 2020 Spending Round, and the deferral of the Business Rates Retention and Fair Funding Reviews;
- Further changes in Government Grant e.g. New Homes Bonus, Housing Benefit Admin Grant;
- Future borrowing requirements;
- Commercial and Investment Opportunities

Speaking at the invitation of the Leader, the Corporate Director of Finance and Resources indicated that she would provide an overview of the background position before moving on to the salient points.

The Corporate Director explained that:

- the 2021/22 Executive Budget Proposals issued for consultation constituted a balanced budget;
- reserves were maintained at prudent levels;

- the current MTFP included a recurring savings requirement to be found by 2023/24 of £1.850million; however, a revised savings requirement had been calculated that would see savings increase to £1.200million by 2021/22, increasing to £2.050million in 2023/24 which took into account the pressures and bids and the additional savings identified;
- the draft budget proposed an annual £5 increase per Band D in Council Tax for the City Council for 2020/21.

She then summarised the Recurring Budget Increases itemised at Schedule 3; the Non-Recurring Budget Increases at Schedule 4; the proposed Capital Programme at Schedule 8; and the Usable Reserve Projections depicted at Schedule 10.

The Corporate Director concluded her presentation by explaining that Government reviews would be deferred a further year which allowed the Council to continue, if it so wished, with the Cumbria Business Rates Pooling arrangements. She also detailed the Government's consultation process on the settlement figures being offered to the Council which would alter (and reduce) the level of savings required for 2021/22.

The undernoted issues / questions were raised in discussion:

- *The City Council had made a successful bid to the Future High Street Fund, however, the funding allocated had not been equivalent to the schemes submitted. Was there more information available on the schemes that would go ahead under using the High Street Fund monies?*

The Leader confirmed that the bid to the Future High Street Fund had been comprised of a number of schemes and the Council had been successful in receiving 69% of the requested allocation. Further work would take place to consider how the allocation would be used and which schemes would progress, a final decision would be made by Members. The Corporate Director added that the budget would need to be updated to reflect the recent funding announcement, once final allocations were provided. The budget already included a contribution of £390,000 towards the Market Square Scheme and may change following the allocation of the Future High Street Fund. The Corporate Director agreed to circulate further details of each of the schemes included in the bid.

In response to a question the Corporate Director explained that the City Council needed to find £2m in savings over the next five years. The Senior Management Team were working on a savings strategy which would focus on a mini base budget review of non-staffing budgets. She added that a report would be submitted to Members which identified areas savings could be made.

- *There was some concern that properties would lose value and impact the income for the Council. A representative asked if it would be prudent to carry out valuations to ensure that the income was a true reflection of the property.*

The Corporate Director clarified that City Council assets were revalued annually in a variety of different ways depending on the type and category of the asset. She agreed to circulate further information with regard to the valuation process for Council owned assets.

- *Why was Business Rate Growth income for one year only (2021/22)?*

The Corporate Director responded that the expectation had been that 2020/21 would be the final year of the Cumbria Business Rates Pooling arrangements, as the Government was undertaking 2 reviews into Local Government Funding (Fair Funding review & Business Rate Retention); however the reviews had again been deferred and the MHCLG had agreed not to revoke the current pooling legislation. This, in effect, meant that the pooling arrangement could continue into 2021/22, if all participating members agree. This could benefit the Council in 2021/22 of up to £1.2million.

In response to a question regarding the impact of Covid 19, the Corporate Director confirmed that the participating members of the Cumbria Pool worked with an external company who had carried out a risk assessment and were confident that the figures were as realistic as they could be in the current circumstances.

- *How did the Borderlands Project fund the loss of income from council owned city centre properties?*

The Corporate Director of Finance and Resources explained that the City Council owned property was part of the Citadels development. There was expectation that there would be a return (not currently budgeted for) from Council assets which were being used to support and contribute towards the Borderlands projects, either through a capital receipt or revenue stream all of which would be subject to a decision of a future Executive. She added that it was too early in the process to include other expenditure or income in the budget for the project.

The detailed business cases for the Borderlands projects within Carlisle were being prepared (a Full Deal is expected in the new year), and a Project Management Office (PMO) had recently been established. The City Council contributed towards the cost of the PMO and had also an appointed Project Officer at the Council (the costs of which were included in previous years budgets). All of the schemes should be fully funded via Government and private sector contributions, with the Council only being expected to provide officer/staff time, and to consider which assets it was prepared to 'release' to support the schemes.

- *Had the potential local government reorganisation been considered when progressing with the Civic Centre ground floor reinstatement work?*

The Corporate Director reminded the representatives that the reinstatement work was covered by the insurance money received following the severe flood in 2015. The current Customer Contact Centre was in temporary accommodation which incurred an annual rental cost and a permanent solution should be found for this key service to the public. In addition the reinstatement work involved changes to the Council Chamber and the creation of a new Chamber and multi-functional state of the art conference space.

The Leader acknowledged that some savings would be made should the reorganisation progress, however, there would still be a requirement for sufficient space for staff and Carlisle would continue to be a centre for a new authority, if LGR approved a changed system of local government in Cumbria.

- *How would the proposed Harker View development affect other Council owned assets?*

The Leader acknowledged that the proposed development was at the pre planning stage, however, there had not yet been any consultation with the City Council regarding the development.

- *Why had the budget not included any rental income for the new Gateway 44 project?*

The Corporate Director clarified that budgetary assumptions were that the units would be fully let by 2023/24, generating a rental income of approximately £800,000 pa. Those assumptions would need to be revised depending upon current negotiations with interested parties, occupancy timings and rent free periods.

- *Parts of the Kingstown Industrial estate were looking tired- and there seemed to be issues re car flow into McDonalds and access in and around the car showroom/industrial units around this area. What budgeted costs had been included in the budget to maintain and enhance the Kingstown Industrial Estate?*

The Leader acknowledged that there were some empty units in the area, however, some of the units were owned by external organisations and it was hoped that the area would be improved soon.

- *A representative asked that the City Council speed up the implementation of various Covid-19 schemes as it had been slower than other authorities in awarding support.*

The Leader acknowledged that there had been a large number of grants issued in the initial lockdown, the City Council had undertaken a very careful process which resulted in the Council having one of the most successful schemes in the Country. He agreed to look at the current schemes and their implementation processes.

- *Had the costs for the demolition of the Central Plaza been written off?*

The Leader explained that any options for the vacant site would impact how much, if any, money would be retrieved.

- *The Leader was urged to look at the funding for Tullie House favourably to continue to encourage the museum to thrive in the City.*

The Leader assured the representatives that the City Council were committed to supporting Tullie House, however, the financial support was a significant burden on discretionary spending and as a result there had been a reduction in support. Consideration was being given to the support the Council could provide to Project Tullie to ensure that the museum continued to grow in the City.

- *A representative asked for an update on the Bitts Park project.*

The Deputy Leader responded that the business case for the project had not been achievable and the changes required to the building were too prohibitive.

[The meeting ended at 4.21pm]



Executive Budget Proposals 2021/22

13th January 2021

Councillor J Mallinson
Leader of the Council

Councillor G Ellis
Portfolio Holder Finance, Governance & Resources

Jason Gooding
Chief Executive

Alison Taylor CPFA
Corporate Director of Finance and Resources

EXECUTIVE BUDGET PROPOSALS 2020/21 to 2025/26

This document contains the budget proposals of the City Council's Executive set out as follows.

Section	Detail
A	Background and Executive Summary
B	Revenue Budget 2020/21 to 2025/26 <ul style="list-style-type: none">• Schedule 1 - Existing Net Budgets• Schedule 2 - Proposed Budget Reductions• Schedule 3 - Recurring Budget Increases• Schedule 4 - Non-Recurring Budget Increases• Schedule 5 - Summary Net Budget Requirement• Schedule 6 - Total Funding and Provisional Council Tax
C	Capital Programme 2020/21 to 2025/26 <ul style="list-style-type: none">• Schedule 7 - Estimated Capital Resources• Schedule 8 - Proposed Capital Programme• Schedule 9 - Summary Capital Resource Statement
D	Council Reserves Projections to 2025/26 <ul style="list-style-type: none">• Schedule 10 - Usable Reserves Projections
E	Proposed Budget Discipline and Saving Strategy
F	Draft Statutory Report of the Corporate Director of Finance and Resources
G	Glossary of Terms

These budget proposals are based on detailed proposals that have been considered by the Executive over the course of the last few months. In particular the following reports of the Corporate Director of Finance and Resources were considered at the Executive meeting of 13th January 2021. All of the detailed reports are available on the Council's website.

1. RD52/20 – Budget Update 2021/22 to 2025/26
2. RD53/20 – Capital Programme 2020/21– 2025/26
3. RD54/20 – Draft Treasury Management Strategy Statement and Investment Strategy and Minimum Revenue Provision Strategy 2021/22

SECTION A – BACKGROUND AND EXECUTIVE SUMMARY

Council Priorities

The Council's priorities are encompassed in the Carlisle Plan, and the Medium-Term Financial Plan must both support and inform the Council's vision for the Carlisle area and the strategic direction set out in the Carlisle Plan. This is to enable resources to be matched against the agreed priorities and any other supporting needs.

Budget Policy Framework

The preparation of the budget proposals is an ongoing process, which starts in the summer with the agreement by Council to the Medium-Term Financial Plan, Corporate Charging Policy, Capital Investment Strategy and Asset Management Plan. These strategic documents set out the Council's policies in guiding the budget process and in particular set out the five-year financial projections that the Council is faced with prior to starting the new budget process.

Approving a Balanced Budget

The Council is obliged to ensure proper financial administration of its affairs in accordance with Section 151 of the Local Government Act 1972. For Carlisle City Council, this is the responsibility of the Corporate Director of Finance and Resources and the Council must consider the advice of the Officer in setting the budget. One of the responsibilities is to ensure that the Council approves a balanced budget meaning that the planned expenditure must not exceed the resources available. Base budgets must be robust and sustainable, and any savings identified must be achievable and the level of Council reserves must be adequate. The Council must determine what levels of borrowing, if any, it wishes to make under the Prudential Code that now governs local authority borrowing.

Council Tax Reduction Scheme

There is a requirement to approve the Local Support for Council Tax Scheme ("The Council Tax Reduction Scheme" or CTRS) annually as part of the Budget Process. There are no intentions to make any changes to the reductions given to recipients of the discount scheme for 2021/22, nor any proposals to make any revisions or replace the current scheme and as such the continuation of the current scheme is recommended.

Major Financial Challenges facing the Council

The Council is facing many financial challenges over the next five-year planning period and forecast resources are not anticipated to cover the expenditure commitments without transformational savings being identified in accordance with the Council's Savings Strategy (section E).

Some of the main issues are:

- Government Finance Settlement – impact of the 2020 Spending Round, and the deferral of the Business Rates Retention and Fair Funding Reviews;
- Further changes in Government Grant e.g. New Homes Bonus, Housing Benefit Admin Grant;
- Future borrowing requirements;
- Commercial and Investment Opportunities

Climate Change

The Council is committed to becoming carbon neutral in the future and there may be a requirement for significant investment in achieving this goal, with recovery through the achievement of efficiency savings and/or by maximising any external grants and contributions available to support the strategy and action plan through the Council's Funding Strategy. However, any carbon reducing schemes will initially have to be funded from resources currently contained within the Council's existing Revenue and Capital budgets; with any new climate change initiatives, following the formal adoption and

approval of the Local Environment (Climate Change) Strategy, being supported by robust business cases with a cost benefit analysis provided.

Summary Budget Proposals

The key issues in this budget consultation document, which is expanded on further in the proposals, are as follows:

- (i) The draft budget proposes an annual **£5** increase per Band D in Council Tax for the City Council for 2021/22 (Parish Precepts will be an additional charge in the parished rural areas).
- (ii) Based on current projections, the budget proposed will result in the following requirement to be taken **to/(from)** Council reserves to support Council expenditure over the period as follows:

Additional contribution to / (from) reserves	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Original MTFP recurring surplus/(deficit)	(499)	(95)	(86)	27	(118)
Changes to Funding - Business Rates Growth	1,200	0	0	0	0
Changes to Funding - Business Rates Baseline	(178)	(4)	(4)	(4)	(4)
Changes to Funding - Business Rates Multiplier Compensation	174	0	0	0	0
Recurring budget reductions (Schedule 2)	335	500	575	547	537
Recurring Budget Increases (Schedule 3)	(900)	(497)	(301)	(301)	(301)
Contribution required (from) / to Reserves to fund Recurring Expenditure	132	(96)	184	269	114
Original MTFP non-recurring surplus/(deficit)	(34)	45	0	0	0
Non-Recurring budget reductions (Schedule 2)	739	0	0	0	0
Non-Recurring budget increases (Schedule 4)	(777)	(190)	(190)	(190)	0
Contribution required (from) / to Reserves to fund Non-Recurring Expenditure	(72)	(145)	(190)	(190)	0
Total contribution required (from) / to Reserves	60	(241)	(6)	79	114

- (iii) The above table shows a contribution to reserves in 2021/22 and a small contribution from reserves over the following two years of the MTFP to fund expenditure. A strategy as detailed in Section E for ensuring the Council sets a robust budget within the revenue budget has been proposed.

- (iv) Given the uncertainty over future funding allocations and other financial pressure the Council is facing, the scope to support new recurring spending and initiatives in future years is still very challenging.

Consultation Responses:

Formal consultation meetings have been held and views sought from council tax payers. The Executive, at their meeting on 13th January 2021, considered the consultation responses, culminating in their final budget proposals to Council on **2nd February 2021**. **Any changes following the consultation have been incorporated into this budget resolution where appropriate.**

Although provisional estimates have been included, it should be noted that at this point in time there are still some issues which have not yet been finalised and which may impact on the final budget proposals to Council on 2nd February 2021. Any minor changes will be funded from appropriations to/from revenue reserves and details provided for the Council meeting in February.

A glossary of terms is included at the end of this document to aid understanding of the proposals. Further details on these proposals including detailed reports are available on the Council's website or by contacting the Corporate Director of Finance and Resources at the above address.

SECTION B - REVENUE BUDGET 2020/21 to 2025/26

1. REVISED REVENUE BUDGET 2020/21

- 1.1 The Executive recommends that the Council's revised net budget for 2020/21 be approved totalling £17.532m compared to the original budget of £13.842m. The increase of £3.690million can be summarised as follows:

Detail:	£000	£000
Original Net Budget		13,842
Carry Forward Requests from 2019/20 (See note 1.2)		811
		14,653
Non-Recurring Expenditure:		
Use of Projects Reserve	238	
Planning Services Reserve	(9)	
Revenue Grants Reserve	730	
Flood Reserve	1,944	
Building Control Reserve	9	
Cremator Reserve	(55)	
Carry Forward Reserve	22	
Total Changes		2,879
Revised Net Budget		17,532

- 1.2 The increased budget for 2020/21 is principally as a result of the carry forward of budgets from previous years for work not completed at the financial year-end. Although the 2020/21 budget is increased, there is a corresponding decrease for the previous financial year and so there is no impact on the Council's overall financial position.

2. REVENUE BUDGET 2021/22 to 2025/26

2.1 Existing Net Budgets

The Executive recommends that the net budgets for 2021/22 to 2025/26 submitted in respect of existing services and including existing non-recurring commitment and estimated Parish Precepts are as shown in **Schedule 1** below:

Schedule 1 – Existing Net Budgets

Existing Net Budgets	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
City Council					
- Recurring (schedule 5)	12,719	12,639	12,960	13,183	13,670
- Non-Recurring (Sch. 5 note 2)	34	(45)	0	0	0
Parish Precepts (Estimated)	705	723	741	760	779
Total	13,458	13,317	13,701	13,943	14,449

2.2 **Proposed Savings and Budget Reductions**

The Executive further recommends that the existing budgets set out in **Schedule 1** be reduced by proposals for budget reductions as detailed in **Schedule 2**. Full details of all of the proposals are contained within various reports considered by the Executive at various stages during the budget process to date.

Schedule 2 – Proposed Budget Reductions

Proposed Budget Reductions	Note	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Expenditure Reductions/Increased Income:						
Energy Savings	1	(20)	(20)	(20)	(20)	(20)
Budget Savings	2	0	(200)	(200)	(200)	(200)
Treasury Management	3	(315)	(280)	(355)	(327)	(317)
Capacity Funding Bid	4	(20)	0	0	0	0
Rural Services Delivery Grant	5	(193)	0	0	0	0
New Homes Bonus	6	(137)	0	0	0	0
Lower Tier Services Grant	7	(389)	0	0	0	0
Total Expenditure Reductions/Increased Income		(1,074)	(500)	(575)	(547)	(537)
TOTAL BUDGET REDUCTION PROPOSALS		(1,074)	(500)	(575)	(547)	(537)
Split:						
Recurring		(335)	(500)	(575)	(547)	(537)
Non-Recurring		(739)	0	0	0	0

Note 1: This is the annual expected saving from the installation of a new energy monitoring system that is included as a new capital project.

Note 2: The current MTFP includes a recurring savings requirement to be found by 2023/24 of £1.850million; however, a revised savings requirement has been calculated that will see an initial reduction in savings required in 2021/22 of £0.500million (See Schedule 4). An increase to savings required of £0.200million will be required in 2022/23 (on a recurring basis), meaning total savings required will be £2.050million in 2023/24. The savings required takes account of the pressures and bids and the additional savings identified in this report.

	Cumulative Savings identified as 2020/21 Budget £000	Additional Cumulative Savings Required £000	Reprofiled Savings £000	Revised Cumulative Savings required £000	Revised in Year Savings Required £000
2021/22	(1,000)	0	500	(500)	(500)
2022/23	(1,000)	(200)	0	(1,200)	(700)
2023/24	(1,850)	(200)	0	(2,050)	(850)
2024/25	(1,850)	(200)	0	(2,050)	0
2025/26	(1,850)	(200)	0	(2,050)	0

Note 3: Treasury Management projections have been revised to include updates to the Capital programme and updated for interest rate forecasts. This projection includes the potential impact on reserves for all the pressures and savings contained in this report together with the updated borrowing costs for the capital programme.

Note 4: This is the use of a Capacity Funding bid to support the creation of the Fixed Term post for a Digital Marketing Officer (Schedule 4).

Note 5: A further allocation of the Rural Services Delivery Grant as outlined in the draft Local Government Finance Settlement for 2021/22.

Note 6: A one-year allocation of New Homes Bonus has been provided for 2021/22, with no legacy payments expected in subsequent years; however all previously announced legacy payments for previous years will be honoured in the 2021/22 allocations and these are already included in the MTFP.

Note 7: A new one-off un-ringfenced grant will be received to support Councils with responsibility for lower tier services such as homelessness, planning, recycling and refuse collections and leisure services.

2.3 **Proposed Budget Increases**

The Executive further recommends that the existing budgets set out in **Schedule 1** be increased by new budget pressures detailed in **Schedules 3 and 4**. Full details of all of the proposals are contained within various reports considered by the Executive at various stages during the budget process to date.

Schedule 3 – Recurring Budget Increases

Recurring Budget Pressures	Note	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Leisure Contract	1	617	198	2	2	2
Energy Monitoring System	2	3	3	3	3	3
Replacement of Flare Data Management Sys	3	0	16	16	16	16
Industrial Estate Income	4	55	55	55	55	55
Pay Award	5	93	93	93	93	93
Project Officers Posts	6	132	132	132	132	132
Total Recurring Budget Pressures		900	497	301	301	301

Note 1: This relates to additional subsidy to the Leisure provider agreed as part of the Sands project by Council in July 2019.

Note 2: The annual maintenance cost of a new energy monitoring system that is included as a new capital project. The system will allow the Council to monitor and manage its energy usage across its properties and will help to deliver commitments around becoming carbon neutral as well as generating a recurring saving of approximately £20,000 per year.

Note 3: This is the annual cost associated with a new Data Management system to be used by Regulatory Services. The capital costs are included in the Capital Programme.

Note 4: To recognise the shortfall of income from industrial estates in line with the Council's asset disposal programme.

Note 5: The 2020/21 pay award was higher than that included in the Medium-Term Financial Plan. This pressure recognises the increased cost of the 2020/21 pay award on the overall wage bill.

Note 6: This is to add permanent officer posts for supporting and managing capital projects.

Schedule 4 – Non-Recurring Budget Increases

Non-Recurring Budget Pressures/Savings	Note	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
City Centre Properties Income Shortfall	1	190	190	190	190	0
Digital Marketing Officer	2	27	0	0	0	0
Budget Savings	3	500	0	0	0	0
Environmental Clean Up and Enforcement	4	60	0	0	0	0
Total Non-Recurring Budget Pressures		777	190	190	190	0

Note 1: To recognise the loss of rental income from City Centre properties; with the assumption that this funding gap will be replaced by funding received from the Borderlands Project.

Note 2: This is to create a fixed term role with the use of a capacity funding bid (£20,000) to lead on engagement through social media and digital channel. The role will continue to develop innovate approaches to engagement and consultation for the key strategic projects and new strategies/policies.

Note 3: The current MTFP includes a recurring savings requirement to be found by 2023/24 of £1.850million; however, a revised savings requirement has been calculated that will see an initial reduction in savings required in 2021/22 of £0.500million. An increase to savings required of £0.200million (Schedule 2) will be required in 2022/23 (on a recurring basis), meaning total savings required will be £2.050million in 2023/24. The savings required takes account of the pressures and bids and the additional savings identified in this report.

Note 4: A budget allocation due to a proposal received during the budget consultation process to support Environmental Clean Up and Enforcement which will provide resources to fund additional staffing and equipment for the team dealing with dog fouling, litter and fly tipping.

2.4 **Revised Net Budget Requirement**

As a consequence of the above, the Executive recommends that the Net Budget Requirement for Council Tax Purposes for 2021/22, with projections to 2025/26, be approved as set out in **Schedule 5** below:

Schedule 5 – Summary Net Budget Requirement for Council Tax Purposes

2020/21 Revised £000	Summary Net Budget Requirement	2021/22 Budget £000	2022/23 Proj £000	2023/24 Proj £000	2024/25 Proj £000	2025/26 Proj £000
	Recurring Revenue Expenditure					
	Existing Expenditure (Schedule 1)	12,719	12,639	12,960	13,183	13,670
	Budget Reductions (Schedule 2)	(335)	(500)	(575)	(547)	(537)
	New Spending Pressures (Schedule 3)	900	497	301	301	301
14,527	Total Recurring Expenditure	13,284	12,636	12,686	12,937	13,434
	Non Recurring Revenue Expenditure					
(431)	Existing Commitments (Schedule 1)	34	(45)	0	0	0
811	Carry Forward	0	0	0	0	0
(590)	Budget Reductions (Schedule 2)	(739)	0	0	0	0
3,215	Spending Pressures (Schedule 4)	777	190	190	190	0
17,532	Total Revenue Expenditure	13,356	12,781	12,876	13,127	13,434
	Less Contributions (from)/to Reserves:					
(1,141)	Recurring Commitments (Note 1) Sub Total	132	(96)	184	269	114
	Non Recurring Commitments					
(2,194)	- Existing Commitments (Note 2)	(34)	45	0	0	0
(811)	- New Commitments	(38)	(190)	(190)	(190)	0
(3,005)	Sub Total	(72)	(145)	(190)	(190)	0
13,386	Total City Council Budget requirement	13,416	12,540	12,870	13,206	13,548
688	Parish Precepts	705	723	741	760	779
14,074	Projected Net Budget Requirement for Council Tax purposes	14,121	13,263	13,611	13,966	14,327

Note 1: This is the projected contribution (from)/to reserves in relation to recurring expenditure.

Note 2: Non - recurring Revenue commitments arising from existing approved commitments from earlier years are as follows:

Existing Non Recurring Commitment Approvals	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Asset Disposal Refresh Staffing	112	0	0	0	0
<i>Asset Disposal Refresh - financed from Capital Receipts</i>	(112)	(112)	0	0	0
Tullie House Core Funding	150	0	0	0	0
New Homes Bonus	(217)	42	0	0	0
Grants to Third Parties	6	0	0	0	0
Carlisle Ambassadors	25	25	0	0	0
Parking Income (Sands Project)	70	0	0	0	0
Total	34	(45)	0	0	0

2.5 **Funding and Provisional Council Tax Projections**

As a consequence of the above and having made the appropriate calculations required under Section 32 of the Local Government Finance Act 1992, the Executive is putting forward a proposal for an annual £5 increase in Council Tax for 2021/22 per Band D property (This equates to a 2.30% increase). The detail of this is set out in **Schedule 6** below and the impact per Council Tax Band is as follows:

	2020/21 Council Tax £	Proposed Annual Increase £	2021/22 Council Tax £	Weekly Increase
Band A	144.80	3.33	148.13	6 pence
Band B	168.93	3.89	172.82	7 pence
Band C	193.07	4.44	197.51	9 pence
Band D	217.20	5.00	222.20	10 pence
Band E	265.47	6.11	271.58	12 pence
Band F	313.73	7.22	320.96	14 pence
Band G	362.00	8.33	370.33	16 pence
Band H	434.40	10.00	444.40	19 pence

Schedule 6 – Total Funding and Provisional Council Tax Projections

2020/21	Total Funding and Council Tax Impact	2021/22	2022/23	2023/24	2024/25	2025/26
34,468.61 £000	Estimated TaxBase	34,911.93 £000	35,261.05 £000	35,613.66 £000	35,969.80 £000	36,329.50 £000
	Projected Net Budget Requirement for Council Tax Purposes (Schedule 5)					
13,386	- City	13,416	12,540	12,870	13,206	13,548
688	- Parishes	705	723	741	760	779
14,074	Total	14,121	13,263	13,611	13,966	14,327
	Funded by:					
(7,487)	- Council Tax Income	(7,757)	(8,011)	(8,269)	(8,532)	(8,799)
(3,335)	- Retained Business Rates	(3,335)	(3,579)	(3,651)	(3,724)	(3,799)
(2,400)	- Business Rate Growth/Pooling	(2,100)	(900)	(900)	(900)	(900)
(134)	Business Rates Multiplier Grant	(174)	0	0	0	0
(30)	- Estimated Council Tax Surplus	(50)	(50)	(50)	(50)	(50)
(688)	- Parish Precepts	(705)	(723)	(741)	(760)	(779)
(14,074)	TOTAL	(14,121)	(13,263)	(13,611)	(13,966)	(14,327)
	City Council Tax					
£ 217.20	Band D Council Tax	£ 222.20	£ 227.20	£ 232.20	£ 237.20	£ 242.20
	Increase over Previous year:					
£5.00	£	£ 5.00	£ 5.00	£ 5.00	£ 5.00	£ 5.00
2.36%	%	2.30%	2.25%	2.20%	2.15%	2.11%

2.6 It should be noted that the funding projections in **Schedule 6** are based upon:

- Final confirmation of the Local Government Finance Settlement is due towards the end of January 2021; current estimates are based on the draft settlement received in December 2020;
- The Council Tax Surplus and Taxbase are currently estimated and final figures will be available in January 2021;
- Parish Precept figures included above are estimated. There are currently 4 Parishes yet to supply details of their precept requests;
- The Council is continuing to participate in the Cumbria Business Rates Pool with the other Councils within Cumbria in order to manage Business Rates in 2021/22.
- The projections of Council Tax for 2022/23 onwards are indicative only and exclude final confirmation of parish precepts.

SECTION C - CAPITAL PROGRAMME 2020/21 TO 2025/26

1. REVISED CAPITAL BUDGET 2020/21

- 1.1 The Executive recommends that the revised 2020/21 Capital Programme be approved at £19.390m compared to the original budget of £29.916m as set out in the report of the Corporate Director of Finance and Resources.

2. CAPITAL BUDGET 2021/22 TO 2025/26

- 2.1 The Executive recommends that the estimated Capital Resources available and proposed Capital Programme for 2021/22 to 2025/26 be approved to be financed and allocated as detailed in **Schedule 7 and 8** below:

Schedule 7 – Estimated Capital Resources

Estimated Resources	Note	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Capital Grants:						
- DFG	1	(1,900)	(1,900)	(1,900)	(1,900)	(1,900)
- Other	2	0	(2,446)	0	0	0
Capital Receipts						
- Generated in year (Asset Business Plan)	3	(1,011)	(3,573)	(200)	(200)	(445)
Receipts used to fund resources	3	112	112	0	0	0
Direct Revenue Financing	4	(1,337)	(1,887)	(987)	(987)	(987)
TOTAL		(4,136)	(9,694)	(3,087)	(3,087)	(3,332)

Note 1: Disabled facilities grant (DFG) allocation will be received in the new year, and it has been assumed that this grant will be protected at the 2020/21 levels. However, this grant will be awarded via the County Council's Better Care Fund and there is still some uncertainty as to what the final allocation will be.

Note 2: Capital Grants and contributions from third parties in relation to Future High Street Fund (FHSF) project for Market Square / Greenmarket. The MHCLG has announced an "in principle" funding offer for FHSF and officers are assessing the impact on the original proposed schemes and any budgetary allocations.

Note 3: Capital receipts from the sale of fixed assets. A review of the asset disposal programme has been undertaken and a reprofiling of disposals between 2021/22 and 2025/26 has been incorporated into the table above.

Note 4: Direct revenue financing with contributions being made from the revenue budget or other earmarked reserves.

Schedule 8 – Proposed Capital Programme

Capital Scheme		Note	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Vehicles & Plant		1	255	1,221	1,771	1,680	1,166
Planned Enhancements to Council Property		2	250	250	250	250	250
Disabled Facilities Grants			1,900	1,900	1,900	1,900	1,900
ICT Infrastructure		3	101	76	131	101	101
Leisure Facilities		4	15,237	3,450	0	0	0
Recycling Containers		5	45	45	45	45	45
Civic Centre		6	1,021	0	0	0	0
<i>Savings to Fund Civic Centre</i>			(200)	0	0	0	0
Carlisle Southern Relief Road	A	7	0	5,000	0	0	0
Crematorium Infrastructure	A	8	350	900	0	0	0
Flare Data Management System		9	0	150	0	0	0
Energy Monitoring System		10	12	0	0	0	0
Future High Street Fund - Market Square	A	11	100	2,670	0	0	0
TOTAL POTENTIAL PROGRAMME			19,071	15,662	4,097	3,976	3,462

A: Subject to further reports to the Executive, including a full Business Plan, prior to the release of any earmarked reserve and any expenditure being incurred.

Note 1: The anticipated budgets for the replacement of the Council's vehicle fleet on the assumption of like for like replacements.

Note 2: Provision for expenditure to maintain the enhancement programme on Council operational property in line with the Asset Management Plan priorities.

Note 3: The provision for expenditure of ICT equipment.

Note 4: Capital expenditure for the enhancement work to Leisure Facilities. Associated costs of the external borrowing are included in the revenue budget.

Note 5: To cover expenditure on replacement recycling and refuse containers.

Note 6: Funding to be identified and vired to support the reinstatement of the Civic Centre Ground floor project from within the overall Capital Programme.

Note 7: This relates to the contribution committed in support of the Housing Infrastructure Fund Bid (HIF) for the development of the Carlisle Southern Relief Road as part of the Garden City initiative. It is envisaged that the cost of this contribution will be recouped through developer contributions once the Garden Village starts being delivered.

Note 8: To provide new infrastructure for the crematorium including replacement cremators. The project is funded from the amounts set aside in the Cremator Replacement Earmarked Reserve.

Note 9: An allocation to provide for a new data management system that is used in Environmental Health and Private Sector Housing.

Note 10: An allocation to provide for an Energy Management System to be installed to monitor energy usage across Council owned property.

Note 11: This project is part of the funding application to the Future High Streets Fund (FHSF) and seeks to redevelop and improve the area around the Greenmarket and Market Square in Carlisle City Centre. The project is part funded through the FHSF grant, with a funding requirement from the Council of £390,000. The MHCLG has announced an “in principle” funding offer for FHSF and officers are assessing the impact on the original proposed schemes and any budgetary allocations.

A summary of the estimated resources compared to the proposed programme is set out in **Schedule 9** below:

Schedule 9 – Summary Capital Resource Statement

Summary Programme	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Estimated Borrowing Requirement 31 March 2021	(1,084)				
In Year Impact:					
- Estimated resources available in year (Schedule 7)	(4,136)	(9,694)	(3,087)	(3,087)	(3,332)
- Proposed Programme (Schedule 8)	19,071	15,662	4,097	3,976	3,462
Borrowing Requirement	13,851	19,819	20,829	21,718	21,848

SECTION D – USABLE RESERVES PROJECTIONS

1. The Executive recommends, as a consequence of Sections A, B and C detailing the Council's Revenue and Capital budgets, the overall use of the Councils usable Reserves as set out in **Schedule 10** below.

Schedule 10 – Usable Reserve Projections

Analysis of Council Reserves	Outturn 31 March 2020 £000	Projected 31 March 2021 £000	Projected 31 March 2022 £000	Projected 31 March 2023 £000	Projected 31 March 2024 £000	Projected 31 March 2025 £000	Projected 31 March 2026 £000
Revenue Reserves							
General Fund Reserve	(3,100)	(2,502)	(2,562)	(2,321)	(2,315)	(2,394)	(2,508)
Projects Reserve	(907)	0	0	0	0	0	0
Carry Forward Reserve	(654)	(632)	(632)	(632)	(632)	(632)	(632)
	(4,661)	(3,134)	(3,194)	(2,953)	(2,947)	(3,026)	(3,140)
Flood Reserve	(1,948)	(4)	(4)	(4)	(4)	(4)	(4)
Building Control Reserve	(100)	(91)	(91)	(91)	(91)	(91)	(91)
Cremator Reserve	(1,080)	(1,135)	(785)	115	115	115	115
City Centre Reserve	(5)	(5)	(5)	(5)	(5)	(5)	(5)
Revenue Grants Reserve	(1,939)	(1,209)	(1,209)	(1,209)	(1,209)	(1,209)	(1,209)
Planning Services Reserve	(196)	(205)	(205)	(205)	(205)	(205)	(205)
Apprentices Reserve	(78)	(78)	(78)	(78)	(78)	(78)	(78)
Waverley Viaduct Reserve	(30)	(30)	(30)	(30)	(30)	(30)	(30)
Prosecutions Reserve	(36)	(36)	(36)	(36)	(36)	(36)	(36)
Total Revenue Reserves	(10,073)	(5,927)	(5,637)	(4,496)	(4,490)	(4,569)	(4,683)
Capital Reserves							
Usable Capital Receipts	0	0	0	0	0	0	0
Unapplied capital grant	(136)	(112)	(112)	(112)	(112)	(112)	(112)
Lanes Capital Reserve	(75)	(90)	(105)	(120)	(135)	(150)	(165)
Total Capital Reserves	(211)	(202)	(217)	(232)	(247)	(262)	(277)
Total Usable Reserves	(10,284)	(6,129)	(5,854)	(4,728)	(4,737)	(4,831)	(4,960)
Other Technical Reserves (i)	(90,488)						
Total All Reserves	(100,772)						

- (i) These reserves are of a technical nature and are not cash backed. They are not available either to fund expenditure or to meet future commitments.

SECTION E - BUDGET DISCIPLINE AND SAVING STRATEGY

1. The Council has adopted a 5-year financial strategy as set out in its Medium-Term Financial Plan to assist in the integration of financial planning with the priorities set out in the Carlisle Plan. The current medium-term financial projections point to a shortfall in the Council's recurring budgets, requiring the use of reserves and the achievement of identified savings. In addition, the scope for the Council to continue support for initiatives in future years and to redirect resources to priority areas will be dependent on the extent to which the Council is successful in realising savings and maximising income and funding streams. The requirement to achieve savings or raise additional income in future years is a continuing and increasing pressure facing the Council.
2. The Council continues to recognise the challenges of reductions in Central Government funding and uncertainty over other Government funding such as Business Rate Retention (and significant reductions in other revenue and capital grants) together with increased cost pressures. However due to its success to date in identifying savings, the Council now has a solid financial base in order to set its 2021/22 budget.
3. The savings strategy will continue to concentrate on the following areas to deliver the savings required to produce a balanced budget, however the exact work programme will be dependent on progress with the Transformation programme.
 - Asset Strategy – to focus on ensuring the council's asset portfolio maximises the benefit to the Council through income generation or by realising receipts of assets that do not generate a return that can then be utilised to ease pressures in capital and revenue budgets through the most appropriate means, e.g. re-investment in new assets and supporting the capital programme to reduce the Council's borrowing requirement.
 - Service Reviews – A review of services to include their purpose and relevance in achieving the Carlisle Plan priorities, including a review of those services which do not fall within the Council's core priorities or which are not statutory will be undertaken to ensure that services and resources are properly aligned to what the Council wants to achieve.
 - Core Budgets – a review of base budgets, including income generation and a fundamental zero-based budget review of all base budgets, to ensure compliance with best practice on priority and outcome based budgeting and other appropriate budget disciplines.

Furthermore, the Council will develop a Commercialisation Strategy which defines what commercialisation means in Carlisle, risk appetite and potential scope of commercial activity.

4. Members and Officers are reminded that it is essential to maintain a disciplined approach to budgetary matters and as such:
 - Supplementary estimates will only be granted in exceptional circumstances.
 - Proposals seeking virement should only be approved where the expenditure to be incurred is consistent with policies and priorities agreed by the Council.
5. In order to continue the improvements in the links between financial and strategic planning, the Joint Management Team will continue to meet regularly to progress forward planning on these issues.

STATUTORY REPORT OF S.151 OFFICER

1. In setting its Budget Requirement, the Council is required under the Local Government Act 2003 (Section 25) to consider:
 - (i) The formal advice of the statutory responsible financial officer (Corporate Director of Finance and Resources) on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides;
 - (ii) The Council has to determine what levels of borrowing, if any, it wishes to make under the Prudential Code that governs local authority borrowing.

2. Robustness of the Estimates

Whilst relevant budget holders are responsible for individual budgets and their preparation, all estimates are scrutinised by Financial Services staff, the Senior Management Team and the Strategic Financial Planning Group prior to submission to members.

The Council's revenue and capital budgets are integrated in that the financial impact of the proposed capital programme is reflected in the revenue estimates.

The Council has no history of overspending against budget, indeed, there has tended to be a degree of underspending. However improved budget monitoring backed up by specific action where appropriate and base budget procedures have proven effective in addressing this issue.

There are risks however involved in projecting budgets particularly over the medium term and the year-end position will never exactly match the estimated position in any given year. Areas of specific risk in the current five-year period under consideration are:

- The Savings programme was expected to achieve savings of £1.850million by 2023/24, in order to meet the expected cuts in grants from central government and other budgetary pressures identified in the previous budget process. However, based upon the pressures and savings identified within this budget, the savings required for 2021/22 can be decreased on a non-recurring basis by £0.500million with a further savings requirement of £0.200million being required from 2022/23 (on a recurring basis); this will increase the overall target to £2.050million in 2023/24, to ensure that a balanced budget is produced and where Council reserves are replenished over the longer term.
- The level of interest receipts and return on Treasury Management activities are subject to market rates. Members are advised of this risk every year and it should be noted that in the current economic climate with low and relatively static base rates, investment income returns in the medium term continue to prove challenging. The Council is also having to deal with a reduced number of counterparties it is able to place deposits with.

The main risk to the robustness of the estimates is the uncertainty regarding the Fair Funding Review and how, and when, the 75% retention of business rates will be implemented, and the outcome of one-year spending review and financial support for the on-going impact of COVID-19.

There will be a requirement to use reserves in the short term; however, the proposals put in place show that reserves will rise over the following 5-year period to minimum levels.

The delivery of the savings proposals identified and continuing work to deliver further savings will also be important to maintaining reserves at prudent levels. Regular budget monitoring, particularly in the area of the Savings programme is imperative during this period. The level of the Council's future Capital Programme in taking account of a significant reduction in capital receipts is fully funded but includes a borrowing requirement over the five-year period. The Capital Programme includes plans to sell further assets that can be utilised to reduce the overall borrowing requirement for future capital investment decisions.

- Central contingencies – there have been no contingency budgets built into the existing estimates. This means that any unforeseen expenditure that cannot be contained within existing budgets will require a supplementary estimate to cover any costs. The budget proposals will significantly limit the capability to deal with any of these events and these may have to be found from within other budgets and reserves should the need arise.

3. Adequacy of Reserves

The level and usage of the Council's Reserves is undertaken annually as part of the Medium-Term Financial Plan.

The appropriateness of the level of reserves can only be judged in the context of the Council's longer-term plans and an exercise has been undertaken to review the level of reserves through the use of a risk assessment matrix. The findings of this exercise suggested that the minimum level should be set at £3.1million as a prudent level of General Fund Reserves which will be required as a general working capital/ contingency to cushion the Council against unexpected events and emergencies.

The Councils policy on reserves is that wherever possible reserves should not be used to fund recurring expenditure, but that where it is, this should be made explicit and steps taken to address the situation in the following years. The Executive sets out in its Budget Discipline and Saving Strategy on how it expects Officers to address the 2021/22 budget pressures in setting the 2021/22 budget and principles to be adopted when preparing the 2022/23 budget cycle.

Based on current projections, Council Reserves will be maintained at prudent levels. It is accepted that the level of reserves is reliant on the delivery of the transformation savings and achievement of income targets and government funding.

Minimum reserve levels will continue to be monitored closely and will be dependent upon the final outcome of the devolvement of 75% business rates to local authorities and the fair funding review and any risks associated with this devolvement.

4. Determination of Borrowing

The new Prudential Accounting regime enables the Council to borrow subject to meeting criteria of affordability. The draft Prudential Indicators have been established and these will be finalised for Council approval once decisions on the overall Capital Programme have been made.

For the period under review the need for borrowing will be kept under consideration and will be dependent on the level of capital receipts being generated and the potential of future capital projects. Due to projects currently under consideration, the capital programme for 2021/22 to 2025/26 will require the use of Prudential Borrowing (including internal borrowing) to sustain levels depending on the levels of capital receipts that can be generated in the future. If borrowing is required, full option appraisals will be carried out.

SECTION G – GLOSSARY OF TERMS

BUDGET

- **GROSS** – the total cost of providing the council's services before taking into account income from service related government grants and fees and charges for services.
- **NET** – the Council's gross budget less specific government grants and fees and charges, but before deduction the settlement funding assessment and other funding from reserves.
- **ORIGINAL BUDGET** – the budget for a financial year approved by the council before the start of the financial year.
- **REVISED BUDGET** – an updated revision of the budget for a financial year.
- **NET BUDGET REQUIREMENT FOR COUNCIL TAX PURPOSES** – the estimated revenue expenditure on general fund services that needs to be financed from the Council Tax after deducting income from fees and charges, certain specific grants and any funding from reserves.

CAPITAL EXPENDITURE - Expenditure on the acquisition of a fixed asset or expenditure, which adds to and not merely maintains the value of an existing fixed asset.

CAPITAL RECEIPTS – the proceeds from the disposal of land or other assets. Capital receipts can be used to finance new capital expenditure within rules set down by the government, but they cannot be used to finance revenue expenditure.

CONTINGENCY – money set aside in the budget to meet the cost of unforeseen items of expenditure, or shortfalls in income, and to provide for inflation where this is not included in individual budgets.

COUNCIL TAX – the main source of local taxation to local authorities. Council tax is levied on households within its area by the billing authority and the proceeds are paid into its Collection Fund for distribution to precepting authorities and for use by its own General Fund.

DISABLED FACILITIES GRANT (DFG) – individual government grants towards capital spending on providing disabled adaptations to housing.

EXECUTIVE- consists of elected Members appointed by the Leader of the Council to carry out all of the local authority functions which are not the responsibility of any other part of the local authority.

FEES AND CHARGES – income raised by charging users of services for the facilities.

INTEREST RECEIPTS – the money earned from the investment of surplus cash.

NATIONAL NON-DOMESTIC RATE (NNDR) - this is a levy on businesses, based on a national rate in the pound set by the government multiplied by the 'rateable value' of the premises they occupy. Also known as 'business rates', the 'uniform business rate' and the 'non-domestic rate'.

NON-RECURRING EXPENDITURE – items which are in a budget for a set period of time.

PRECEPT – the levy made by precepting authorities on billing authorities, requiring the latter to collect income from council taxpayers on their behalf.

- **PRECEPTING AUTHORITIES** – those authorities which are not billing authorities, ie do not collect the council tax and non-domestic rate. County councils, police authorities and joint authorities are ‘major precepting authorities’ and parish, community and town councils are ‘local precepting authorities’.

RESERVES – amounts set aside in one year to cover expenditure in the future, which all Authorities must maintain as a matter of prudence. Reserves can either earmarked for specific purposes or general.

RETAINED BUSINESS RATES - collected by billing authorities on behalf of central government and the precepting authorities (Central Government, County Councils and Billing Authority) and redistributed in accordance with a prescribed formula set by the MHCLG taking into account top up and tariffs.

REVENUE EXPENDITURE – day to day running costs of the Authority, including employee costs, premises costs and supplies and services.

SENIOR MANAGEMENT TEAM (SMT) – a group of senior officers consisting of the Chief Executive, Deputy Chief Executive and Directors.

SUPPLEMENTARY ESTIMATE – an amount, which has been approved by the authority, to allow spending to be increased above the level of provision in the original or revised budget.

TAXBASE – the number of Band D equivalent properties within each Local Authority area used to determine the RSG by the DCLG and to calculate the Council Tax yield by each authority.

VIREMENT – the permission to spend more on one budget head when this is matched by a corresponding reduction on some other budget head i.e. a switch of resources between budget heads. Virement must be properly authorised by the appropriate committee or by officers under delegated powers.

JOINT MANAGEMENT TEAM

MINUTES – 14th December 2020

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

Agenda Item 1 – Minutes of Meeting 9th November 2020	Action
Noted and agreed	
Agenda Item 2 – Economic Strategy	
The Regeneration Manager joined the meeting and shared an in-depth and interesting Presentation on the above with input from the Corporate Director of Economic Development. Questions raised by Executive Members were fully responded to. The Executive thanked the Regeneration Manager for the update	

Agenda Item 3 - Updates on Borderlands; The Sands; Civic Centre; St Cuthbert's Garden Village; Central Plaza; J44	
Members of SMT provided the Executive with their update on the current position regarding each area	
Agenda Item 4 – Future Items for Notice of Executive Key Decisions	
Noted and agreed	
Agenda Item 5 - JMT Forward Plan	
Reviewed and update to be advised	<i>Deputy Chief Executive</i>

HEALTH AND WELLBEING SCRUTINY PANEL

THURSDAY 14 JANUARY 2021 AT 10.00AM

PRESENT: Councillor Paton (Chair) (until 11.46am), Councillors Alcroft (as substitute for Ms Ellis-Williams) Dr Davison, Mrs Finlayson, Mrs McKerrell (until 1.00pm), McNulty (until 1.00pm), Shepherd (as substitute for Councillor Tarbitt) and Miss Whalen.

ALSO

PRESENT: Councillor Ellis - Deputy Leader and Finance, Governance and Resources Portfolio Holder
Councillor Nedved - Economy, Enterprise and Housing Portfolio Holder
Councillor Christian – Environment and Transport Portfolio Holder
Councillor Mrs Mallinson – Communities, Health and Wellbeing Portfolio Holder

Sergeant Blain - Cumbria Constabulary

OFFICERS: Deputy Chief Executive
Corporate Director of Economic Development
Neighbourhood Services Manager
Team Manager - Parking and Enforcement
Health & Wellbeing Manager
Policy and Communications Manager
Principal Health & Housing Officer
Overview and Scrutiny Officer

HWSP.01/21 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Ms Ellis-Williams and Councillor Tarbitt.

HWSP.02/21 DECLARATIONS OF INTEREST

There were no declarations of interested submitted.

HWSP.03/21 PUBLIC AND PRESS

RESOLVED - It was agreed that the items of business within Part A be dealt with in public and Part B be dealt with in private.

HWSP.04/21 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That it be noted that Council, at its meeting on 5 January 2021, received and adopted the minutes of the meeting held on 7 October and 19 November 2020. The Chair will sign the minutes at the first practicable opportunity.

HWSP.05/21 AGENDA

RESOLVED – That the order of the agenda be amended so that item A.4 be taken after A.2 to accommodate external attendees.

HWSP.06/21 CALL IN OF DECISIONS

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

HWSP.07/21 LOCAL ENVIRONMENT (CLIMATE CHANGE) STRATEGY

The Corporate Director of Economic Development submitted report PC.02/21 which provided an update on the progress of the adoption of the Local Environment (Climate Change) Strategy.

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

- The Panel had requested that a representative of the Zero Carbon Cumbria Partnership (ZCCP) be invited to attend the meeting to help the Panel to gain a better understanding of the carbon baseline which was important for the authority in setting its target. Why had this not happened?

The Policy and Communications Manager reminded the Panel of the background of the ZCCP and their work. The ZCCP had received National Lottery Funding and were in the process of making the relevant appointments to the Partnership. It was proposed that the Partnership Manager would be invited to attend Scrutiny when the appointment process had been completed. He added that the project proposals had been shared with the Council and had been incorporated into some of the local actions as set out in the action plan and community engagement plan.

Referring to the Cumbria Baseline report, the Policy and Communications Manager added that key dates had also been included in the action plan to provide an overview of the 2037 target alongside the trajectory and scale of reductions required across Cumbria.

The Corporate Director of Economic Development agreed that the baseline was important and there was a need to understand how it affected the area. She had proposed that the Members Advisory Group, as the lead on the issue, received a presentation on the baseline report to gain cross party understanding on the carbon baseline for Cumbria and Carlisle.

A Member responded that the expectation for the meeting had been the attendance of a representative who had been involved in the preparation of the bid with first-hand information.

- A Member was concerned that the preparation of the Strategy had taken two years and there was a need for urgent action. She felt strongly that Members needed to have a good understanding of the urgency and carbon baseline before the matter was considered at Council to be able to understand what the Council needed to do to meet targets and where to prioritise.

The Corporate Director of Economic Development reminded the Panel that the matter was a cross cutting matter that affected all aspects of the work of the Council across the District. The report would also be considered by the Economic Growth Scrutiny Panel. She suggested that an informal Council Briefing take place for all Members to be briefed on the evidence base for the report.

The Policy and Communications Manager drew the Panel's attention to the Targets section of the report which set out a breakdown of the Net Zero Target. The targets linked to some of the Council's own direct production emissions and was a shortcut to where the Council's target would impact the Cumbria baseline figures. He asked the Panel how they would like to see this information set out to make it clearer and easier to use.

A Member responded that it would be beneficial for the report to include examples of how the targets could be achieved. The Policy and Communications Manager reminded the Panel that all Members had received the Cumbria Baseline report which included a clear example scenario of how Cumbria could work together in partnership to achieve some of the reductions. Likewise the City Council action plan included a five year scenario for cumulative reductions to the Councils carbon footprint

The Economy, Enterprise and Housing Portfolio Holder agreed that the baseline was important, however, the Strategy helped set out the Council's direction and there needed to be a balance in getting an understanding of the baseline and moving forward with the projects.

A Member commented that Scrutiny had open transparent discussions to shape the final document and actions, they needed expert knowledge to inform the debate and did not feel that informal Council was the right setting for the information to be shared.

- Were there dedicated officer resources for the climate emergency work?

The Policy and Communications Manager drew the Panel's attention to the list of contributors to the Strategy from the whole Council. The Strategy was a whole organisation Strategy which required all Officers and Members working together to deliver the actions. He reported that the ZCCP had, as one of five new roles, appointed a Local Authority Climate Co-Ordinator as well as allocating significant new resources to help Cumbria reach the target.

- The knowledge of the climate emergency had changed significantly since the production of the Carlisle District Local Plan 2015-2030, had the review of the Local Plan begun?

The Corporate Director of Economic Development confirmed that the review process had started, and the main focus was the St Cuthbert's Garden Village and the goal to have a carbon zero development.

- A Member commented that she felt there were two risks with regard to the implementation of the Strategy, the first risk was the lack of urgency on the Strategy and the second was the risk in trying to change residents behaviour.

The Corporate Director of Economic Development agreed that there was an urgent need in moving forward with the Strategy. Once the Strategy was approved Officers could move to implementation and look at the required budget. She stated that the Council would play a role in helping to change residents behaviour by leading through example and by helping individuals to understand the impact of their behaviour.

The Policy and Communications Manager highlighted the action plan which identified six months of actions within the constraints of the pandemic and recognised the link between the recovery from the pandemic and tackling climate change.

- How was the consultation for the Strategy published, how many responses were received and how representative of the City's population were they?

The Policy and Communications Manager reported that there had been over 60 responses to the consultation which gave in depth and detailed responses to key questions. There had not been a demographic survey carried out with the consultation.

- When the Strategy had been previously scrutinised the Panel felt that the tone of the document did not reflect the required leadership. How were the detailed consultation responses be incorporated into the document?

The Policy and Communications Manager assured Members that the consultation feedback had been used in shaping the action plan and responses were represented in the themes contained within the document.

- The Panel asked that the risks associated with the Strategy be amended to include the risk of not having the Strategy and the adverse impact of not doing anything to address the climate emergency.

The Corporate Director of Economic Development agreed to set out the risk of no action within the report. The Policy and Communications Manager added that the risks would be formalised and included in a risk register within the Council following the adoption of the Strategy and approval of the Action Plan.

- How would the Council deal with procurement and its impact on other organisations it enters into contracts with? How was climate change weighted against the importance of value for money and a balanced budget?

The Finance, Governance and Resources Portfolio Holder explained that the Procurement and Commissioning Strategy had been amended in September 2019 and required that organisations that engaged with the Council measured the environmental cost of the work that they did.

- A Member asked for more information on Carlisle Community Action.

The Policy and Communications Manager reported that the ZCCP would be providing resources to the Group and he would circulate more information to the Panel.

- A Member asked the Panel to support the following:
 - That the Movement Theme included more options for staff, in particular cycling and walking options for short journeys within the city;
 - That potential new services regarding food waste was vitally important and should be endorsed as future action plan objectives.

The Communities, Health and Wellbeing Portfolio Holder commented that the pandemic had created a focus on climate change and sustainability. She set out the ongoing work being undertaken with partners and urged Members to agree the Strategy and Action Plan as working documents so that the Council could move forward in implementing the actions and demonstrate the work that was being carried out.

- The Panel requested that the following matters be included in the Strategy:
 - Training for staff and Members;
 - Change to the language to encourage more education, engagement and inclusion with the public;
 - Include partnership with Schools to engage young people.
- It was felt that the establishment of the Citizens Jury for Carlisle should be a priority.
- The Panel requested that the monitoring of the outcomes of the action plan take place every six months not annually.

RESOLVED – 1) The Panel scrutinised the amended Local Environment (Climate Change) Strategy (PC.02/21) and recommended that the following be included in the Strategy:

1. Training for Officers and Members
2. The risk of doing nothing and the adverse impact of not doing anything
3. That an update report be submitted to the Panel every six months
4. Behaviour change to be done in partnership
5. Partnership with schools

2) That the Policy and Communications Manager provide the Panel with more information on Carlisle Community Action.

3) That the Corporate Director of Economic Development and the Policy and Communications Manager be thanked for their detailed work in preparing the amended Local Environment (Climate Change) Strategy and Action Plan.

HWSP.08/21 REVIEW OF PUBLIC SPACE PROTECTION ORDERS

During consideration of the following matter the Chair left the meeting due to technical issues. Councillor Mrs Finlayson (Vice Chair) thereupon took the Chair.

The Neighbourhood Services Manager submitted report CS.05/21 which contained the revised Public Space Protection Order and the combined Public Space Protection Order for alley gates inviting comments from the Panel as part of the consultation on the revised Orders. Comments were also welcomed on the over-arching Local Environmental Crime, Action and Enforcement Strategy but the primary focus of the discussion would be around the proposed revisions to the Public Space Protection Order. Sergeant Blain, Cumbria Constabulary, was present at the meeting to support the discussion.

The Neighbourhood Services Manager briefly introduced the Local Environmental Crime, Action and Enforcement Strategy which outlined the Council's approach to maintaining clean streets and neighbourhoods and reinforced its commitment to taking robust enforcement action against those responsible for enviro-crimes such as littering, fly-tipping and dog fouling. The Neighbourhood Services Manager, further added that Panel Members would be interested in the work of the Council to influence positive behaviour change and also the action planned to tackle other negative behaviours for example, deploying a camera enforcement vehicle to tackle roadside litter and to give the Civil Enforcement Officers powers to challenge and potentially issue fines to motorists parked with engines idling, to support wider carbon reduction efforts and improve local air quality.

The Team Manager - Parking and Enforcement detailed the amendments to the PSPO as set out in appendix 2 of the report.

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

- There was some concern regarding the safety of those removing alcohol containers from individuals who may suffer from addiction.

Sergeant Blain confirmed that Cumbria Constabulary were primarily responsible for the removal of the containers. He set out the safeguarding procedures that were in place for individuals who may have an addiction. In response to a further question he explained that any safeguarding

needs were referred to the relevant organisation the following day. He added that the legislation within the PSPO for begging and rough sleeping was only used as a last resort, Cumbria Constabulary met weekly with key partners and exchanged information daily to avoid prosecutions.

- The Panel and the Economy, Enterprise and Housing Portfolio Holder felt that the links between Cumbria Constabulary and the Homelessness Services were critical in ensuring that the PSPO provided ongoing support to individuals and were reassured that the procedures in place were successful in reducing anti-social behaviour and providing help to those in need.
- How safe was it giving people the opportunity to move on and where would they go if they were rough sleeping?

Sergeant Blain confirmed that safeguarding was a major concern for those individuals who were rough sleeping and the Police did what they could to dissuade them or move them to a safer location. The Police engaged with individuals about options, however, often the individual was passing through. A head count of rough sleepers was taken each week and individuals were discussed at the weekly meeting to ensure support was offered. The latest head count for the city had been one.

- Did the Police liaise with Border Force when dealing with beggars and rough sleepers?

Sergeant Blain confirmed that the Police could check on an individual's status on the street and immigration were part of the weekly hub meetings. In addition Cumbria Constabulary worked closely with Dumfries and Galloway Constabulary to identify individuals who may be crossing the border.

- How did the Police deal with children who were begging?

Sergeant Blain explained that if the Police believed there was a safeguarding issue with a child they would invoke their powers to take the child into temporary care.

The Communities, Health and Wellbeing Portfolio Holder thanked Council Officers and the Police for their hard work in producing a sensitive yet firm document which ensured safeguarding procedures were followed and helped to make Carlisle an excellent place to live and work.

- How many individuals who were rough sleeping had refused offers of accommodation during the pandemic?

The Economy, Enterprise and Housing Portfolio Holder responded that the Homelessness Team worked extremely hard to provide support to those in need and to his knowledge only one individual refused the offer of accommodation.

- A Member suggested that authorised buskers and traders be issued with a permit or identification which showed that they had permission to be in the city centre.

The Team Manager agreed to discuss the matter with the City Centre Team. In response to a request the Team Manager informed the Panel that the Enforcement Team, City Centre Team and Police had prepared the Busker Code of Conduct and she would circulate a copy to Panel Members.

- How had the consultation process been undertaken?

The Team Manager set out details of the consultation process which included newspaper advertisements, social media posts, advertisement of the PSPO in affected areas and a survey of affected residents. Due to the current circumstances the consultation period had been extended.

- Referring to cars idling, a Member asked if this could be promoted as a public campaign to highlight the environmental impact.
- What work was being undertaken to change the behaviour of those who littered and was any work carried out with businesses?

The Neighbourhood Services Manager explained that the Council's Enforcement Officers were very proactive and worked seven days a week, they were visible and engaged with those seen littering. The Council did carry out prosecutions and this action was supported by the Courts. Littering was an ongoing issue especially with chewing gum and cigarettes, he reported that a bid had been submitted for grants to increase the recycling capacity in the city.

RESOLVED – 1) That the Panel had considered the Review of Public Space Protection orders (CS.05/21).

2) The Team Manager - Parking and Enforcement circulate the Busker Code of Conduct to Panel Members.

HWSP.09/21 ACTIVE SPACES REVIEW

The Health and Wellbeing Manager submitted the Active Spaces Review (CS.02/21) which outlined the programme of investment into the Council's Active Spaces stock for 2021/22 and set out the longer term strategic direction for making improvements beyond the next financial year.

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

- How did the City Council support Parish Councils and other bodies who looked after play areas in their parishes?

The Health and Wellbeing Manager responded that the City Council helped to organise the annual independent inspection of the play areas and helped to secure Section 106 monies from new developments which went directly to the relevant Parish Council.

In response to further questions the Health and Wellbeing Manager explained that Section 106 contributions had to be related to the development they came from and were a legal contract. Every Section 106 was individual, the Health and Wellbeing Team were consulted on the use of the monies as part of the planning process with the aim of achieving the best outcome for the local community. Should a development put a play area in place which a management company ran then the planning agreement would include the appropriate checks and balances, which could be enforced, to ensure the safety of the play area.

- What equipment or measures were in place to ensure play equipment was accessible for all?

The Health and Wellbeing Manager highlighted the specialist equipment that was in place in some parks in the City. He added that the key criteria for any new Active Space development was accessibility to everyone to encourage inclusion.

- Referring to Priority 1, a Member asked what happened to the play areas if the funding for the project did not come forward.

The Health and Wellbeing Manager explained that all of the play areas were in a safe condition, if capital funding did not come forward works would be delayed until funding could be secured. There was revenue funding in the budget for ongoing repairs to allow the play areas to remain safe and open until they were replaced or refurbished.

The Communities, Health and Wellbeing Portfolio Holder commented that the City Council should be very proud of its well managed green spaces and play areas. The Health and Wellbeing Team and the Green Spaces Team worked very hard and were expanding the outside offer to encourage more exercise outdoors.

RESOLVED – That the Panel considered the Active Spaces Review (CS.02/21).

HWSP.10/21 SUSPENSION OF STANDING ORDERS

It was moved, seconded and RESOLVED that Council Procedure Rule 9, in relation to the duration of meetings be suspended in order that the meeting could continue over the time limit of 3 hours.

HWSP.11/21 AIR QUALITY ACTION PLAN CONSULTATION AND ADOPTION

The Principal Health and Housing Officer submitted report GD.07/21 which summarised the Local Authorities Air Quality Action Plan.

The Principal Health and Housing Officer set out the background to the Air Quality Action Plan and the consultation process which had been undertaken and the responses received.

The Panel considered the low number of responses received and the number of Members who had not been able to stay at the meeting. The Panel asked that the report be brought back to its February meeting, if timescales allowed, for further scrutiny by the Panel. If timescales did not allow Members could pass their responses to the consultation directly to the Principal Health and Housing Officer.

The Panel discussed the changes to bus routes and the efficiencies that had been made and suggested that further work be undertaken to link bus routes to the cycling and walking network. A suggestion was also made that park and ride schemes be considered for the City.

The Panel noted the aspiration to open Waverly Viaduct and asked for an update on the Waverly Viaduct to be submitted to a future meeting of the Panel.

The Environment and Transport Portfolio Holder acknowledged the work that had been undertaken to produce the detailed Action Plan. He highlighted the continuously improving air quality in Carlisle and some of the practical work that had happened to achieve clean air along with the discussions that were ongoing with the public transport providers in the City and the County Council Highways Team.

The Finance, Governance and Resources Portfolio Holder also drew attention to the excellent work that had achieved the clean air in the City which everyone benefited from.

RESOLVED – 1) That the Panel scrutinised the Air Quality Action Plan Consultation and adoption (GD.07/21).

2) That an update on the Waverly Viaduct project be submitted to a future meeting of the Panel.

3) That the Local Authorities Air Quality Action Plan be reconsidered by the Panel, if timescales allowed. If not Panel Members would submit their response to the consultation directly to the Principal Health and Housing Officer.

HWSP.12/21 OVERVIEW REPORT AND WORK PROGRAMME

The Overview and Scrutiny Officer presented report OS.02/21 providing an overview of matters relating to the work of the Health and Wellbeing Scrutiny Panel.

The Overview and Scrutiny Officer drew the Panel's attention to the Notice of Executive Key Decisions which had been published on 8 January 2021. She reminded the Panel of the Task and Finish Group to review the Performance reports.

The Panel then considered its Work Programme.

RESOLVED 1) That the Overview Report OS.02/21 be noted.

2) That the following matters be submitted to the Panel on 25 February 2021:

- Community Centre Update
- Performance Report – Quarter 3
- Emergency planning response to Covid 19

[The meeting ended at 1.35pm]

SPECIAL HEALTH AND WELLBEING SCRUTINY PANEL

THURSDAY 28 JANUARY 2021 AT 10.00AM

PRESENT: Councillor Finlayson (Vice Chair), Councillors Atkinson (as substitute for Councillor Ellis-Williams), Dr Davison, McKerrell, McNulty, Tarbitt, Whalen.

ALSO

PRESENT: Councillor Ellis, Finance, Governance and Resources Portfolio Holder
Councillor Mrs Mallinson – Communities, Health and Wellbeing Portfolio Holder
Councillor Nedved – Economy, Enterprise and Housing Portfolio Holder

OFFICERS: Homelessness Prevention and Accommodation Manager

HWSP.13/21 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Ms Ellis-Williams, Paton and Mallinson, Leader.

HWSP.14/21 DECLARATIONS OF INTEREST

There were no declarations of interested submitted.

HWSP.15/21 PUBLIC AND PRESS

RESOLVED - It was agreed that the items of business within Part A be dealt with in public and Part B be dealt with in private.

HWSP.16/21 HOMELESSNESS PREVENTION AND ROUGH SLEEPING STRATEGY 2021- 2026

The Homelessness Prevention and Accommodation Manager (HPA Manager) submitted report GD.11/21 which set out the strategic aims, priority objectives and actions identified as part of a statutory review and consultation process; targeting Homelessness Prevention and Rough Sleeping in Carlisle from 2021 to 2026, as outlined within the Homelessness Prevention and Rough Sleeping Strategy and Action Plan.

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

- Which key findings from the consultation and service review were carried forward into the Strategy as priorities?

The HPA Manager responded that the data collated from the service review and public consultation had been assessed with a view to informing the priorities of the proposed Strategy. An aim of the Strategy was to provide support to those most in need which included those experiencing or at risk of multiple exclusion and domestic abuse. There were not a vast number of rough sleepers in the district, however, the Covid 19 pandemic had highlighted the number of people at risk of rough sleeping. Following the government's "Get Everyone In" instruction that all rough sleepers be provided with accommodation during the first national lockdown, the service was contacted by a number of individuals who were living transiently, for example staying with friends or family due to having no accommodation of their own. The restrictions imposed during the lockdown meant that those options were not available to all individuals, their coming forward to access services made the Homelessness team aware of the scale of the issue which had also informed the priorities of the new Strategy.

The Domestic Abuse Bill was likely to receive parliamentary assent in April 2021 and placed additional duties on local authority homelessness services. The HPA Manager outlined the work being undertaken with the county council in preparation to meet those new duties.

- Had consideration been given to the creation of a Prison Leavers Pathway, including a Service Level Agreement with other relevant organisations?

The HPA Manager welcomed the suggestion and drew Members attention to Objective 2 of the Action Plan within which the establishment of a prison release review was an action. It was a crucial area for the service to focus on as, due to the number of agencies involved in preparing prisoners for release, there could be disparity of information sharing that may end up in a prisoner being released without accommodation provision. Initial discussions on the matter had been undertaken with the local Probation Service with a view to potentially setting up a partnership group to work on the issues.

A Member asked whether prison leavers housed in the Council's homeless accommodation had to have been formerly resident in the district.

The HPA Manager advised that when looking at housing a prisoner at the end of their sentence a number of criteria were assessed which included whether there was a local connection to the place. In the main the offenders housed in Carlisle did have a local connection, however, as the city provided the Approved Premises for the county for housing released prisoners, it did provide accommodation to prisoners not formerly from the district. Additionally, individuals with no connection to the city may request to be housed in Carlisle upon release, the HPA Manager gave an overview of how that process was managed.

- A Member expressed concern regarding the use of the term "customers" to describe those using the Council's Homelessness services.

The HPA Manager undertook to reconsider the wording.

- Were pets allowed in the Council's homelessness accommodation sites?

The Council operated a number of accommodation sites some of which were shared/emergency occupancy, in that environment pets were not permitted, but they were allowed in sites where persons were accommodated individually. Were a person with a pet to be only able to be housed in shared/emergency accommodation initially, the Council had a number of options for including kennelling and fostering placement for their pet.

- Were the characteristics of those accepted as homeless within the district related to the demographics of the wider population?

The HPA Manager explained that the characteristics were used as reporting measures to regional and national bodies as required. Using characteristics helped to shape services for example through user profiling and identifying marginalised groups.

- A Member welcomed the Strategy's objective of continuing partnership working.

The Council was very committed to partnership working as it recognised that it was not able to address the issue of homelessness alone. It was important that partners embraced and supported the Strategy as that increased the likely success of its implementation.

- Did the Winter-readiness plan require all rough sleepers to be accommodated through the winter season?

The Winter-readiness plan was part of the Homelessness Team's annual work and it was an achievable objective to ensure that all rough sleepers were accommodated through the winter season. The team also applied Severe Weather Emergency Protocols (SWEPs) under which they had a duty to house rough sleepers when temperatures dropped below 0°C in order to safeguard life.

In addition to the placement of rough sleepers in accommodation under the Winter-readiness plan and SWEPs, the HPA Manager also worked with accommodation providers to encourage them not to evict tenants during periods of bad weather. Currently there was a national freeze on evictions taking place.

- Would the Action Plan have defined performance measures and could they be reported to the Panel on a 6 monthly basis for scrutiny?

The HPA Manager confirmed that were the Strategy and Action Plan to be approved timescales for completing actions and other appropriate metrics would be developed and would form the basis of performance reporting to the Panel.

- Lone females were an especially vulnerable group in terms of rough sleeping, what key actions were proposed to support them?

Safeguarding and Harm Minimisation were key objectives of the Strategy and included lone/young females. In the preparation of the existing Strategy, a piece of work had been carried out with a cohort of females to better understand their experience of using homelessness services and the factors which had contributed to that need. The data gleaned from that work was used to formulate priorities within the existing Strategy which had been carried over to the currently proposed one. A significant finding from that work was the length of time lone/young females accessing services had been victims of abuse or living in a transient way, this had led to a focus on preventative work being undertaken by the team to try and provide support to those individuals earlier on.

- What work was the Council doing with private sector landlords to prevent people becoming homeless as a result of tenancies ending?

The HPA Manager responded that the Council employed a Private Rented Sector Officer who worked with landlords in relation to evictions, but also proactively by working to bring empty properties back into use, to increase the level of available housing. The team were also able to provide ongoing tenancy support and skills to tenants as well as providing rent safeguards. Moreover, the impact of the Covid pandemic restrictions increased the likelihood of some tenants accumulating rent arrears, Officers were working with housing associations to identify those who were at risk of arrears for the first time with a view to preventing possession action being taken.

- How was the lack of specialist accommodation provision for the under 35s being addressed?

The HPA Manager explained that young people were a priority group for the service. There were a number of factors that made provision challenging including additional needs and rent caps for those in receipt of benefits, the service was working with a range of partners to address the issue. The Private Rented Sector Officer worked with landlords to promote higher

standards in accommodation, and support may be provided to individuals including furniture pack and tenancy support.

- Was any further work planned to get feedback from service users on the Council's homelessness service?

The HPA Manager noted a number had responded to the public consultation, but for some it was harder to reach groups accessing and contributing to the consultation was challenging. Officers carried out ongoing engagement with service users to find out their views on the service in order to ensure that it was relevant and meaningful support was given.

- Did the service work with third sector organisations, for example, Churches Together?

The HPA Manager confirmed that Officers did work with Churches Together along with other faith groups and third sector organisations. That work comprised working together to identify rough sleepers and those at risk of it, but also providing support to individuals when they had taken on permanent accommodation. Integration into a community, having support were important factors in enabling individuals to become settled in accommodation, the Council's Homelessness Service was not able to provide unending support to individuals it had found permanent accommodation for, however, third sector organisations were well placed to carry out that function.

A number of Members felt it would be useful if an executive summary of the Strategy be produced to give an easily accessible document, they suggested that it include: a short summary of the aim of the Strategy, and how key findings from research work had formed objectives and priorities within the Strategy.

The Economy, Enterprise and Housing Portfolio Holder thanked the Officer and her team for producing the Strategy and their own ongoing work directly supporting those experiencing homelessness as well as the team's success in drawing down external funding to assist with the work. He hoped the Panel felt able to support the Strategy.

The Communities, Health and Wellbeing Portfolio Holder reiterated thanks to the HPA Manager and her team. She noted that as part of the development of the Strategy she had raised issues in relation to Care Leavers, Armed Forces personnel and domestic abuse and was pleased to see that they had been incorporated in the Strategy.

The Panel thanked the Officer for the detailed report and the efforts of her and her team in developing the Strategy

RESOLVED 1) That the Panel supported the Homelessness Prevention and Rough Sleeping Strategy 2021 - 2026.

2) That a Prisoner Leavers Pathway be developed.

3) That a series of performance measures and timescales relating to the Action Plan be devised and form the basis of future performance reports on the Strategy to the Panel.

4) That an Executive Summary document be produced.

[The meeting ended at 11:43am]

BUSINESS AND TRANSFORMATION SCRUTINY PANEL

THURSDAY 7 JANUARY 2021 AT 4.00PM

PRESENT: Councillor Bainbridge (Chair), Councillors Alcroft, Allison, Birks, Bowman, Mitchelson and Dr Tickner.

ALSO

PRESENT: Councillor J Mallinson, Leader
Councillor Ellis, Finance, Governance and Resources Portfolio Holder
Councillor Mrs Mallinson, Communities, Health and Wellbeing Portfolio Holder
Councillor Christian, Environment and Transport Portfolio Holder

OFFICERS: Deputy Chief Executive
Corporate Director of Finance and Resources
Client Side Project Manager
Construction Administrator
Overview and Scrutiny Officer

BTSP.01/21 APOLOGIES FOR ABSENCE

An apology for absence were submitted on behalf of Councillor Paton.

BTSP.02/21 DECLARATIONS OF INTEREST

Councillor Allison declared an interest in accordance with the Council's Code of Conduct in relation to agenda item A.2 Civic Centre Reinstatement and Development. The interest related to the fact that his son in law worked for Story Construction

BTSP.03/21 PUBLIC AND PRESS

RESOLVED – It was agreed that the items of business in Part A be dealt with in public and Part B be dealt with in private.

BTSP.04/21 MINUTES OF PREVIOUS MEETINGS

RESOLVED - It was noted that Council, at its meeting on 5 January 2021, received and adopted the minutes of the meetings held on 15 October and 1 December 2020. The Chair would sign the minutes at the first practicable opportunity.

BTSP.05/21 CALL IN OF DECISIONS

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

BTSP.06/21 CIVIC CENTRE REINSTATEMENT AND DEVELOPMENT

The Deputy Chief Executive provided an update on the current progress of the reinstatement of the ground floor of the Civic Centre (CS.01/21).

The Client Side Project Manager informed the Panel of the measures undertaken to manage or adapt the existing project proposals to deal with:

a) working practices as a result of the COVID -19 pandemic

b) impact of Brexit

c) a requirement to update existing infrastructure in the ground floor and basement to manage asbestos, legionella, safety systems, obsolete services and fire safety in these areas, to support increased occupation of the ground floor and meet with current legislation.

The report finalised proposals for an extension to the Civic Centre public car park and set out the work that had been undertaken since Council approval on 5 May 2020.

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

- In response to a Member's questions the Client Side Project Manager clarified the following:
 - the different areas within the ground floor could not be released in separate phases due to financial and technical implications as many of the areas were interlinked. The project would be handed over as a complete project.
 - when not in use as a Council Chamber the equipment from the room would be securely stored in a locked storage cupboard in the Chamber and the large equipment had a separate storage area also on the ground floor.
 - area 8 of the ground floor would be refurbished to a basic level as the area had not yet been allocated a purpose.
- Was the Customer Contact Centre portacabin rented and was there potential to open the Customer Contact Centre early to provide some savings?

The Deputy Chief Executive confirmed that the portacabin was rented, the option to purchase had been considered but it may have proved difficult to sell it on. He explained that it was financially prohibitive to open the Customer Contact Centre in the ground floor whilst the rest of the reinstatement work was being carried out.

- Given the potential local government reorganisation and the good structure of the Civic Centre, had any consideration been given to how the building could be used in the future?

The Deputy Chief Executive confirmed that consideration had been given to the future of the building should the reorganisation move forward. He explained that the building itself was problematic in terms of its structure and the services to the tower of the building as it had been built for a specific purpose. Alternative uses for the building would be very expensive to realise them. The future of the building was a challenge, but it would probably continue to be used in the public sector in the future.

- Did the amended design for the rotunda area bring in similar revenue as the previous plans for car parking?

The Deputy Chief Executive explained that the planning permission for the area was for the demolition of the rotunda, construction of car parking spaces including electric vehicle points and the creation of public space amenity. The finer detail of the design had yet to be concluded, it was hoped that the WYG designer who designed the front of the building would be able to contribute to the designs to ensure continuity to the external area of the building.

- Both the Civic Centre reinstatement and the Sands Centre Development used local contractors and sub-contractors; would it be possible to promote this fact publicly?

The Deputy Chief Executive agreed that the good working relationship with the local contractors and sub-contractors should be promoted and this would happen in the coming weeks. The Client Side Project Manager added that where possible local suppliers and workers were also being used in both sites.

- The documents referred to storage in the basement of the building, would this area be used as storage given the potential for the area to flood?

The Client Side Project Manager responded that the area had been secured to limit the access to the area so that it could not be used as storage without express permission and to ensure the safety of the area and the building itself.

- A Member had some concern that ICT equipment was located on the ground floor and could potentially be at risk of flooding.

The Client Side Project Manager explained that, as part of the project, any equipment which had been identified as sensitive to the operation of the building would be moved to secure locked accommodation on the first floor.

- Would the vision to use the Council Chamber as conference space be supported by adequate catering facilities?

The Client Side Project Manager drew the Panel's attention to the ground floor plan which showed the new catering facilities which were next to flexible space which could be utilised as a refreshment area if required.

- How much research had been undertaken with external organisations to gauge the market for conference space and how it could be marketed?

The Deputy Chief Executive responded that more work was needed to determine the market for potential conference facilities. The new space had the flexibility and technical abilities that modern conferencing space needed but the market was changing, further work would be needed to prepare a business case for the offer.

- There was some concern that the new Council Chamber did not have any separation between members of the public and Elected Members during Council meetings. What thought had been given to security arrangements that would ensure the safety of all those in attendance but did not exclude the public from the activities of the Council?

The Deputy Chief Executive acknowledged the concerns and assured the Panel that the matter was being carefully considered. There were options available which included using furniture to create the separation or to have the meeting live streamed to a separate room. Work was being carried out with Democratic Services to investigate the options and the configuration of the room for committee meetings.

RESOLVED – 1) That the Civic Centre Reinstatement and Development Project be received (CS.01/21).

2) That the Deputy Chief Executive report any exceptions to the progress of the reinstatement to the Panel at the earliest opportunity.

BTSP.07/21 BUDGET 2021/22 – 2025/26

(1) Executive's response to the first round of Budget Scrutiny

Minutes of the special meeting of the Executive held on 7 December 2020 were submitted detailing the response of the Executive to the comments made by the Scrutiny Panels in response to the first round of Budget scrutiny.

RESOLVED – That the decisions of the special Executive on 7 December 2020 be received.

(2) Executive Draft Budget Proposals

The Executive draft Budget proposals 2021/22, which had been issued for consultation purposes, were submitted for scrutiny by the Panel.

The budget proposals were based on detailed proposals that had been considered by the Executive over the course of the last few months. In particular the reports of the Corporate Director of Finance and Resources which were considered at the Executive meeting of 14 December 2020.

The Corporate Director of Finance and Resources detailed a number of updates to the budget documents including:

- the inclusion of climate change narrative in relation to the Council's commitment to becoming carbon neutral;
- the reduction in interest rates with the PWLB which had benefited the budget;
- the inclusion of a recurring budget for project officer posts for capital projects;
- the provisional one year funding settlement had been received from central government and was subject to a consultation period which ended on 16 January 2021;
- other funding had been announced however the amount had not yet been received;
- the 2021/22 Executive Budget Proposals issued for consultation constituted a balanced budget;
- reserves were maintained at prudent levels;
- the draft budget proposed an annual £5 increase per Band D in Council Tax for the City Council for 2020/21.

In considering the Draft Budget Proposals Members raised the following comments and questions:

- The City Council provided a range of support to local communities, at what stage would difficult decisions regarding discretionary spending need to be made?

The Corporate Director explained that the Council's reserves were at prudent levels depending on savings being achieved. Previous savings had been achieved without the reduction in services, however there would be a point where income streams would have to be maximised to support the budget or services would have been looked at. She informed the Panel that work would be undertaken in 2021/22 to consider how savings could be achieved and a report would go through the democratic process at the appropriate time.

- The Climate Change Strategy and action plan would be approved after the budget had been agreed, would this result in a delay in undertaking projects to action the strategy?

The Corporate Director assured the Panel that the financial regulations allowed for funding to be released, through the Executive or full Council, for projects to action the Strategy should it be required. In addition there may be external funding or existing budgets which could support climate change projects.

A Member felt that the language used in the budget regarding climate change was negative and he stressed how important the matter was for future generations,

- A Member asked for clarification with regard to the pooling arrangement figures.

The Corporate Director reminded the Panel that the expectation had been that 2020/21 would be the final year of the Cumbria Business Rates Pooling arrangements, as the Government was undertaking 2 reviews into Local Government Funding (Fair Funding review & Business Rate Retention); however the reviews had again been deferred and the MHCLG had agreed not to revoke the current pooling legislation. This, in effect, meant that the pooling arrangement could continue into 2021/22, if all participating members agree. This could benefit the Council in 2021/22 of up to £1.2million.

- Were there options were available to support the Southern Relief Road funding other than borrowing?

The Corporate Director of Finance and Resources responded that grants for capital programmes were limited, the options open to the Council were to borrow the money, make a contribution from the revenue budget or to sell assets (not currently budgeted for) to support it. She added that alternative options were always considered before any borrowing was undertaken. The funding for the scheme was included in the budget as borrowing and would be returned to the Council via developer contributions over a long period of time.

- Had any consideration been given to a commercial approach to offsetting carbon?

The Finance, Governance and Resources Portfolio Holder confirmed that the Council would take any opportunities which enabled it to raise revenue in an environmentally beneficial way. He suggested that this approach be included as part of the authority's commercialisation plans.

- Did the shortfall in City Centre properties income include the Lanes?

The Corporate Director of Finance and Resources clarified that the shortfall was for a City Council owned property that had a rent free period. The property might be included in the Borderlands Deal and then there was expectation that there would be a return (not currently budgeted for) either through a capital receipt or revenue stream all of which would be subject to a decision of a future Executive. She reminded the Panel that the Lanes budget had been reduced in 2020/21 and the matter would continue to be monitored.

- What had been the impact of Covid-19 on the Council Tax schemes and how were they promoted?

The Corporate Director reported that there had been a relatively low number of applications to the Council Tax support schemes until the Christmas period when the number of applications rose significantly. The schemes were advertised on the City Council website and in correspondence sent out by officers.

- How did the impact of Covid-19 affect the realisation of the sales of assets to support the budget?

The Corporate Director of Finance and Resources updated the Panel on the asset review and update to the disposal programme. She added that the performance of the sale of assets was being very closely monitored.

- A Member asked for an update on the introduction of flexibility for waste services charges. The Environment and Transport Portfolio Holder explained that the matter was currently being discussed.

RESOLVED – 1) That the Panel accepted the Executive draft Budget Proposals 2021/22 as issued for consultation;

(3) Background Information Reports

(a) Budget Update – Revenue Estimates 2021/22 to 2025/26

The Corporate Director of Finance and Resources submitted report RD.42/20 providing a draft summary of the Council's revised revenue base estimates for 2020/21, together with base estimates for 2021/22 and updated projections to 2025/26. The report included the impact of the new savings and new spending pressures currently under consideration and the potential impact on the Council's overall revenue reserves.

The Executive had considered the matter on 14 December 2020 (EX.141/20 refers) and decided:

“That the Executive:

- (i) Noted the revised base estimates for 2020/21 and base estimates for 2021/22;
- (ii) Noted that the estimates in the report were draft and would be subject to the confirmation of Local Government Finance Settlement in December 2020;
- (iii) Noted the current MTFP projections, which would continue to be updated throughout the budget process as key issues became clearer and decisions were taken;
- (iv) Noted the budget pressures, bids and savings which needed to be taken into account as part of the 2021/22 budget process;
- (v) Noted the Statutory Report of the S.151 Officer outlining the risks associated with the draft budget figures and that minimum reserves may need to be reviewed in the future depending upon the outcome of the Local Government Finance review.”

(b) Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26

The Corporate Director of Finance and Resources submitted report RD.43/20 which provided a draft summary of the Council's revised capital estimates for 2020/21 together with base estimates for 2021/22 and updated projections to 2025/26.

The Executive had considered the matter on 14 December 2020 (EX.142/20 refers) and decided:

“That the Executive:

- 1. Noted the revised capital programme and relevant financing for 2020/21 as set out in Appendices A and B of Report RD.43/20, for recommendation to Council;
- 2. Had given initial consideration and views on the proposed capital spending for 2021/22 to 2025/26 given in the report in the light of the estimated available resources, for recommendation to Council;
- 3. Noted that any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved.”

RESOLVED - That the Panel had received the following reports:
Budget Update – Revenue Estimates 2021/22 to 2025/26 (RD.42/20);

Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26 (RD.43/20).

BTSP.08/21 DRAFT TREASURY MANAGEMENT STRATEGY STATEMENT, INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION STRATEGY 2021/22

The Corporate Director of Finance and Resources presented report RD.44/20 setting out the Council's draft Treasury Management Strategy Statement (TMSS) for 2021/22 in accordance with the CIPFA Code of Practice on Treasury Management.

She informed Members that the Investment Strategy and the Minimum Revenue Provision Strategy for 2021/22 were incorporated as part of the Statement, as were the Prudential Indicators as required within the Prudential Code for Capital Finance in Local Authorities.

The Executive had considered the matter on 14 December 2020 (EX.143/20 refers) and it was resolved that the Executive noted the draft Treasury Management Strategy Statement for 2021/22, which incorporated the Investment Strategy and the Minimum Revenue Provision (MRP) Strategy, together with the Prudential Indicators for 2021/22 as set out in Appendix A and the Treasury Management Policy Statement as set out at Appendix D to Report RD.44/20 and sought comments from the Business and Transformation Scrutiny Panel.

The Corporate Director reported that the ability to utilise ultra short dated investments had been included in the strategy to provide more flexibility for short term investments with the potential for providing a better return.

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

- Had the Council been able to invest in ethical products?

The Corporate Director of Finance and Resources confirmed that there had not yet been any ethical investment made due to the very low return being offered on those products. When making investments the Council asked to see the environment policy of the counter parties to ensure that they operated in an ethical and sustainable manner. The security of the investment was the priority for the Council and therefore the council invested mainly with banks, building societies and Local Authorities.

- A Member asked why the overall value of assets did not fluctuate following the sale of assets.

The Corporate Director explained that the value of assets did fluctuate however, the sale of assets was balanced by new assets being built. Work was being undertaken on 2019/20 asset value and the results of the work would be reflected in the Statement of Accounts for 2019/20.

RESOLVED – 1) That the Panel had scrutinised and made comments on the Draft Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy 2021/22 (RD.44/20).

2) The Business and Transformation Scrutiny Panel supported the introduction of ultra short dated investments to provide more flexibility for short term investments with the potential for providing a better return.

BTSP.09/21 COVID 19 / BUDGET REPORT

The Corporate Director of Finance and Resources presented report RD.51/20 which detailed the impact Covid-19 had on the Council's financial and governance arrangements.

The Corporate Director of Finance and Resources set out the initial response to the pandemic and the changes to procedures to ensure appropriate controls were made to financial certification and approvals processes due to the requirement to work from home. She set out in some detail the financial impact and funding received along with information on the loss of income and debt management. The Corporate Director detailed the potential long term financial impact and highlighted the nine government support schemes which the City Council was currently administering to support Council Tax and Business Rate payers.

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

- A Member asked for further details with regard to the outstanding debts from 'Other Local Authorities'.

The Corporate Director of Finance and Resources responded that she was currently in discussion with the Section 151 Officers of the other local authorities to determine why the debt was outstanding. She added that the expectation on local authorities in the current climate was to pay debt as soon as possible.

- When would GLL know if they were successful in securing government support and what would happen if they were not successful?

The Deputy Chief Executive reported that the City Council had been working closely with GLL to submit an expression of interest in December prior to the full application on 15 January. GLL had been well placed to provide the Council with the required information for the application which had to be submitted by the relevant authority. He reminded the Panel that the Council had made a provision for some financial support for GLL, but they had not yet required that support. The matter would be monitored very closely and if necessary alternative arrangements could be put in place to provide leisure services to the City.

In response to a further question the Deputy Chief Executive clarified that that the Council had an ongoing contract management process with GLL locally in which the City Council could access the financial records of GLL on a quarterly basis. This allowed the Council to see the actual impact Covid-19 had on GLL and determine the appropriate level of support needed on an open book basis.

- Would it be possible for the Council to continue to use the new control measures in the future once the pandemic has passed?

The Corporate Director of Finance and Resources explained that the Council's standard policy for creditor payments was ten days for local and small businesses and twenty eight days for other businesses. She agreed to consider if the new control measures could continue in the future.

- Had there been any requirement to bring in additional staff resources to administer the numerous Covid-19 grants?

The Corporate Director of Finance and Resources confirmed that the Finance Team, Revenues and Benefits Team and Economic Development Team had managed to administer the grants without the need for additional resources. As the Council moved forward to more 'normal' working there may be a requirement to source additional resources to support the work.

- A Member sought the Executive's confirmation that they were committed to reopening John Street Hostel and would continue to support both the Water Street Family Accommodation and John Street Hostel as going concerns.

The Finance, Governance and Resources Portfolio Holder confirmed that the Executive was committed to both accommodation facilities. He added that the Council had been successful in fulfilling its homelessness duties and Homelessness, Prevention and Accommodation Services had performed exceptionally well during the pandemic.

- Had the figures within the report anticipated a further national lockdown?

The Corporate Director of Finance and Resources explained that the report had been prepared prior to the announcement of the lockdown and therefore the figures within the report would need to be revised to take account of the current position.

- A Member sought assurance that future financial continuity planning had been undertaken given the ongoing and serious nature of the pandemic.

The Corporate Director of Finance and Resources responded that the situation was being very closely monitored and all information within the report would be updated due to the new national lockdown.

The Finance, Governance and Resources Portfolio Holder assured the Panel that the City Council was in a good financial position due to its reserves, substantial cash balances and investments and its property portfolio.

RESOLVED – 1) That the Covid-19 update be welcomed (RD.51/20);

2) That a further financial update on the impact of Covid-19 be submitted to the Panel following the end of the 2020/21 financial year;

3) That the Corporate Director of Finance and Resources provide the Panel with written details of the 'Other Local Authorities' debt and how successful the Council had been in recovering the debt.

BTSP.10/21 OVERVIEW REPORT

The Overview and Scrutiny Officer presented report OS.01/21 providing an overview of matters relating to the work of the Business and Transformation Scrutiny Panel and the Panel's work programme.

The Overview and Scrutiny Officer provided an update on the outstanding resolutions from previous meetings and it was agreed that BTSP.64/20 should be removed from the table. In discussing BTSP.77/20 the Panel reiterated their request for the link to be circulated to the risk assessments of the Local Resilience Forum and Local Enterprise Partnership.

RESOLVED – That the Overview Report incorporating the Work Programme and Key Decision items relevant to the Business and Transformation Scrutiny Panel be noted (OS.01/21).

(The meeting ended at 6.38pm)

(Received and adopted by Council on 5 January 2021)

ECONOMIC GROWTH SCRUTINY PANEL

THURSDAY 26 NOVEMBER 2020 AT 4.00pm

PRESENT: Councillor Brown (Chair), Councillors Mrs Atkinson, Denholm, Mrs Glendinning, Meller, Mitchelson and Mrs McKerrell.

ALSO

PRESENT: Councillor Mallinson, Leader
Councillor Ellis, Finance, Governance and Resources Portfolio Holder
Councillor Nedved, Economy Enterprise and Housing Portfolio Holder
Councillor Christian, Environment and Transport Portfolio Holder

Mr Deans, Carlisle Ambassadors
Ms Masters, Carlisle Ambassadors

OFFICERS: Deputy Chief Executive
Corporate Director of Finance and Resources
Corporate Director of Economic Development
Neighbourhood Services Manager
Head of Planning Policy
Principal Planning Officer
Policy and Performance Officer
Overview and Scrutiny Officer

EGSP.53/20 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

EGSP.54/20 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

EGSP.55/20 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and Part B be dealt with in private.

EGSP.56/20 MINUTES OF PREVIOUS MEETINGS

RESOLVED – It was noted that Council, at its meeting on 3 November 2020, received and adopted the minutes of the meetings held on 20 August and 1 October 2020.

EGSP.57/20 CALL IN OF DECISIONS

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

EGSP.58/20 CARLISLE AMBASSADORS

The Corporate Director of Economic Development submitted report ED.43/20 which provided an update on the Carlisle Ambassadors initiative including its 2020 programme of activity.

The Chair welcomed Mr Dean and Ms Masters (Carlisle Ambassadors) to the meeting.

Ms Masters and Mr Dean delivered a presentation covering: membership; projects – past and present; Young Carlisle Ambassadors Update; Carlisle Ambassadors' Partners; Marketing Group Update; Collaboration with partners; events; Carlisle Ambassador statistics and, Small Business Support Group Carlisle.

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

- Was Carlisle Ambassadors a Limited Company?

The Corporate Director of Economic Development advised that Carlisle Ambassadors was not a Limited Company.

The Member asked whether a contract existed between the Council and Carlisle Ambassadors.

The Corporate Director of Economic Development responded that initially, the Council had set up Carlisle Ambassadors and Officers had run the initiative. Michelle Masters Consulting had subsequently been appointed to undertake that work, with payment for those services being funded via membership subscription fees and Council funds. That work was subject of a contract and the Corporate Director undertook to circulate a copy to the Panel.

- Was there data available showing what level of membership each of the 263 subscribed organisations had taken out?

Ms Masters undertook to circulate that data to the Panel.

- To what extent was the Council's involvement with Carlisle Ambassadors promoted?

Ms Masters responded that the Council participated by attending and delivering Carlisle Ambassador events which allowed for effective communication between the authority and businesses. It was important that an appropriate balance was struck in the promotion of any organisation involved with the initiative, which was primarily business focussed.

The Member responded that he would like Carlisle Ambassador literature to indicate that the initiative was sponsored by Carlisle City Council.

The Corporate Director of Economic Development advised that the matter could be considered. She reiterated the importance of balance in terms of promoting a particular organisation, so as not to create the impression of it being taken over.

Mr Deans appreciated the Member's point and noted that the support from the Council in terms Officer attendance and presentations, along with Carlisle branding was well received. However, it was important that the Carlisle Ambassadors was not perceived as too public sector focussed.

A Member commented that she had latterly attended an event held by Carlisle Ambassadors where she had learned a lot about the initiative. She acknowledged the need for balance between the businesses and Council involvement and cautioned against affording the Council too much promotion.

- What follow up work was undertaken following the "Give A Day" project to assess the impact of the project?

Ms Master undertook to provide a written response on the methods used to assess the impact of the "Give A Day" project.

A Member commented that she had participated in the “Give A Day” event, she asked whether it was possible for Ward Members to be involved during the early stages of projects so that they were aware of activities in their area with a view to promoting and participating in them.

Ms Masters welcomed the suggestion. The Corporate Director of Economic Development proposed, in addition to the update on Carlisle Ambassadors provided in the Leader’s report to Council, that she circulate a leaflet to all Members of the Council updating them on work of Carlisle Ambassadors.

The Panel indicated its agreement.

A number of Members praised the work of the Young Carlisle Ambassadors initiative and hoped the number of schools involved would expand.

Ms Masters noted that schools were often heavily involved in Carlisle Ambassadors events and, in addition to the Young Carlisle Ambassadors which was made up of individuals, schools were able to become Ambassadors if they wished to do so.

A Member suggested that Councillors could assist with directing schools in their area to Young Carlisle Ambassadors, subject to the provision of up to date information.

RESOLVED – 1) That report ED.43/20 and presentation be noted.

2) That the Corporate Director circulate a copy of the contract between the Council and Michelle Masters Consulting in relation to the running of Carlisle Ambassadors to Members of the Panel.

3) That data relating to the membership levels of the Carlisle Ambassadors be circulated to the Panel.

4) That the Corporate Director of Economic Development circulate a leaflet to all Members of the Council updating them on work of Carlisle Ambassadors.

EGSP.59/20 BUDGET 2021/22 – 2025/26

The Corporate Director of Finance and Resources submitted report RD.32/20 providing a summary of the Council's revised revenue base estimates for 2020/21, together with base estimates for 2021/22 and forecasts up to 2025/26 for illustrative purposes. Potential new spending pressures, bids and savings had also been considered in the report.

The report set out known revisions to the MTFP projections, although there were a number of significant factors affecting the budget that were currently unresolved, details of which were recorded at Section 1.3. A summary of the outstanding key issues, together with the resource assumptions were also provided at Section 4. The Panel’s agenda set out the matters which fell within their remit.

The Executive had on 9 November 2020 (EX.122/20) received the report and resolved:

“That the Executive:

- (i) Noted the revised base estimates for 2020/21 and base estimates for 2021/22;
- (ii) Noted the current MTFP projections, which would continue to be updated throughout the budget process as key issues became clearer and decisions were taken;

- (iii) Noted the initial budget pressures, bids and savings which needed to be taken into account as part of the 2021/22 budget process;
- (iv) Noted the review of the earmarked reserves as outlined in paragraph 9 and Appendix F.”

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

- In relation to the £45,000 Development Control income shortfall, the Chair asked whether it was expected that income would increase post Covid 19?

The Corporate Director of Finance and Resources anticipated the shortfall being a single year event. The recovery of the development sector was linked to that of the wider economy following Covid 19, therefore close monitoring of the Development Control income would take place.

The Corporate Director of Finance and Resources also provided an overview of the emergency funding already received by central government to assist with income shortfalls and costs. Furthermore, the recent Government Spending Review had allocated £3 billion nationally for 2021/22 to assist local councils in covering costs related to Covid, the amount Carlisle City Council would be awarded was not yet known, but that detail was expected to be provided by mid – late December 2020.

RESOLVED – That report RD.32/20 Budget Update – Revenue Estimates 2021/22 to 2025/26 had been submitted to the Panel.

(b) Review of Charges 2021/2022

The Corporate Director of Finance and Resources presented the Review of Charges reports informing the Panel that there was a 3% increase on the overall level of income in line with the Corporate Charging Policy.

Community Services

The Deputy Chief Executive submitted report CS.30/20 which set out the proposed fees and charges for 2021/22 relating to those services falling within the Community Services Directorate.

The charges highlighted within the report would result in an anticipated level of income of £2,518,400 against the MTFP target of £3,006,000 which represented a shortfall of £487,600 against the MTFP target. Details of the proposed charges in relation to those areas within the Panel's remit as detailed on the agenda, were contained within the report.

The Executive had on 9 November 2020 (EX.123/20) received the report and decided:

“That the Executive:

1. Had reviewed the proposed charges as set out in the body of Report CS.30/20, the Addendum and relevant appendices with effect from 1 April 2021, noting the impact those would have on income generation as detailed within the report.
2. Made the report of proposed charges and the Addendum available to relevant Scrutiny Panels for their review and comment.”

In relation to car parking charges, the Neighbourhood Services Manager advised that the 3% increase in charges had been applied, in addition the charges were rounded up to the nearest 10p figure. As part of the Review of Charges parking permit prices had been standardised to provide a 10% discount, it was anticipated that the continued impact of Covid 19 would reduce

the take up of permits as commuters continued to work from home. Therefore, Officers would monitor and assess levels of take up going forward.

Analysis of Paddy's Market car park demonstrated that it was principally used as an all-day car park, therefore it was proposed to remove the hourly rate payment options from that facility. The Council also operated an "early bird" scheme which offered a reduced fee for all day parking, take up of that scheme had been very low in West Walls car park, which was used rather more by shoppers than commuters, therefore the early bird offer would be removed from that car park and would be replaced by a "check in – check out" systems where users would only pay for the actual time they used the facility for. A trial of that scheme had commenced but data on its usage had been limited by the impact of the second national lockdown.

In considering the report, Members raised the following questions or comments:

- Were the Council's car parks competitive with those offered by other providers in the city?

The Neighbourhood Services Manager responded that the Council's car parking fees were competitive. There were a number of providers in the city, therefore, their pricing structures needed to be taken into account when considering what level of fee to apply to the Council's facilities.

The Deputy Chief Executive added that the Council had also made improvements to its car parking sites in terms of surfacing, layout and different payment methods. He was of the view that the Council's fees were competitive, and that its site was safe and sited in good locations.

- What was the level of admin fee associated with parking permits?

The Neighbourhood Services Manager explained that the production of permits generated an admin fee by the service provider of 92 pence per transaction that was currently charged to the Council; for an annual permit that charge was applied once, for monthly permits the Council had to pay that charge 12 times. It was proposed that the administrative fee now be incorporated into the permit price.

- A Member expressed support for the use of the "check in – check out" payment model at West Walls car park, considering it would support the economic vitality of the city centre by affording users greater flexibility.
- The report proposed to increase the cost of a parking permit at Talkin Tarn from £55 to £60, which was a 9% increase, were the number of permits for that car park still restricted?

The Deputy Chief Executive advised that the additional percentage increase was as a result of cost rounding. The permit scheme at Talkin Tarn had been in operation for several years, with 50 permits being made available on an annual basis. It was likely there was sufficient usage data available to assess effectiveness of the permit scheme. Therefore, if Members were minded to have the scheme reviewed, subject to the agreement of the relevant Portfolio Holder, Officers could undertake that work.

The Neighbourhood Services Manager noted that the scheme was significantly 'over-subscribed', moreover as existing permit holders were invited to renew permits. This effectively created a waiting list for new people to be able to access the permit, was an issue that could be considered as part of any future review of the scheme.

A Member considered that the scheme ought to be reviewed as it was an issue that caused concern for a number of residents.

RESOLVED – 1) That the Charges Review Report 2021/22 – Community Services be endorsed (CS.30/20).

2) That a review of the parking permit scheme at Talkin Tarn be carried out.

Economic Development

The Corporate Director of Economic Development submitted report ED.38/20 which set out the proposed fees and charges for areas falling within the responsibility of the Economic Development Directorate.

Members were reminded that Development Control fees was set nationally and that any income from those fees was ringfenced to be spent on the service. Similarly, Building Control Fees were ringfenced and the service was not permitted to generate either a profit or a loss. However, that service operated in a commercial market, therefore, proposed fees were considered in that context.

In response to Covid 19, the annual fee for use of the Shopmobility Scheme had been replaced by a daily usage charge.

The Executive had on 9 November 2020 (EX.122/20) received the report and resolved:

“That the Executive agreed for consultation on the charges, as set out in Report ED.38/20 and accompanying Appendices, with effect from 1 April 2021; noting the impact those would have on income generation as detailed within the report.”

RESOLVED – That the Charges Review Report 2020/21 – Economic Development be endorsed (ED.38/20).

(c) Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26

The Corporate Director of Finance and Resources submitted report RD.33/20 detailing the revised Capital Programme for 2020/21, totalling £29,915,800, together with the proposed method of financing. The report summarised the proposed programme for 2021/22 to 2025/26 in the light of the new capital proposals identified, together with the estimated capital resources available to fund the programme.

Section 4 provided details of the existing and capital spending proposals. Any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved. A summary of the estimated resources compared to the proposed programme year on year was also provided.

The Executive had on 9 November 2020 (EX.127/20) received the report and decided:

“That the Executive:

1. Noted the revised capital programme and relevant financing for 2020/21 as set out in Appendices A and B to Report RD.33/20;
2. Had given initial consideration and views on the proposed capital spending for 2021/22 to 2025/26 given in the report in the light of the estimated available resources;

3. Noted that any capital scheme for which funding had been approved by Council may only proceed after a full report, including business case and financial appraisal, had been approved.”

In considering the report, Members raised the following questions or comments:

- What level of grant had the Council been awarded for the Future High Street Fund Market Square project?

The Corporate Director of Finance and Resources advised that a grant application for £2.3M had been submitted to the Ministry of Housing, Communities and Local Government. Were that to be approved there would be a £390,000 funding requirement from the Council.

The Corporate Director of Economic Development provided an overview of the grant application process thus far and set out procedure the Council would undergo in the event of the grant being awarded.

RESOLVED – That the Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26 (RD.33/20) be endorsed.

EGSP.60/20 ST CUTHBERT’S GARDEN VILLAGE MASTERPLAN FRAMEWORK

The Head of Planning Policy submitted report ED.44/20 which provided a summary of the Masterplan Framework for St Cuthbert’s Garden Village. Appended to the report were: The St Cuthbert’s Garden Village Masterplan Framework; the St Cuthbert’s Garden Village Masterplan Framework – Infrastructure Schedule, and the St Cuthbert’s Garden Village Masterplan Framework – Design Guidance.

In considering the report, Members raised the following questions or comments:

- Did the Council plan to work with the Development Corporation to ensure that the Masterplan was brought to fruition?

The Corporate Director of Economic Development explained that an Expression Of Interest for the Development Corporation had recently been submitted and that the Council awaited a response from the Ministry of Housing, Communities and Local Government (MHCLG).

- A Member applauded the incredible amount of detail contained in the Masterplan Framework and agreed with the proposal that the development of the Garden Village be phased. Given the 30 year lifetime of the project, he felt the planning of infrastructure would be a key factor. He asked how Local Employment Sites would be tied into the development?

The Head of Planning Policy responded that infrastructure provision was a continually evolving area, the Council was already involving organisations such as Cumbria County Council (as the Highway Authority) and utility providers in discussion on the matter, and to ensure that it was a part of their future plans. Due to the long life cycle of the development of the Garden Village, the Council would take an iterative approach to matters such as infrastructure provision.

In terms of the Local Employment Sites, the Economy, Enterprise and Housing Portfolio Holder noted that land would be allocated for sites which would be linked to the Carlisle Southern Link Road. It was hoped that those sites would become a catalyst for growing economic activity in the district.

- Page 61 of the agenda document pack (page 36 of the Masterplan Framework) contained an illustrative residential and employment mix, the Chair asked whether any further information relating to the Indicative Housing Mix was available. She was concerned that there would be a differentiation between social housing and open market properties within the Garden Village development, and further asked whether that was a matter the Development Corporation would influence.

The Principal Planning Officer replied that the St Cuthbert's Garden Village Local Plan would provide a strong policy framework which would secure types of design across the Garden Village, it was also a primary mechanism for ensuring diversity in housing types. The Local Plan was an overarching document, aligned with it would be a suite of Supplementary Planning Documents which would augment the Local Plan by providing further details in relation to specific areas such as design.

The Head of Planning Policy added that Officers had data on the types of homes required now, through the Council's Housing Market Assessment which was considered in the development of the St Cuthbert's Garden Village Masterplan Framework and the St Cuthbert's Garden Village Local Plan. Affordable housing provision was no longer differentiated from open market properties, and due to the need to comply with minimum space standards may be larger than those on the open market.

RESOLVED – That the Panel had considered the final St Cuthbert's Garden Village Masterplan Framework and agreed its content as evidence to inform the St Cuthbert's Village Local Plan.

EGSP.61/20 ST CUTHBERT'S GARDEN VILLAGE LOCAL PLAN CONSULTATION

The Principal Planning Officer submitted report ED.42/20 which updated the Panel on the proposals for consultation on the St Cuthbert's Garden Village Local Plan preferred options policies, appended to the report were the Draft St Cuthbert's Garden Village policies.

The St Cuthbert's Garden Village Local Plan (SCGVLP) was still in its draft stages, the Principal Planning Officer advised that a further consultation known as the 'Publication' version would be issued in Spring 2021, prior to submitting the Plan to the Secretary of State for formal 'Examination'. It was an obligation of Housing Infrastructure Funding relating to the Carlisle Southern Link Road that it be adopted by the Council before July 2022.

In considering the report, Members raised the following questions or comments:

- The Chair felt that the Affordable Housing Policy was rather short, she also considered that requirement to provide 20% affordable homes across the Garden Village was too low. She asked whether the policy could be strengthened.

The Principal Planning Officer explained that national planning policy guidance described affordable housing as a pressure valve in the system where viability was a key factor, as such affordable housing was often reduced. Furthermore, the stipulation of a 20% provision of affordable housing at the Garden Village was a condition of the Housing Infrastructure Funding for the Carlisle Southern Link Road.

The proposed tenure split of affordable homes at the Garden Village was based on current need in the district, which would be amended if data indicated need had changed. The Affordable Housing policy would be reviewed in light of the consultation responses received prior to and following its adoption to ensure that it reflected current thinking.

The Head of Planning Policy noted that the policy was also linked to the existing policy in the Carlisle District Local Plan 2015 – 30, which allowed it to be more streamlined. Moreover, a Supplementary Planning Document would be produced which would operate in parallel with the overarching policy.

- What impact would the government's recent White Paper on planning have on the SCGVLP?

The Principal Planning Officer stated that the Council had been advised by the government to Chief Planner progress the SCGVLP through the adoption process. In terms of the White Paper, the number of consultation responses received was in excess of 44,000, as such it was not anticipated that the changes it proposed to the planning system would be progressed in the short term.

- Would the Stewardship Policy adopt a Community Land Trust Model?

The Principal Planning Officer explained that stewardship was considered to cover any area of development that did not pertain to residential development, as such there were a number of different models that may be used. The purpose of the policy was to encourage developers to show that they had considered stewardship and to demonstrate how their proposals would incorporate it.

- A Member noted that the last paragraph in the Self and Custom Build Policy stated that a construction on a plot must be completed in 3 years or it may revert back to the original developer. Given that the person(s) who were developing the plot would have purchased it, the Member questioned how feasible such an approach was.

The Head of Planning Policy advised that the wording had been included to try and prevent blighted sites occurring in the Garden Village. When Planning Permission was granted there was an expectation that the dwelling would be built, the policy would be reviewed in response to the responses received through the consultation on the Local Plan Policies.

The Principal Planning Officer noted that all the policies in the SCGVLP would have additional text incorporated following them in the next version of the Local Plan, some time known as a Reasoned Justification. In terms of the Self and Custom Build Policy, it would give greater explanation of the action the Council would take in the event of the site not being delivered. She advised that the Council would want to intervene in a positive way to see how the development could be completed, as such the policy may require some further, softer wording.

The Economy, Enterprise and Housing Portfolio Holder stated that in September 2020 the Council had launched a Self and Custom Build Register which offered funding toward the costs of a project. Furthermore, the Council had been shortlisted for an award for its support of Self and Custom Build through its policies.

RESOLVED – 1) That the Panel had scrutinised report ED.42/20.

2) That the Affordable Housing Policy be revisited and consideration be given to raising the requirement for affordable homes provision.

3) That the wording of the Self and Custom Build Policy be reviewed.

The Policy and Performance Officer presented the Quarter 2 Performance Report 2020/21 (PC.28/20). The report contained the Quarter 2 performance against the current Service Standards and a summary of the Carlisle Plan 2015-18 actions as defined in the 'plan on a page'. Performance against the Panels' 2020/21 Key Performance Indicators were also included.

Key Performance Indicator CSe22: Actual city centre revenue as a percentage of city centre expenditure, had not been met as a result of the Covid 19 restrictions.

The Policy and Performance Officer advised that following feedback from Members on the content and presentation of the performance reports, a Task and Finish Group would be established would be held to consider the matter. An invitation to members of the Panel would be circulated in due course.

The Chair felt that the Panel understood that the exceptional circumstance that had led to KPI CSe22 not being met. She welcomed the Task and Finish Group to consider the content and presentation of future performance reports

RESOLVED – That the Quarter 2 Performance Report be noted.

The Overview and Scrutiny Officer presented report OS.26/20 providing an overview of matters relating to the work of the Economic Growth Scrutiny Panel. Following the dispatch of the report a further Notice of Executive Key Decision had been published on 13 November 2020. It contained two items within the Panel's remit: Carlisle Station Gateway Phase 1 and Towns Fund Capital Accelerated Fund. Those matters would be determined by the Executive at its meeting of 14 December 2020.

Members' attention was drawn to the Panel's Work Programme for 2020/21. The Overview and Scrutiny Officer advised that in addition to the items listed in the report, the Panel would also receive "For Information" reports relating to: further information on flood risk management and, key data on economic growth (Covid impact).

Regarding the Borderlands Inclusive Growth Deal report scheduled for the January 2021 meeting, a Member asked whether it would contain project specific details in relation to the Station Gateway and Citadels projects.

The Corporate Director of Economic Development advised that the report would provide an update on the Borderlands Deal, an overview of all the Borderlands projects, and specific details covering the Carlisle based projects.

The Chair noted that the Panel were to have a workshop on the Economic Strategy on 30 November 2020, she asked if a report would then be submitted to the Panel on the matter.

The Corporate Director of Economic Development confirmed that a report would be submitted to a future meeting of the Panel and that she would liaise with the Overview and Scrutiny Officer regarding its scheduling in the Work Programme.

RESOLVED – 1) That report OS.26/20 be noted.

2) That the Corporate Director of Economic Development liaise with the Scrutiny Officer regarding the inclusion of the Economic Strategy in the Panel's Work Programme.

(The meeting ended at 6:35pm)

ECONOMIC GROWTH SCRUTINY PANEL

THURSDAY 21 JANUARY 2021 AT 4.00pm

PRESENT: Councillor Brown (Chair), Councillors Mrs Atkinson, Bomford (until 6:09pm, as substitute for Councillor Paton), Denholm, Mrs Glendinning, Meller, Mitchelson and Mrs McKerrell.

ALSO

PRESENT: Councillor J Mallinson – Leader
Councillor Ellis – Finance, Governance and Resources Portfolio Holder
Councillor Mrs Mallinson – Communities, Health and Wellbeing Portfolio Holder
Councillor Nedved – Economy, Enterprise and Housing Portfolio Holder
Councillor Christian – Environment and Transport Portfolio Holder

OFFICERS: Corporate Director of Economic Development
Policy and Communications Manager
Regeneration Manager
Regeneration Officer
Overview and Scrutiny Officer

EGSP.01/21 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Paton.

EGSP.02/21 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

EGSP.03/21 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and Part B be dealt with in private.

EGSP.04/21 MINUTES OF PREVIOUS MEETINGS

RESOLVED – It was noted that Council, at its meeting on 5 January 2021, received and adopted the minutes of the meetings held on 1 October and 26 November 2020.

EGSP.05/21 CALL IN OF DECISIONS

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

EGSP.06/21 LOCAL ENVIRONMENT (CLIMATE CHANGE) STRATEGY

The Corporate Director of Economic Development submitted report PC.03/21 which provided an update on the progress of the adoption of the Local Environment (Climate Change) Strategy and also contained the Amended Local Environment (Climate Change) Strategy and the Draft Action Plan.

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

- How had the proposed targets for waste and recycling been arrived at?

The Policy and Communications Manager explained that there was a sector group in relation to waste which sought to develop a county wide approach and that the targets were in line with

those of the county wide strategy. Officers were engaging in a Task and Finish Group on carbon budget implications and it was likely that as further data and evidence was amassed the targets would be amended in the future.

The Member noted that another factor which may affect the waste and recycling targets was behaviour change related to the reduced uses of plastics in products.

The Policy and Communications Manager agreed that behaviour change may also impact targets in the future. The current targets were built on the hierarchy of waste reduction and also considered energy recovery as set out in the Draft Action Plan.

The Panel discussed the current processes for the selling of recyclates.

- Why was the date for the City Council to become net zero by listed as 203X?

The Policy and Communications Manager responded that initially the Council had considered setting the target for becoming carbon net zero by 2030. However, the Zero Carbon Cumbria Partnership (ZCCP) had adopted a target date of 2037 for the county. Were the Council to adopt the target of 2037, it would not delay Officers from undertaking work in relation to becoming carbon zero, a 2030 target date would be a greater challenge to meet given the scale of change the organisation needed to undergo to become carbon net zero. The issue would be decided by Council when the final Strategy was submitted for adoption.

The Finance, Governance and Resources Portfolio Holder advised that setting an earlier target date for the Council to become carbon net zero would increase the cost to the authority of making that transition. He noted that the government's national target for becoming carbon net zero was 2050, based on the Paris Agreement and underpinned by the Intergovernmental Panel on Climate Change (IPCC): 2050 had been selected as the timeframe as that considered to be realistically deliverable. Any increased costs would have to be met from within the Council's existing resources and therefore would require use of reserves, increases to Council Tax or reduction of spending on existing services.

In addition to the cost implications of adopting an earlier target date there were constraints in relation to technology. The Council's fleet generated 50% of the organisation's carbon output, in terms of future procurement, the Finance, Governance and Resources Portfolio Holder noted that electric vehicles were available for smaller fleet items, but currently that technology was not available for larger plant vehicles used by the Council.

A Member commented that achieving carbon net zero by 2037 would be a significant improvement on 2050.

The Policy and Communications Manager advised that the reduction of carbon would be managed by a carbon account model which included both production and consumption, as set out in the Draft Action Plan.

The Member asked if the 2037 target date was adopted, whether rates would need to be increased.

The Corporate Director advised that was a likely scenario. The Policy and Communications Manager added that some of the scenarios set out in the Cumbria Baseline report would require large scale county wide investment.

- Was it usual practice for business cases to be submitted for projects?

The Corporate Director confirmed that it was standard practice for business cases to be submitted for Council projects, both for consideration within the organisation and as part of bids to external organisations for.

- What was the most significant risk in relation to the Strategy?

The Policy and Communications Manager noted that a number of risks were broadly identified within the report to assist with the risk assurance of the Strategy and Action Plan. He considered the principal risk was for the Strategy not to be adopted as it would negatively impact funding bids to external organisations, as bids were generally underpinned by a strategy or policy.

- Would performance monitoring of the strategy commence when it was implemented?

The Policy and Communications Manager advised that a performance framework had been drafted alongside metrics to measure the authority's carbon footprint. It was expected that performance against the Action Plan would be reported via the regular performance reports on an annual basis. However, the Health and Wellbeing Scrutiny Panel in its consideration of the matter had requested that performance against the Action Plan be reported to it on a 6 monthly rather than annual basis.

The Panel indicated that it wished to receive performance information on a 6 monthly basis.

- With reference to the Actions for the next six months (December 2020 to May 2021) table contained in the report, a Member noted that items in the finance column were described as None / None required, she sought clarification on those terms.

The Policy and Communications Manager undertook to provide a written response to the Panel.

- A Member noted that the ZCCP would undertake business engagement, he felt in order for the Council to deliver its targets it would need the support of local businesses, and therefore the Council should liaise with local companies and communities.

The Corporate Director welcomed the suggestions and noted that as part of the Communication and Engagement Strategy, Officers would consider ways of working with and supporting local businesses.

The Communities, Health and Wellbeing Portfolio Holder added that businesses were looking to the Council to adopt the Strategy so that its direction was clear. The Strategy was not restricted to the reduction of carbon but encompassed the Council's ways of working across the board. The Strategy was a living document and as such it would be amended as needed to reflect new data and evidence.

The Environment and Transport Portfolio Holder was confident that, were the Strategy to be adopted, the Council would be able to move forward quickly with the activities identified in the Action Plan and Strategy. He felt it was important to capitalise on the public's enthusiasm to address climate change, it was equally important that concerns relating to financial matters were listened to and dealt with appropriately.

RESOLVED – 1) That report PC.03/21 Local Environment (Climate Change) Strategy be received.

2) That future performance reports be submitted to the Panel on a six monthly cycle.

3) That the Policy and Communications Manager provide further information on the finances in respect of the six month action plan.

EGSP.07/21 CARLISLE ECONOMIC STRATEGY

The Corporate Director of Economic Development submitted report ED.04/21 which provided an overview of the emerging Economic Strategy for Carlisle District, developed following a virtual meeting with the Panel on 30 November 2020. The Strategy sat within a suite of documents including the Borderlands Inclusive Growth Deal, The Cumbria Industrial Strategy and the Towns Deal Plan. It took into account the impact of the Covid 19 pandemic and was a prerequisite for submitting bids to the Shared Prosperity Fund.

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

- Was there any action the Council could take to address the issue of the median average salary in the district being below the county and national average figures?

The Corporate Director responded that it was a complex matter to address, making Carlisle an attractive place to live, encouraging businesses to the district to increase the number and variety of jobs as well as retaining a university in the city were factors that may contribute to increasing the average wage in the district.

A Member commented that whilst she supported the measures outlined by the Corporate Director, she considered that many low income jobs provided important services as had been seen during the Covid Pandemic, therefore it was important that such roles were not denigrated.

The Regeneration Manager agreed that low income jobs were important and considered that the Strategy should articulate that progression and development opportunities should be available to those who wished to take them.

- In relation to Connectivity priority, the cost of public transport within the urban area could be restrictive, could that be addressed?

The Corporate Director explained that the cost of public transport was out with the Council's control. However, through variety of projects and policies the Council aimed to increase choice of transport methods, for example cycling and walking.

A Member commented that rural transport links and costs were also important, given the low level of high speed broadband available in the district and the high level of journeys being made by car highlighted the importance of the Connectivity priority.

- City Centre Vibrancy – in the report Carlisle had been compared with other cities – York, Norwich and Lincoln, had others been considered?

The Corporate Director confirmed that Officers did look at and engage with other cities of a similar size, both formally through groups such as the Historic Cities Group as well as informally with a view to looking at initiatives and support offered, etc.

Working towards the City Centre Vibrancy Priority, the Towns Deal Fund and the Future High Street funding allocations, amounting to £9.1M, would support the diversification of the city centre through the expansion of the culture, leisure, business and residential uses, it was hoped that the increased range of uses would increase footfall and vibrancy in the city centre.

A Member felt that maximising the city's heritage and culture would support a more active visitor economy and that the matter needed to be addressed. He further considered that expanding the hotel accommodation offer to include venues for business tourism would be beneficial, and wished the matter to be included in the Action Plan.

The Corporate Director agreed the importance of the city's cultural and heritage offer. She noted that the Borderlands Inclusive Growth Deal had a strong focus on the issue and in response had developed a Destination Programme and a Place Programme. She also supported the Member's comments in relation to business tourism and work was being undertaken to attract a known brand from that sector.

- What impact would the Covid 19 pandemic restrictions have on high street trends?

The Corporate Director considered it likely that once restrictions were lifted, there would be a return of customers to the high street, as shopping was social and leisure activity for people. In the medium to long term retailers were likely to transition into smaller units due to the increased prevalence of online shopping.

- Were there plans to create a Member Advisory Group for the city centre?

The Corporate Director advised that as part of the work relating to the Town Investment Plan a board had been created with members from both the public and private sector to scrutinise the Council's plans. The Economy, Enterprise and Housing Portfolio Holder had requested that a Taskforce be established in relation to the city centre and work was underway to progress that.

- A Member considered that the Strategy focussed on the physical aspects of economic growth, she felt it was important that 'softer' areas such as social capital were included too.

The Corporate Director responded that the Strategy aimed to address areas such as education, culture and wages by providing the infrastructure need to support them. A strong economy would support the health and wellbeing of people in the city.

The Economy, Enterprise and Housing Portfolio Holder stated that the Economic Strategy was a living document that would continue to evolve in response to new challenges.

The Communities, Health and Wellbeing Portfolio Holder commented that the Council also undertook much work to support the health and wellbeing of residents, for example being a World Health Organisation Health City.

The Member further commented that, given the Council's commitments to addressing climate change, the Strategy needed greater emphasis on "green growth".

- The City was strategic placement meant that transport links were vital to its connectivity, therefore it was important that the Council lobbied for improvements to the A69 and the A595.

The Corporate Director acknowledged the Member's comments and considered that in addition to road links, railway connectivity was also essential. The Borderlands Inclusive Growth Deal would support two projects in that area: the Station Project in Carlisle which would make the facility HS 2 ready, and the Borders Rail project.

- In relation to Priority 5 – Supporting Rural Development and Innovation a Member commented that he wished employment opportunities for Brampton to be included.

The Chair summed up the discussion noting Members had highlighted the importance of the visitor economy and felt that the Strategy needed to better articulate a softer approach including areas such as culture so that it was not so infrastructure focussed. The priorities within the Strategy should further emphasise: the importance of digital connectivity to support rural growth; local employment centres; links to local training and employment opportunities and, green growth.

RESOLVED – 1) That the framework and context of the Economic Strategy for the Carlisle District and the challenges, opportunities and priorities identified be noted.

2) That in developing the next iteration of the Strategy Officers take into account the Panels comments set out above.

EGSP.08/21 OVERVIEW REPORT AND WORK PROGRAMME

The Overview and Scrutiny Officer presented report OS.03/21 providing an overview of matters relating to the work of the Economic Growth Scrutiny Panel. Following the dispatch of the report a further Notice of Executive Key Decision had been published on 8 January 2021, it contained an item within the Panel's remit: KD.02/21 – Empty Property Grant Assistance. The Panel discussed including a report on the matter at its meeting of 4 March 2021. Given the items already scheduled for the March meeting, the Chair requested that the Overview and Scrutiny Officer liaise with the relevant Officer to identify the scale of the report and whether it would be feasible to include the item on the agenda.

In relation to the Progress on resolutions from previous meetings, the Overview and Scrutiny Officer noted that recently documentation had been circulated in connection to Carlisle Ambassadors, she understood that the contract would be circulated in due course.

The Panel's attention was drawn to the Panel's Work Programme for 2020/21. A Member requested that the Kingmoor Park Update report scheduled for the 4 March 2021 meeting focus on how businesses were being attracted to the Enterprise Zone and which businesses were included.

RESOLVED – 1) That report OS.03/21 be noted.

2) That the Overview and Scrutiny Officer investigate the feasibility of a report on Empty Property Grant Assistance being considered at the 4 March 2021 meeting of the Panel.

3) That the following matters be submitted to the Panel on 4 March 2021:

- Kingmoor Park Update
- Draft Carlisle Plan
- Quarter 3 Performance Report

The Corporate Director of Economic Development submitted report ED.05/21 which set out the background to the £1M grant awarded to Carlisle City Council from the Ministry of Housing, Communities and Local Government (MHCLG) through the Towns Fund Initiative to accelerate delivery of capital projects in the city. The report identified the proposed projects and allocation from the Fund used to deliver them.

In considering the report, Members raised the following questions or comments:

- Did the Council own the site of the proposed Caldew Riverside Project?

The Regeneration Manager confirmed that the Council owned the site. Responding to a further question from the Member regarding its suitability for development given it was in a flood risk zone, he noted that a number of tests required to be passed in order for Planning Permission to be granted. Officers had looked at other sites nationally with similar circumstances to understand what mitigation measures had been included. It was clear that the design would need to be innovative in order to meet the challenges presented by the site.

- What was the timescale for the delivery of the temporary modular pods for the Bitts Park project?

The Regeneration Manager advised that Officers were meeting the following week to assess progress, it was anticipated that some minor slippage would have occurred, however, the project milestones were mainly on track.

- How would the loss of parking provision as a result of the Caldew Riverside Project be addressed?

The Regeneration Manager explained that early work had been undertaken on a Transport and Movement Study which indicated that loss of the car park would not affect the strategic provision in the district.

- Were the pods aimed at artists and creative industries?

The Regeneration Manager responded that the site would be used for creative industries so as not to compete with the city centre retail offer, there was still some debate with the provider regarding the specific uses of the pods.

A Member sought confirmation that funding for the Bitts Park project remained accessible in the event of slippage.

The Regeneration Manager stated the Ministry for Housing, Communities and Local Government had advised that the funding had been ringfenced and would remain available.

RESOLVED – That the details of the Caldew Riverside and Bitts Park project be noted.

Councillor Bomford left the meeting

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number 3 of Part 1 of Schedule 12A of the 1972 Local Government Act.

The Corporate Director of Economic Development submitted report ED.03/21 which provided an overview of the Borderlands Inclusive Growth Deal including key components of the Full Deal proposal. The report outlined the programmes and projects the Council was directly involved in the development and delivery of.

Members scrutinised the report and the Leader and Corporate Director responded to the Panel's queries relating to the particulars of individual projects and details in respect of the Full Borderlands Inclusive Growth Deal.

The Chairman moved the recommendations in the report and the Panel indicated its agreement.

RESOLVED - That the Economic Growth Scrutiny Panel:

- 1) Noted the strategy, strategic objectives and projects upon which the Deal had been developed.
- 2) Noted the governance and delivery arrangements for the Deal, including the establishment of the Borderlands Project Management Office.
- 3) Noted the financial revenue resources required to support the operation of the Borderlands Project Management Office.
- 4) Note that the delivery of key Borderlands projects in Carlisle was dependent on land and property owned by the City Council.

(The meeting ended at 6:26pm)

REGULATORY PANEL

WEDNESDAY 16 DECEMBER 2020 AT 4.00pm

PRESENT: Councillor Ms Ellis-Williams (Chair), Birks (as substitute for Councillor Miss Whalen), Ellis (as substitute for Councillor Bainbridge), Mallinson J (as substitute for Councillor Collier), Meller, Morton, Nedved, Shepherd and Tinnion.

OFFICERS: Assistant Solicitor
Licensing Manager
Licensing Officer
Regulatory Compliance Officer (Apprentice)

RP.29/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bainbridge, Collier, Patrick, Miss Sherriff, Dr Tickner and Miss Whalen.

RP.30/20 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

RP.31/20 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

RP.32/20 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 18 November 2020 be agreed as a correct record.

RP.33/20 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

RP.34/20 APPLICATION FOR A NEW PRIVATE HIRE DRIVER (Public and Press excluded by virtue of Paragraph 1)

The Licensing Officer submitted a report (GD.62/20) regarding an application for a Private Hire Driver licence.

The Applicant was in attendance.

The Assistant Solicitor outlined the procedure the Panel would follow. The Applicant confirmed that he had received, read and understood the Licensing Officer's report. The Assistant Solicitor advised the Applicant that he had a right to be represented but he indicated that he did not wish to be so represented.

The Licensing Officer set out the background to the application and informed the Panel of two offences which had been disclosed in the application, all other requirements had been met by the applicant.

The Licensing Officer responded to the Panel's questions clarifying the financial outcome of the court case.

The Applicant addressed the Panel. He outlined his employment history and the impact Covid-19 had on his income. He clarified the details of the offences and the sentence which he had complied with. He detailed the company that he would work for and the work that he would carry out should he be successful in his application. He asked the Panel to give him an opportunity to work and have an income.

The Applicant responded to questions from the Panel.

The Licensing Officer drew the Panel's attention to the legislation which they must take account of and set out the options for the Panel.

The Applicant added that Covid-19 had impacted the company that he planned to work for and they needed additional drivers, a successful application would support the business.

RESOLVED – The Panel carefully considered and read the evidence in report GD.62/20 and listened carefully to the responses and heard from the Applicant.

The Panel noted that the Applicant had one speeding conviction in addition to the two offences and advised the Applicant that they took speeding convictions very seriously.

The Panel noted that the Applicant had made an application to become a licensed Private Hire Driver with Carlisle City Council. The Applicant's Disclosure and Barring Certificate advised the Council of a conviction from 2017 for 2 offences under the Health and Safety at Work Act 1974. Due to the nature of the offences and the priority of public safety the application had been referred to the Regulatory Panel to consider.

The Panel listened carefully to the Applicant's account of the convictions. The Panel must be satisfied that the Applicant is a fit and proper person to hold a Private Hire Driver's Licence.

The Panel agreed to grant the Private Hire Driver's Licence and are satisfied the Applicant is a fit and proper person to hold this licence.

[The meeting ended at 4.58pm]

REGULATORY PANEL

WEDNESDAY 20 JANUARY 2021 AT 4.16pm

PRESENT: Councillor Ms Ellis-Williams (Chair), Bainbridge, Ellis, Meller, Morton, Nedved, Patrick, Shepherd, Miss Sherriff, Dr Tickner, Tinnion and Miss Whalen

OFFICERS: Assistant Solicitor
Licensing Manager
Environmental Health Officer

RP.01/21 APOLOGIES FOR ABSENCE

No apologies of absence were submitted.

RP.02/21 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

RP.03/21 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

RP.04/21 MINUTES OF PREVIOUS MEETING

RESOLVED – It was noted that Council, at its meeting on 5 January 2021, received and adopted the minutes of the meetings held on 14 October and 18 November 2020. The Chair will sign the minutes at the first practicable opportunity.

RP.05/21 HACKNEY CARRIAGE/PRIVATE HIRE DRIVER - ENFORCEMENT

The Licensing Manager submitted a report (GD.04/21) regarding a Hackney Carriage and Private Hire Driver.

The Hackney Carriage and Private Hire Driver (the Driver) was in attendance.

The Assistant Solicitor outlined the procedure the Panel would follow. The Driver confirmed that he had received, read and understood the Licensing Manager's report. The Assistant Solicitor advised the Driver that he had a right to be represented but he indicated that he did not wish to be so represented.

The Licensing Manager reported that the Driver had been a licensed driver with the Council since 2004. He had no penalty points endorsed on his DVLA driving licence and no penalty points awarded under the Council's Hackney Carriage and Private Hire Enforcement Policy.

On 22 October 2020 the Licensing Office had been made aware that the City Council Civil Enforcement Team had carried out enforcement activity on 18 October 2020 at the Upper Viaduct Car park in relation to littering in the area. A person, later identified as the Driver, had been recorded on littering and urinating beside his vehicle which was his licensed private hire vehicle.

The actions undertaken by the Driver had been recorded by video, details of which had been set out in the report. The video was shown to the Panel, the Driver has previously been shown the video.

The Civil Enforcement Team had issued the Driver with three Fixed Penalty Notices for the littering offences. The Driver failed to report the offences to the Licensing Office within the required time period of 7 days and breached condition 16 attached to his Private Hire Driving Licence and paragraph 18 of the Hackney Carriage Driver Code of Conduct. The Driver was invited to attend an interview in which he apologised for his actions on the car park stating that he had not done anything like this before and believed his actions were due to stress of illness within his close family. He also stated that he was unaware of reporting Fixed Penalty notices for such offences to the Licensing Office.

The Licensing Manager reminded the Panel of the Hackney Carriage and Private Hire Licensing Enforcement Policy which had been adopted in March 2019. The conduct of the Driver fell under the misconduct 'Unsatisfactory Behaviour of Conduct of a Driver' for which 1 to 12 points could be issued. The Policy stated that for such a misdemeanour Officers could award up to a maximum of 12 points and the Regulatory Panel could award up to 12 points. The Driver also failed to declare the offences in accordance with his licence conditions and this misconduct attracted 6 penalty points.

The Driver addressed the Panel. He explained that his mother had been very ill at the time of the incident and passed away a short time later. His personal circumstances had been too much for him and he was not thinking clearly about his actions. He had apologised for not reporting the offences, he had thought it was only driving offences he had to report. He explained he had been a driver for a long time, and this was the first time he had appeared before the Panel, he confirmed that all of the fines had been paid in full.

The Licensing Manager drew the Panel's attention to the legislation which they must take account of and set out the options for the Panel.

The Driver summed up by apologising for littering.

RESOLVED - The Panel had carefully considered and read the evidence in report GD.04/21 and listened carefully to the responses and heard from the Driver.

The Panel noted that the Driver had held a Private Hire Driver's Licence since 2017 and a Hackney Carriage Driver's Licence since 2004.

The Panel had watched video evidence and heard about the events of 18 October 2020 which led to enforcement action being taken against the Driver. In addition, the Panel had heard that the Driver failed to report the offences to the Licensing Office within the time scale required by a condition on the Private Hire Driving Licence and contrary to the Hackney Carriage Driver Code of Conduct.

The Panel listened carefully to the Driver's account of these events.

The Panel must be satisfied that the Driver was a fit and proper person to hold a Hackney Carriage Driver's Licence and a Private Hire Driver's Licence.

The Panel decided to issue 9 penalty points in accordance with the City Council's Hackney Carriage and Private Hire Licensing Enforcement Policy.

The reasons for the Panel's decision were:

1. Failure to declare the offences to the Licensing Office
2. Clear unsatisfactory behaviour or conduct of a driver who was licenced by Carlisle City Council.

RP.06/21 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

RP.07/21 SUSPENSION OF DOG BREEDING AND DOG BOARDING LICENCES (Public and Press excluded by virtue of Paragraph 7)

The Environmental Health Officer submitted a report (GD.10/21) regarding the suspension of personal dog breeding and dog day-boarding licences.

The Dog Breeder was in attendance.

The Assistant Solicitor outlined the procedure the Panel would follow. The Dog Breeder confirmed that she had received, read and understood the Environmental Health Officer's report. The Assistant Solicitor advised the Dog Breeder that she had a right to be represented but he indicated that she did not wish to be so represented.

The Environmental Health Officer reported that the Dog Breeder held two licences:

- Dog Breeder licence – allowed a maximum of 4 breeding bitches, to produce a total of 4 litters of puppies per year and not to have more than 1 litter of puppies on site at a time.
- Day Boarding licence – maximum of 30 dogs on site.

The Environmental Health Officer set out in some detail the concerns and complaints that had been received and the resulting investigation as set out in the report. The report also included photographs, a report from the City Council appointed veterinarian and two videos which had been taken during an inspection.

The Environmental Health Officer responded to questions clarifying the following:

- that had been some evidence that the Dog Breeder had used a vet but not for the matters detailed in the report;
- the issues that some of the dogs had and the impact on the dogs health;
- the City Council had appointed an independent vet to assess the dogs;
- the Dog Breeder had held a licence with the Council since June 2019;
- new licences were only issued for one year and an inspection was undertaken before any further licences were issued;
- all licences had been extended due to the Coronavirus and there had been some difficulty in inspecting homes safely;
- the number of dogs that the Dog Breeder would have been legally allowed to breed compared to the number that was sold.

The Dog Breeder addressed the Panel. She gave details of her personal life which had impacted on her ability to manage the business. She set out the impact her current situation

had on her and reported that she loved her animals and her job and did not want to lose it. She confirmed that all the animals had been seen by her own vet and clarified where they stayed and how they were transported. With the approval of the Chair, the Dog Breeder circulated photographs, a vet report, and several statements of support to the Panel.

The Panel adjourned at 6.05pm until 6.15pm to read the documentation provided by the Dog Breeder.

The Dog Breeder responded to questions from the Panel.

The Environmental Health Officer drew the Panel's attention to the legislation which they must take account of and set out the options for the Panel. The options which had been included in the report had been amended to:

- Take no action against the Dog Breeder
- Suspend, vary or revoke the licence to breed dogs
- Suspend, vary or revoke the licence to operate a dog day boarding business
- To revoke both the licence to breed dogs **and** the licence to operate a dog day boarding business

Should the Panel chose to revoke one of the licences the legislation required that all licences issued to the individual under the regulations would be revoked.

The Dog Breeder summed up by reiterating her love for her job.

RESOLVED – The Panel had carefully considered and read the evidence in report GD.10/21 and listened carefully to the responses and heard from the Dog Breeder.

The Panel noted that the Dog Breeder was licensed by Carlisle City Council to have a maximum of four breeding bitches to produce a total of four litters of puppies per year and not have more than one litter on site at any one time. The Dog Breeder was also licensed to operate a day boarding business taking up to a maximum of thirty dogs on site.

The Panel had heard that two complaints were received by the Council that the Dog Breeder was exceeding the number of permitted puppies on site and heard details of the resulting investigation including video evidence, the evidence included in the report and from the Council's Environmental Health Officer. In addition, the Panel have listened carefully to the Dog Breeder's account of the events and gave consideration to additional documentation submitted by the Dog Breeder.

Under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 the Panel had grounds to suspend, vary or revoke the Dog Breeder's licences if they were satisfied that:

- The licence conditions were not being complied with
- There had been a breach of these regulations
- Information supplied by the Dog Breeder was false or misleading
- It was necessary to protect the welfare of an animal

The Panel decided to:

Revoke both the licence to breed dogs and the licence to operate a dog boarding business with immediate effect due to the Panel's concern over animal welfare:

The reasons for the Panel's decision were:

1. The Dog Breeder did not comply with the licence conditions, keeping far more dogs than the licence allowed, the Dog Breeder was found to be exceeding the number of dogs they were licenced to supervise when an inspection was carried out.
2. The Dog Breeder breached the regulations and as a result was also being prosecuted by Carlisle City Council.
3. The Dog Breeder supplied false and misleading evidence to the Council regarding the number of breeding dogs they possessed, they did not adequately explain the allegations resulting in a warrant being obtained, they had not microchipped all the dogs and many were registered to the wrong keepers and four were not registered at all.
4. It was necessary to protect the welfare of the Dog Breeder's animals, some of which were underweight and suffering with dental disease and ear infections due to mites, some with severe infections. The Panel heard that two of the dogs had been killed in transit to the dog day boarding business due to inadequate transport arrangements. Officers also viewed dogs being transported more than one per cage.

The Dog Breeder was informed of their right to appeal which would be confirmed in writing.

[The meeting ended at 7.14pm]

**LICENSING COMMITTEE
WEDNESDAY 20 JANUARY 2021 AT 4.01PM**

PRESENT: Councillor Ms Ellis-Williams (Chair), Bainbridge, Ellis, Meller, Morton, Nedved, Patrick, Shepherd, Miss Sherriff, Dr Tickner, Tinnion and Miss Whalen

OFFICERS: Assistant Solicitor
Licensing Manager

LC.01/21 APOLOGIES FOR ABSENCE

No apologies of absence were submitted.

LC.02/21 DECLARATION OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

LC.03/21 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

LC.04/21 MINUTES OF PREVIOUS MEETING

RESOLVED - It was noted that Council, at its meeting on 5 January 2021, received and adopted the minutes of the meeting held on 18 November 2020. The Chair will sign the minutes at the first practicable opportunity.

LC.05/21 LICENSING ACT 2003 - UPDATE

The Licensing Manager presented report GD.08/21 providing an update on the current position regarding applications under the Licensing Act 2003.

The Licensing Manager reported on the licence figures as 22 December 2020. The report detailed the New Premises Licenses and Temporary Event Notices which had been issued during the reporting period.

RESOLVED – That the Licensing Act 2003 - Update GD.08/21 be noted.

LC.06/21 GAMBLING ACT 2005 –UPDATE

The Licensing Manager presented report GD.09/21 providing an update on applications made under the Gambling Act 2005.

The Licensing Manager then highlighted the licence figures as at 22 December 2020.

RESOLVED – That the Gambling Act 2005 - Update GD.09/21 be noted.

LC.07/21 LICENSING SUB COMMITTEE 4 MINUTES

RESOLVED – That the minutes of the meeting of the Licensing Sub Committee 4 held on 9 November 2020 be noted.

[The meeting ended at 4.10pm]

LICENSING SUB COMMITTEE 4
MONDAY 9 NOVEMBER 2020 AT 10.00AM

PRESENT: Councillors Bainbridge, Meller and Sherriff.

ALSO PRESENT: Councillor Ms Patrick

OFFICERS: Assistant Solicitor
Licensing Manager
Licensing Officer
Regulatory Compliance Officer (Apprentice)

There were no objections to the three Members of the Licensing Sub Committee, Councillor Ms Patrick remained for the duration of the meeting..

LSC.04.01/20 APPOINTMENT OF CHAIRMAN FOR THE MEETING

RESOLVED – That Councillor Bainbridge be appointed as Chair for Licensing Sub Committee 4 for this meeting. Councillor Bainbridge thereupon took the Chair.

LSC.04.02/20 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Dr Tickner.

LSC.04.03/20 DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

LSC.04.04/20 PUBLIC AND PRESS

The Chair requested that the matter be considered in private due to the nature of the personal and business information contained within the report. The request was seconded and it was RESOLVED – That the consideration of suspension or revocation of a Personal Licence following conviction of a relevant offence – Licensing Act 2003 (GD.51/20) be moved into part B of the agenda to be considered when the public and press were excluded from the meeting in accordance with Section 100A(4) of the Local Government Act 1972. The decision was taken on the grounds that it involved the likely disclosure of exempt information as defined in paragraph number 1 of Part 1 of Schedule 12A of the 1972 Local Government Act.

LSC.04.05/20 CONSIDERATION OF SUSPENSION OR REVOCATION OF A PERSONAL LICENCE FOLLOWING CONVICTION OF A RELEVANT OFFENCE – LICENSING ACT 2003

(Public and Press excluded by virtue of Paragraph 1)

The Licensing Manager submitted report GD.51/20 regarding a Personal Licence Holder who had been convicted of offences contrary to The Food Safety Act 1990. The Offences were relevant under the Licensing Act 2003.

In addition to the Council's Licensing Manager, Licensing Officer, Assistant Solicitor and Democratic Services Officer, the following people attended the meeting to take part in proceedings:

Personal Licence Holder
Personal Licence Holder's Witness
Trading Standards Representative

The Assistant Solicitor outlined the procedure for the meeting. All parties confirmed that they had received and read the Licensing Officer's report and that they were happy to represent themselves.

The Licensing Officer set out the Personal Licence Holder's background, the circumstances leading to the conviction, the subsequent charges and fines.

The Licensing Officer reported that the Personal Licence Holder had been informed that he had to notify the Licensing Office of the conviction of three offences contrary to Food Safety Act 1990 Sections 15(1)(a), 35(2), 33(1)(b) and 35(1), to return his Personal Licence for endorsement and of any intention to appeal. The appeal period passed, the Personal Licence Holder was given a deadline, via letter, to return his Personal Licence for endorsement.

The Personal Licence Holder did not return his Personal Licence which was an offence contrary to Section 134(5) of The Licensing Act 2003. The Personal Licence Holder was then given notification that the Licensing Authority was to consider suspension or revocation of his Personal Licence and he had 28 days to forward representations.

The Trading Standards Officer responded to a Member's question and clarified some of the background to the reason for the conviction.

The Personal Licence Holder addressed the Sub Committee. He apologised to the Sub Committee, he explained his personal circumstances and the situation which led to the conviction. He detailed the impact the conviction had on his personal life and his business and gave reasons for the delay in providing his Personal Licence to the Licensing Office.

The Personal Licence Holder's Witness informed the Sub Committee of his relationship with the Personal Licence Holder and outlined his professional background. He detailed his involvement in the circumstances which led to the conviction adding that he had acted on good faith and had been very shocked by the conviction. He reiterated the Personal Licence Holder's circumstances and the impact the conviction had on him and his business.

In response to questions the Personal Licence Holder's Witness clarified some of the details within the conviction, where licensed premises could purchase alcohol from and what agreements may be in place between licensed premises and their landlords.

The Licensing Manager reported that there was an Alcohol Wholesaler Registration Scheme which approved producers and wholesalers for the sale of alcohol. Licensed premises were only able to purchase alcohol through the approved wholesalers.

The Licensing Officer outlined the relevant Legislation and the options open to the Sub Committee.

The Personal Licence Holder summed up by asking the Sub Committee for leniency and apologising for the situation.

At 10.48am Sub Committee Members, Assistant Solicitor and the Democratic Services Officer withdrew from the meeting to give detailed consideration to the matter.

The Sub Committee returned at 11.05am to present their decision.

The Sub Committee's decision was:

CONSIDERATION OF SUSPENSION OR REVOCATION OF A PERSONAL LICENCE FOLLOWING CONVICTION OF A RELEVANT OFFENCE – LICENSING ACT 2003

The matter concerned a Personal Licence Holder who had been convicted of three offences contrary to The Food Safety Act 1990. The offences were relevant under the Licensing Act 2003.

The Sub Committee had considered report GD.51/20 and the representations made at the meeting and had taken into account the evidence before it. In particular, it had listened to the submission made by:

Licensing Authority
Personal Licence Holder
Personal Licence Holder's Witness

And the written submission made by:

Trading Standards

The matter was determined in accordance with S132A of the Licensing Act 2003, the Statement of Licensing Policy and para 4 of the S182 guidance issued by the Secretary of State.

In reaching the decision the Sub Committee had regard to the 4 Licensing Objectives and the Licensing Policy as well as the legislation and s182 guidance.

The Sub Committee considered the options available namely:

- To take no action
- To suspend the Personal Licence for a period not exceeding 6 months
- To revoke the Personal Licence

After careful consideration the sub Committee had unanimously decided to revoke the Personal Licence.

The reasons for the decision were:

1. The Personal Licence Holder had not met the licensing objective of public safety by selling a drink, unknown to the public, under another label
2. The Personal Licence Holder had cheated his customers selling a cheaper drink under a more expensive brand label
3. The Personal Licence Holder was convicted of criminal offences contrary to 3 sections of the Food Safety Act 1990
4. The Personal Licence Holder displayed obstructive behaviour to Trading Standards
5. The Personal Licence Holder did not purchase alcohol from an approved wholesaler
6. The Personal Licence Holder had a duty to report the convictions to the Licensing Authority under s132 of the Licensing Act 2003 and failed to do so
7. The Personal Licence Holder failed to return his Personal Licence to the Licensing Authority contrary to s134(5) of the Licensing Act 2003

The Personal Licence Holder had the right of appeal to the Magistrates Court. The decision would be confirmed in writing.

(The meeting ended at 11.11am)

DEVELOPMENT CONTROL COMMITTEE
WEDNESDAY 2 DECEMBER 2020 AT 10.00 AM

PRESENT: Councillor Tinnion (Chair), Alcroft, Birks, Christian, Finlayson (as substitute for Councillor Collier), Meller, Morton, Nedved, Shepherd and Whalen.

ALSO PRESENT: Councillor Higgs (in his capacity as Ward Member) attended the virtual site visit at Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH (Application 20/0279).

OFFICERS: Development Manager
 Planning Officer x 1

DC.099/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Collier and Glendinning.

DC.100/20 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Christian declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to objectors being known to him. Councillor Christian indicated that he would not take part in the virtual site visit.

DC.101/20 SITE VISITS

As agreed with the Chair the following virtual site visit was undertaken:

Application	Short Particulars of Development	Applicant and/or Agent
20/0563	<ul style="list-style-type: none"> Conversion Of Barns To Form 3no. Dwellings, Change Of Use Of Land Of The Siting Of 8no/ Camping Pods, Partial Demolition And Remodelling Of Agricultural Building And Associated Development Garthside, Walton, Brampton, CA8 2JP 	Mr J Bishop / PFK Land and Development
<i>Councillor Christian left the meeting at 10:22am</i>		
20/0279	<ul style="list-style-type: none"> Erection Of Up To 90no. Dwellings, Public Open Space, Landscaping And Sustainable Drainage System (SuDS) And Vehicular Access Point From The Scotby To Wetheral Road (Outline/Revised Application) Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH 	Gladmans

(The meeting ended at 10:37am)

DEVELOPMENT CONTROL COMMITTEE

FRIDAY 4 DECEMBER 2020 AT 10.00 AM

PRESENT: Councillor Tinnion (Chair), Alcroft, Birks, Christian, Finlayson (as substitute for Councillor Collier), Meller, Morton, Nedved, Shepherd and Whalen.

OFFICERS: Corporate Director of Economic Development
Development Manager
Legal Services Manager
Planning Officer x 3
Mr Allan – Flood Development Officer, Cumbria County Council

DC.102/20 APOLOGIES FOR ABSENCE

Apologies for absence was submitted on behalf of Councillors Collier and Glendinning.

DC.103/20 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Alcroft declared a Registrable Interest in respect of application 19/0905 - Land at Deer Park (land between Kingmoor Industrial Estate and Saint Pierre Avenue, Kingmoor Road). The interest related to her membership of Cumbria Wildlife Trust which had objected to the application. Councillor Alcroft indicated that she would not take part in the discussion nor determination of the application.

Councillor Christian declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to objectors being known to him. Councillor Christian indicated that he would not take part in the discussion nor determination of the application.

Councillor Morton declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to an objector being known to him.

Councillor Nedved declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to an objector being known to him.

Councillor Shepherd declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to an objector being known to him.

Councillor Tinnion declared an interest in respect of application 20/0279 - Land at Rookery Park (South of Alders Edge), Scotby, Carlisle CA4 8EH. The interest related to an objector being known to him.

Item A.1 (1) – application 19/0905 - Land at Deer Park (land between Kingmoor Industrial Estate and Saint Pierre Avenue, Kingmoor Road), Carlisle:

- had been considered by the Committee at its meeting of 9 October 2020. Councillors Finlayson and Whalen indicated that they had not been present at that meeting, therefore they would not take part in the discussion nor determination of the application;
- Councillor Shepherd had been present at the meeting on 9 October 2020, but had lost connection to the virtual meeting during discussion of the item. He stated that he had subsequently watched the video of the meeting relating to that item and therefore was aware of all matters raised. Councillor Shepherd indicated that he would participate in the discussion and determination of the application.

DC.104/20 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

DC.105/20 AGENDA

RESOLVED – That items 2 and 3, applications 20/0245 and 20/0246: 4 – 14 Victoria Place, Carlisle, CA1 1ER be considered together as they related to the same site.

DC.106/20 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the minutes of the meetings held on 6 November and 2 December 2020 (site visits) be approved.

DC.107/20 CONTROL OF DEVELOPMENT AND ADVERTISING

That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

1. Erection of 80no. Dwellings, Land at Deer Park (land between Kingmoor Industrial Estate and Saint Pierre Avenue, Kingmoor Road), Carlisle (Application 19/0905).

Councillor Alcroft, having declared an interest in the item of business took no part in the discussion nor determination of the application

The Principal Planning Officer submitted the report on the application which had been deferred by the Committee at its 9 October 2020 meeting in order that Members could be provided with a clear indication of the timing of primary and secondary school provision north of the river.

Slides were displayed on screen showing: location plan; site location aerial photograph; proposed site plan; proposed street scene schematics; landscape plan; footpath plans and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer advised that a virtual meeting had taken place with Cumbria County Council regarding school places in Carlisle, following on from this the authority has sent a letter which set out its position. The full letter was included within the Addendum report on pages 19 and 20 of the Main Schedule, the Principal Planning Officer summarised the main points for

the benefit of Members. The Committee were reminded that Cumbria County Council, as Local Education Authority, had requested education contributions of £508,596 (£213,948 for infant and junior places and £294,648 for secondary school places) to be secured through a Section 106 agreement.

Details of an online petition opposing the scheme had been received, as of 3 December 2020 there were 611 signatories, 76% of whom were from Carlisle. The Principal Planning Officer understood that Members have received some additional drainage information from an objector. He reminded the Committee that drainage was discussed at the earlier consideration of the scheme with an Officer from the Lead Local Flood Authority answering Members questions. The Lead Local Flood Authority and United Utilities had been consulted on the application and had requested the imposition of conditions requiring the submission of the proposed surface water drainage scheme including details of future management and maintenance for approval.

In conclusion, the Principal Planning Officer recommended that:

1) The application be approved with conditions, subject to the completion of a Section 106 legal agreement to secure:

- a) the provision of 20% of the units as affordable (in accordance with the NPPF definition);
- b) and off-site open space contribution of £22,364 for the upgrading and maintenance of open space;
- c) a financial contribution of £27,409 to support off-site maintenance and improvement of existing play area provision;
- d) a financial contribution of £15,561 to support the off-site improvement of existing sports pitches;
- e) a financial contribution of £3,500 to upgrade the footpath north of the site (which is to become a PROW);
- f) the maintenance of an informal open space within the site by the developer;
- g) a financial contribution of £508,596 to Cumbria County Council towards education provision (£213,948 for infant and junior places and £294,648 for secondary school places);

2) That should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- There were several informal paths at the site, but only one Public Right of Way (PROW). The application proposed the re-routing and lengthening of the PROW which had been agreed by Cumbria County Council as the responsible authority, the new PROW would link to the Permissive Path at the northern end of the site and form part of the PROW network;
- The process of allocating a site for housing development in the Carlisle District Local Plan 2015 – 30 (Local Plan) required ecological assessments to be undertaken. Delaying determination of the application until the Environment Bill was passed in parliament was not feasible. There was a body of case law in respect of prematurity which made clear that legislation must be imminent for it to be applied, that was not the case with the Bill, therefore, it was not reasonable to impose measures contained therein for example biodiversity net gain, on the proposed scheme;
- Plots 64 - 66 would be at a higher level than the SUDS pond and were sited at a sufficient distance to mitigate flood risk, the pond would only contain water in times of heavy rain.

Cumbria Constabulary had indicated it was satisfied with a number of properties overlooking the pond. The Chair remained concerned about the proximity of the fence at plot 64 to the SUDS pond, the Corporate Director undertook to raise the matter with the applicant;

- The scale of the proposed development did not meet the trigger for the provision of a play area, however, there was a number of amenity spaces provided at the site and access to Kingmoor Nature Reserve. As part of the Section 106 Agreement, the Council's Green Spaces team had requested monies to improve existing play area, open spaces and sports pitches in the area;
- Section 106 monies were held in a type of account specified in accountancy rules, and was index linked. Any monies not spent within the specified timescale for use were returned to the developer along with any interest accrued.

A number of Members expressed strong dissatisfaction regarding Cumbria County Council's, as Local Education Authority, response to the education provision issues raised at the Committee's previous consideration of the application. The following concerns were expressed:

- There appeared to be mixed messages from Cumbria County Council in relation to the number of available school places in the district. In the Officer's report on the application submitted to the October 2020 meeting of the Committee, the County Council had stated that there were "... *no places at any school across the spectrum.*" whereas, its letter (reproduced on pages 19/20 on the Main Schedule) stated it expected to be able to accommodate admissions for the next two intakes (September 2021 and 2022);
- Lack of school provision north of the river had been an issue for a number of years. Despite Cumbria County Council having collected £4,841,000 of education contributions (primary and secondary) in the preceding decade, in addition to a £3.5M bond from the developer of the Crinkledyke scheme, only small extensions to existing schools had been provided, no proposals for a new school had been submitted;
- 800 new homes were currently being constructed north of the river, without adequate school provision to meet demand, which was contrary to Local Plan policy CM 2 – Educational Needs, particularly criteria 8.5 and 8.7 therein.

Given the foregoing, a Member moved that the application be refused on the grounds that it was not compliant with Local Plan policy CM2 – Educational Needs.

The Principal Planning Officer responded that the Section 106 agreement required contributions to education provision which the applicant had undertaken to make, as such it had fulfilled the requirements of policy CM 2. Whilst acknowledging the Committee's frustration regarding the progression of delivering a new school north of the river, policy CM 2 was not an appropriate reason to refuse the application. Given that the granting of permission was subject to a Section 106 agreement, the requirement to re-direct the PRoW, and the construction of the development may take up to five years for the development to reach completion, during which time education provision would change.

The Corporate Director reiterated that the applicant had complied with policy CM 2 by its agreement to provide education contributions, therefore, that policy was not sufficient grounds for refusal. Were Members minded to refuse the scheme on those grounds, the applicant had a right to appeal the Council's decision. The appeal may be successful and the Council was likely to have costs awarded against it.

Members remained concerned that school provision would not meet the needs of the development. A Member seconded the proposal to refuse the application on the grounds that it

was not compliant with Local Plan policy CM2 – Educational Needs. The matter was put to the vote and it was:

RESOLVED: 1) The application be refused as it was not in accord with Local Plan policy CM2 – Educational Needs.

2. Change of Use of redundant office building to form 6No. Houses of Multiple Occupation, 4 – 14 Victoria Place, Carlisle, CA1 1ER (Application 20/0245)

&

3. Change of Use of redundant office building to form 6No. Houses of Multiple Occupation together with various internal and external alterations (LBC), 4 – 14 Victoria Place, Carlisle, CA1 1ER (Application 20/0246)

The Planning Officer submitted the report on the applications. Slides were displayed on screen showing the location and block plans, an explanation of which was provided for the benefit of Members.

The applications had been deferred at the 6 November 2020 meeting of the committee in order to:

1. request the submission of a Management Plan;
2. obtain a consultation response from Cumbria Constabulary;
3. seek further clarification regarding the provision of cycle facilities;
4. clarify any proposed improvements and repair of foul drainage infrastructure;
5. clarification of the provision of any external lighting;
6. identify security measures to access of the rear lane;
7. clarify any repairs to the external stonework.

In response the applicant had submitted: a Management Plan; a CCTV Drain Survey; a Supporting Statement; illustrations of the standard of conversion, and a detailed assessment of these documents together with how they address the issues raised by members was outlined in the Addendum report (pages 83-89 of the Main Schedule).

Cumbria Constabulary were consulted and had responded with a number of advisory comments which had been noted, however, no objection to the proposed scheme had been submitted.

During the Committee's earlier consideration of the application, Members posed a question with regard to proposed bedroom sizes. In response, the agent confirmed that:

1. the minimum requirement for a bedroom in an HMO was 6.5m² for a single person;
2. the smallest room in the development was in House No. 14 room 3 and the bedroom area was 10.3m² however that room also had an ensuite which was not included in the area;
3. the smallest room in the development with a shared bathroom was House No. 14 room 10 and the bedroom room area was 10.5m²;
4. the average bedroom size in the development is 15.18m², with most bedrooms in the size bracket of 10.3 - 16.5m².

The Planning Officer considered the comprehensive array of information that had been submitted addressed the issues raised by Members. He recommended the applications for approval, subject to the conditions detailed in the reports. He further recommended:

1. condition 2 be amended to include references to the additional documents received:

2. an additional condition be imposed requiring the development be undertaken in accordance with the Management Plan;
3. a condition be imposed requiring all new external doors to certified to PAS 24:2016.

The Committee then gave consideration to the application.

In response to concerns expressed by Members about the small amount of external space at the site limiting the storage of equipment and refuse during the construction phase of the development, the Planning Officer advised that, the applicant had a responsibility to manage the site in a safe manner. The use of skips and the storage of any items on the highway was managed by permit.

A Member asked whether it was reasonable, given the busy adjacent highway, to restrict delivery times during the construction phase to before 9:00am and/or after 5:00pm.

The Development Manager suggested that consideration be given to the addition of a condition requiring the submission of a Construction Management Plan as it would enable Officers to negotiate with the developer on the areas of concern raised by Members. The condition would be applicable to the planning permission only (application 20/0245). The Committee indicated its agreement.

A Member moved the Officer's recommendations, along with the imposition of a further condition requiring the submission of a Construction Management Plan in respect of application 20/0245. The proposal was seconded and following voting it was:

RESOLVED: That applications be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

4. Conversion of barns to form 3no. dwellings, Change of Use of land of the siting of 8no. camping pods, partial demolition and remodelling of agricultural building and associated development, Garthside, Walton, Brampton, CA8 2JP (Application 20/0563).

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: location plan; block plan; existing site plan; proposed site plan; proposed floor plans of main building; elevation plans; section plans; proposed entrance plan; landscape analysis and, photographs of the site, an explanation of which was provided for the benefit of Members.

Members were advised that the height of the pods stated in paragraph 3.29 was incorrect: instead of 2.3m the correct height was 2.8m. The increased height was not considered to constitute a significant change to the overall development impact in the context of the scheme.

Burtholme Parish Council had raised a number of concerns which had been considered and responded to within information submitted by the applicants and Officer report.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- Regulations were in place to control discharge from hot tubs for which the Environment Agency was the responsible body. In response to Members concerns, the Corporate Director suggested that consideration be given to the inclusion of a further condition in the permission regarding the management of discharge from the hot tubs;
- Natural England and the County Council's Heritage Officer, as Statutory Consultees in relation to archaeology, had stated that no underground investigations were required at the site which was located in the vicinity of the Hadrian's Wall World Heritage Site. However, they required a Level II recording of the buildings at the site.

A Member moved the Officer's recommendation, along with the inclusion of an additional condition to manage the discharge from the 11 no hot tubs. The proposal was seconded and following voting it was:

RESOLVED: That application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

5. Change of Use of agricultural land to garden (Retrospective/Revised application), 25 Whiteclosegate, Carlisle, CA3 0JA (Application 20/0669)

The Planning Officer submitted the report on the application. Slides were displayed on screen showing the location plan and, photographs of the site, an explanation of which was provided for the benefit of Members.

A previous application at the site (19/0588) was refused as the applicant had insisted on enclosing the proposed garden area with non-agricultural style fencing varying in height up to 1.8m, which was considered inappropriate and intrusive to the open countryside. The Planning Inspectorate Appeal was also dismissed the proposal for the same reason. The applicant had agreed to revise the style and height of the proposed enclosure to match those of the previously approved garden extensions along Whiteclosegate.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

DC.108/20 MODIFICATION OF S106 PLANNING OBLIGATION – AFFORDABLE HOUSING CONTRIBUTION – LAND AT CARLISLE ROAD, BRAMPTON

The Planning Officer submitted the report which sets out the position regarding S106 contributions relating to affordable housing following an independent viability assessment of the site. The site location plan was displayed on screen.

The applicant had submitted an application to vary the amount of affordable housing that was required to be provided on the site by way of the S106 Agreement. The applicant advised that it was struggling to meet the 30% affordable housing requirement for sites in Affordable Housing Zone C on the application site for the following reasons:

- a reduced demand for larger 4 & 5-bedroom houses since construction of the site in September 2019, which had been further exacerbated since COVID-19, with many of these larger homes falling within the first sales release;
- economic uncertainty surrounding COVID-19;
- forecast increased BCIS construction costs, partly linked to supply chain challenges related to COVID-19.

Members were advised that when the current application was submitted, the proposal was to provide no affordable housing on the site. In accordance with the Council's procedures for such applications, Officers engaged the services of an independent consultant whose conclusions were set out in section 2.6 of the report. Although the current proposal did not fulfil the entire 30% affordable housing requirement, it would provide 21%. This was considered to be an appropriate compromise under the financial circumstances which had been robustly assessed.

A letter of representation had been received which requested that the Committee reject the application. The Planning Officer read out the letter in its entirety, for the benefit of Members.

The Planning Officer recommended that the S106 Agreements be modified for delivery of 22 affordable units (20.75% of the overall scheme) incorporating:
a tenure mix of 12 discounted sale units – 6 no. 2 bed Bailey houses (plots 26-29 & 43-44) and 6 no. 3 bed Fraser houses (plots 24-25; 41-42 & 53-54) and 10 no. affordable rent units - 6 no. 2 bed Bailey houses (plots 49-52 & 68-69) and 4 no. 3 bed Fraser houses (plots 45-48).
Discounted sale units will be sold at 70% of market value to customers on the Council's Low-Cost Home Ownership register. Affordable/ social rent units will transfer to a Registered Provider/ Social Landlord based on 50% of market value.

Mr Hayward (Applicant) spoke in support of the proposal in the following terms:

- At the time the original permission was granted in 2018, the approved scheme was financially viable. Since then, a number of factors – decreased demand for 4 and 5 bedroomed properties, increased construction materials costs and impacts to the construction materials supply chain as a result of Covid 19 had negatively impacted the viability of the development;
- Initially, a request to provide no affordable housing at the site had been submitted to the Council. Following assessment by the Council's independent consultant and negotiations with Officers, it was now proposed to provide 21% affordable units within the development;
- Resources had been committed to the development and, to date, both show homes, and 6 dwellings were complete, with a further 3 being substantially complete. It was anticipated that occupation of those dwellings may begin in the new year;
- The developer wanted to deliver the scheme which would provide 106 new homes contributing to the Council's housing delivery supply, a stalling or cessation of the development would undermine the Council's Plan Led approach;
- With reference to the letter of objection, Mr Hayward confirmed that affordable housing provision at the would retain the 50/50 split between Shared Ownership and rental homes as per the original Section 106 agreement.

The Committee then gave consideration to the proposal.

In response to questions from Members, Officers confirmed:

- Any future applications of the same nature would be determined on a case by case basis and subject to the Council's assessment processes, as such approval of the current application would not set a precedent;

- Were the application to be rejected it was likely that work on the site would stall with no further work being undertaken. Approval of the application would allow for the continuation of the development, with Affordable Housing being provided in accordance with the terms of the amended Section 106 agreement.

Members expressed concern at the reduction of affordable housing when, given the impact of the pandemic, they considered such provision was particularly needed. Consideration was given as to whether the level of profit afforded to the developer by the proposal of 17% was appropriate as many businesses had been required to absorb financial impacts related to the pandemic restrictions. Furthermore, Members requested reassurance that the proposal before them constituted the greatest provision of affordable housing from the scheme.

The Development Manager explained that central government was clear that affordable housing was a key factor in the stalling of developments nationally due to viability issues. As such it allowed for planning obligations to be challenged in order for developments to remain viable.

Developer profit was appropriate and necessary as it supported the industry. The 17% proposed in the report had been arrived at following an assessment of the market in the district and other factors such as Appeal Decisions (which had permitted proportionally higher levels) and consideration of what amounted to a reasonable return.

The Development Manager assured the Committee that the Council's consideration of such applications was robust, noting that a number of similar applications had been challenged and rejected by Officers. He reminded Members that the Committee had considered a similar application for a site elsewhere in the district, at which development had stalled, the process of varying the Section 106 agreement sought to avoid that outcome.

The Corporate Director noted that it was a complex issue, she suggested that Officers deliver a session for Members covering the Council's processes for dealing with applications which sought to amend planning obligations on the grounds of viability. The Committee agreed the suggestion.

A Member moved that determination of the proposal be deferred in order to allow further consideration of the level of developer profit. The proposal was seconded and following voting it was:

RESOLVED: 1) That determination of the proposal be deferred in order to allow further consideration of the level of developer profit.

2) That the Corporate Director of Economic Development arrange a session, at a future date, for Members to provide an overview of the Council's processes for dealing generally with applications which sought to amend planning obligations on the grounds of viability.

The meeting adjourned at 12:31pm and reconvened at 2:00pm

Councillor Christian left the meeting at 12:31pm

DC.109/20 CONTROL OF DEVELOPMENT AND ADVERTISING

That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

6. Erection of 90no. dwellings, public open space, landscaping and sustainable drainage system (SUDS) and vehicular access point from the Scotby to Wetheral Road, Land at Rookery Park (South of Alders Edge) Scotby, Carlisle, CA4 8EH (Application 20/0279).

Councillor Christian, having declared an interest in the item of business was not present at the meeting and took no part in the discussion nor determination of the application.

The Development Manager submitted the report on the application. Slides were displayed on screen showing: location plan; development framework plan; proposed access strategy plan and, photographs of the site, an explanation of which was provided for the benefit of Members.

Outline applications were usually accompanied by an indicative layout or masterplan however, the applicant had submitted a parameters plan. Should the application be approved, the parameter plan would be used to establish key principles for a Reserved Matters application. Were Members minded to approve the application, the permission would need to be accompanied by a legal agreement covering matters such as affordable housing, open space provision, management and maintenance and education contributions.

The applicant had previously submitted a similar proposal for the site which had been refused, the current application sought to address refusal reasons by establishing key landscaping differences, in particular the green swathe from north west to south east across the site which would provide a visual acknowledgement and open link to the views of the countryside beyond.

Although the applicant had proposed changes from the original submission, it was the Development Manager's view that they were not sufficient to counter the impacts on the landscape. Many issues had been raised by objectors and it was generally the opinion of Statutory Consultees that those may be overcome at the Reserved Matters stage by appropriate detail. They had therefore proposed a number of planning conditions.

Whilst provision of detail may overcome some issues, it remained the case that the principal issues in relation to the proposal were location and its proposed development for housing. The application did not accord with the Council's Local Plan policy HO2 - Windfall Development, the applicant had not demonstrated the need to be in the particular location and the proposed development would cause significant harm to the landscape character of this part of the village. On that basis, the Development Manager recommended the application be refused, in line with the reasons set out in the report.

Mr Morris (Objector – on his own behalf and on behalf of Mr Mills, Ms Wigmore, Mr Marriott and Mr Johnston) spoke against the application in the following terms:

- There was a significant level of opposition to the proposal as evidenced by the fact that 798 individuals had signed the online petition opposing this application, an increase on the number that objected to the 2019 application;
- Both the Officer and the applicant acknowledged (in the report and Landscape and Visual Assessment document respectively) the significant views out of the settlement that the proposed development site, with the applicant noting that the development would have an adverse impact thereon;
- The Carlisle District Local Plan 2015 – 30 (Local Plan) had been adopted following the usual statutory processes, including formal examination by the Planning Inspectorate who was satisfied that the housing allocations for Scotby Village were appropriate, with no

additional or alternative sites being required. The application site was not allocated for housing as part of the Local Plan, the National Planning Policy Framework, whilst presuming in favour of sustainable development was clear that the Plan may only be departed from “... *only if material considerations in a particular case indicate that the plan should not be followed*”.

- The application site had not been overlooked in the Local Plan adoption process, it had been considered in the Strategic Housing Land Availability Assessment (SHLAA) as recently as 2014. In response to representations requesting that it be put forward as an housing allocation site, the Council was unequivocal in its response – “*this site is so prominent that it would be highly unlikely that a design could be put forward that would reduce its impact to acceptable levels*”. The application site was discarded from the SHLAA on the grounds of “*unacceptable landscape impact*”.
- In the submitted Planning Statement, the applicant asserted “*Gladman consider that due to the lack five year supply, policies that are most important for determining the application are not up-to-date*” (paragraph 4.6.2). However, no evidence had been submitted to support the assertion which contradicted the Council’s Five Year Housing Land Supply Position Statement of April 2020. In Scotby permission for the development of 125 dwellings, at various sites, which were recently built or in progress, additionally, two further allocated sites in the vicinity with yields totalling 130 dwellings were yet to be developed in part or in whole;
- The applicant had failed to demonstrate an overriding need for additional housing at the site, as such, the proposed scheme was not in accordance with Local Plan policy SP 2 – Strategic Growth and Distribution;
- Approving development of the site may prejudice the delivery of allocated sites such as Hillhead (R 15) and the Plains and as such was contrary to Local Plan policy HO 2 – Windfall Housing Development. Moreover, the Council’s proposals for St Cuthbert’s Garden Village, which sought to protect the overdevelopment of the villages around Carlisle. Granting permission for development such at the application site would ‘chip away’ at the viability of that proposal;
- The proposal further failed to accord with policy HO 2 in that the scale and design of the development was not appropriate to the scale, form, function and character of Scotby (criteria 1). The site was on the edge of Scotby and was not well contained within existing landscape features, as demonstrated by the Officer’s assessment contained in the report, a making the proposed scheme not in accord with criteria 3 of Policy HO 2 and also policy GI 1 - Landscapes. The scale of the development would also create pressure on existing services and infrastructure which was contrary to criteria 2 of policy HO 2, Mr Morris suggested that the matter be added to the reason for refusal;
- The current application was not significantly different to the previously submitted one. The submitted Planning statement was by and large the same document, with the notable removal of the following statements - “*the site lies in the open countryside*” and “*The scheme is compliant with Policy HO2*”
- The current application stated that it would create “*a broad swathe of public open space*” in the centre of the site which it was would “*effectively extend open space from the village green, thereby maintaining key views from the village*”. No amount of public open space within a substantial housing estate with an average of some 45 two and two and a half storey houses on each side of it would come close to the present unadulterated agricultural landscape beyond, not least because the main access to the site lay directly between the village green and the views beyond;
- As the current application was for Outline permission, the applicant had submitted an indicative layout, which may be amended at the Reserved Matters stage;

- The submitted Statement of Community Involvement stated that the applicant had “*completed a comprehensive programme of community engagement*” and “*re-engaged with the community prior to the submission of this second application*”. Mr Morris contended that was not true. Although the Parish Council and a few local councillors may have been written to directly there had been absolutely no engagement with the local community as such. Neither was it correct, as the applicant asserted, that the previous consultations produced “some level of support”.

In conclusion Mr Morris stated that the proposed development would be an intrusion into the open countryside, was out of character with the form of Scotby Village, would have a negative impact on the open nature of the local landscape and no overriding need has been demonstrated to justify disregarding those important planning policy considerations.

The Committee then gave consideration to the application.

A Member stated that he saw no justification for contradicting the Committee’s earlier decision to refuse development at the site, he felt that the application was without merit.

A Member moved the Officer’s recommendation which was seconded and following voting it was:

RESOLVED: That application be refused for the reasons on the Schedule of Decision attached to these minutes.

[The meeting closed at 2:27pm]

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
19/0905

Applicant:
Gleeson Homes

Parish:
Carlisle

Date of Receipt:
27/11/2019 16:01:18

Agent:
PFK Land and
Development

Ward:
Belah & Kingmoor

Location:
Land at Deer Park (land between Kingmoor
Industrial Estate & Saint Pierre Avenue, Kingmoor
Road), Carlisle

Grid Reference:
338819 557621

Proposal: Erection Of 80no. Dwellings

Refuse Permission

- Reason:** This application is seeking planning permission for the erection of 80 new dwellings on a site at Deer Park, which lies in north Carlisle. There is currently a lack of primary school places in north Carlisle and by 2023 there is forecast to be a lack of secondary school places. Despite funding having been secured by the County Council from a number of housing developments, no progress has been made on the provision of a primary school in north Carlisle or the expansion of any secondary schools in Carlisle to deliver much needed places. If this current proposal is approved, it would exacerbate the existing problem of a lack of school places. This would have a detrimental impact on any school aged children occupying the proposed Deer Park development and others in north Carlisle requiring school places contrary to Policy CM2 and supporting paragraphs (Educational Needs) of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 02

Appn Ref No:
20/0245

Applicant:
Sound Leisure Limited

Parish:
Carlisle

Date of Receipt:

Agent:

Ward:

Location:

4-14 Victoria Place, Carlisle, CA1 1ER

Grid Reference:

340292 556022

Proposal: Change Of Use Of Redundant Office Building To Form 6no. Houses Of Multiple Occupation

Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the Planning Application Form received 20th April 2020;
 2. the Block Plan & Location Plan received 15th April 2020 (Drawing no. 06 Rev A);
 3. the Proposed Plans and Elevations received 9th July 2020 (Drawing no. 02 Rev G) as amended by the Proposed Site Plan received 16th November 2020 (Drawing no. 08);
 4. the Typical Ensuities & Ground Floor received 9th April 2020 (Drawing no. 04);
 5. the Proposed Section received 9th April 2020 (Drawing no. 03);
 6. the Design and Access Statement received 9th April 2020;
 7. the Heritage Statement received 9th April 2020;
 8. the Management Plan received 16th November 2020;
 9. the Notice of Decision;
 10. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

3. The bin storage area serving each property (shown on the Proposed Plans and Elevations Drawing no. 02 Rev G) shall be provided, together with appropriate refuse receptacles, prior to the first occupation of each individual property and shall be retained thereafter.

Reason: To ensure that adequate provision is made for refuse in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

4. No work associated with the construction of the development hereby approved shall be carried out before 07.30 hours on weekdays and Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any times on

Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

5. The development hereby approved shall be undertaken in strict accordance with the Management Plan received 16th November 2020.

Reason: To ensure that the future occupation of the buildings does not adversely affect the amenity of occupiers of neighbouring properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

6. Development shall not commence until a Construction Phase Traffic Management Plan (CPTMP) has been submitted to and approved in writing by the local planning authority. The CPTMP shall include details of:
- the siting of any skips;
 - parking arrangements for contractors engaged in the conversion of the buildings;
 - areas for loading and unloading of delivery vehicles;
 - times for delivery vehicles.

The development shall be carried out in accordance with the approved CPTM.

Reason: To minimise any interruption to the free-flow of traffic inconvenience and danger to road users which may occur during the construction work in accordance with Policies CM5 and IP2 of the Carlisle District Local Plan 2015-2030.

7. All new external doors shall be certified to PAS 24:2016.

Reason: To minimise the potential for crime in accordance with Policy CM4 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 03

Appn Ref No:
20/0246

Applicant:
Sound Leisure Limited

Parish:
Carlisle

Date of Receipt:
09/04/2020

Agent:
Day Cummins Limited

Ward:
Cathedral & Castle

Location:
4-14 Victoria Place, Carlisle, CA1 1ER

Grid Reference:
340292 556022

Proposal: Change Of Use Of Redundant Office Building To Form 6no. Houses Of Multiple Occupation Together With Various Internal And External Alterations (LBC)

Grant Permission

1. The works identified within the approved application shall be commenced within 3 years of this consent.

Reason: In accordance with the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development shall be undertaken in strict accordance with the approved documents for this Listed Building Consent which comprise:
 1. the Listed Building Application Form received 20th April 2020;
 2. the Block Plan & Location Plan received 15th April 2020 (Drawing no. 06 Rev A);
 3. the Proposed Plans and Elevations received 9th July 2020 (Drawing no. 02 Rev G) as amended by the Proposed Site Plan received 16th November 2020 (Drawing no. 08);
 4. the Typical Ensuities & Ground Floor received 9th April 2020 (Drawing no. 04);
 5. the Proposed Section received 9th April 2020 (Drawing no. 03);
 6. the Design and Access Statement received 9th April 2020;
 7. the Heritage Statement received 9th April 2020;
 8. the Notice of Decision;
 9. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the consent.

3. All new windows and doors to be installed in the extension to the listed building shall strictly accord with detailed drawings and specifications that shall first have been submitted to and approved in writing by the local planning authority. Such details shall include the frames, means of affixing to the wall, the size and opening arrangements of the window, the method of glazing, frames, cill and lintel arrangement.

Reason: To ensure that the works harmonise as closely as possible with the listed building, in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

4. Prior to the carrying out of any construction works, the following elements of the historic fabric of the building, which will be impacted upon by the development, shall be recorded in accordance with a Level 3 Survey as described by Historic England's document 'Understanding Historic Buildings A Guide to Good Recording Practice, 2016': Within 2 months of the commencement of construction works a digital copy of the resultant Level 3 Survey report shall be furnished to the local planning authority.

Reason: To ensure that a permanent record is made of the buildings of

architectural and historic interest prior to their alteration as part of the proposed development, in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

5. All new mortar and plaster used in the repairs/ refurbishment of the listed buildings, hereby approved, shall be lime mortar without the use of cement, coloured and of a type, mix and joint finish matching in accordance with details which have been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To ensure the works harmonise as closely as possible with the existing building in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

6. Prior to the installation of any mechanical ventilation extraction system, their details shall be submitted to and approved in writing by the local planning authority. Development shall be undertaken in strict accordance with these approved details.

Reason: In order to safeguard the character and appearance of the listed building in accordance with Policy HE3 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 04

Appn Ref No:
20/0563

Applicant:
Mr J Bishop

Parish:
Burtholme

Date of Receipt:
19/08/2020

Agent:
PFK Land and
Development

Ward:
Brampton & Fellside

Location:
Garthside, Walton, Brampton, CA8 2JP

Grid Reference:
354438 564581

Proposal: Conversion Of Barns To Form 3no. Dwellings, Change Of Use Of Land Of The Siting Of 8no. Camping Pods, Partial Demolition And Remodelling Of Agricultural Building And Associated Development

Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form;
 2. Drawing ref. 226-02-B 'Site Plan as Existing', received on 26 October 2020;
 3. Drawing ref. 226-13-C 'Site Plan as Proposed', received on 26 October 2020;
 4. Drawing ref. 226-08 'Building 3 Elevations and Sections as Existing', received on 24 August 2020;
 5. Drawing ref. 226-19-B 'Building 3 Elevations and Sections as Proposed', received on 26 October 2020;
 6. Drawing ref. 226-07 'Buildings 1 and 2 Elevations and Sections as Existing', received on 24 August 2020;
 7. Drawing ref. 226-18-A 'Buildings 1 and 2 Elevations and Sections as Proposed', received on 26 October 2020;
 8. Drawing ref. 226-06 'Buildings 1 and 2 Elevations as Existing', received on 24 August 2020;
 9. Drawing ref. 226-17-A 'Buildings 1 and 2 Elevations as Proposed', received on 26 October 2020;
 10. Drawing ref. 226-05 'Roof Plan of Main Barns as Existing', received on 24 August 2020;
 11. Drawing ref. 226-16-B 'Roof Plan of Main Barns as Proposed', received on 26 October 2020;
 12. Drawing ref. 226-04 'First Floor Plan of Main Barns as Existing', received on 24 August 2020;
 13. Drawing ref. 226-15-B 'First Floor Plan of Main Barns as Proposed', received on 26 October 2020;
 14. Drawing ref. 226-03 'Ground Floor Plan of Main Barns as Existing', received on 24 August 2020;
 15. Drawing ref. 26-14-A 'Ground Floor Plan of Main Barns as Proposed', received on 26 October 2020;
 16. Drawing ref. 226-11 'Building 9 Plan and Elevations as Existing', received on 24 August 2020;

17. Drawing ref. 226-21-A 'Building 9 Plan and Elevations as Proposed', received on 26 October 2020;
18. Drawing ref. 226-09 'Building 6 Plan and West and South Elevations as Existing', received on 24 August 2020;
19. Drawing ref. 226-10 'Building 6 Roof Plan and North and East Elevations as Existing', received on 24 August 2020;
20. Drawing ref. 226-20 'Building 6 Plans and Elevations as Proposed', received on 24 August 2020;
21. Drawing ref. 226-23 'Pods as Proposed', received on 24 August 2020;
22. Drawing ref. 226-12 'Entrance as Existing', received on 24 August 2020;
23. Drawing ref. 226-22-A 'Entrance as Proposed', received on 24 August 2020;
24. Drawing ref. 226-01 'Location and Block Plan', received on 24 August 2020;
25. Hesketh Ecology Bat Survey at Garthside Farm, Walton (2020), received on 24 August 2020;
26. PFK 'Planning Statement' (Garthside, Walton), received on 24 August 2020;
27. PFK 'Heritage Statement' (Garthside, Walton), received on 24 August 2020;
28. PFK 'Heritage Statement Addendum' (Garthside, Walton), received on 26 October 2020;
29. the Notice of Decision;
30. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. Visibility splays providing clear visibility of 215m in both directions (north and south) and 2.4m back from the carriageway edge down the centre of the access road shall be provided at the junction of the access road with the county highway before development of the main site commences. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays, subsequent to their provision.

Reason: In the interests of highway safety, and to accord with Policy IP1 of

the Carlisle District Local Plan and the National Planning Policy Framework (2019) especially Paragraph 108.

4. Any existing fence, hedgerow or other boundary structure located within or adjoining the visibility splay shall be reduced or limited to a height not exceeding 1.05m above the carriageway level of the adjacent highway, and shall not be raised or allowed to grow to a height exceeding 1.05m metres thereafter.

Reason: In the interests of highway safety, by maintaining an acceptable level of visibility and to accord with the National Planning Policy Framework (2019) especially Paragraph 108.

5. The development shall not be occupied until the access and parking provisions identified within the approved scheme have been constructed and brought into use as per the details shown on the approved documents. These provisions shall be retained and be capable of unobstructed use when the development is completed and shall not be removed or altered unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and to accord with Policy SP6 of the Carlisle District Local Plan 2015-2030 and the National Planning Policy Framework (2019) especially Paragraph 108.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order) the following forms of development within the provisions of Part 1 to Schedule 2 of the Order shall not be undertaken without the express permission in writing of the council:

1. Extension or enlargement
2. Additions or alterations to roofs
3. Detached outbuildings
4. Porches
5. Chimneys and flues
6. New window and door openings

Reason: The further extension or alteration of these dwellings arising from the conversion, including the erection of detached buildings requires detailed consideration to safeguard the amenities of the surrounding area including heritage settings, and the character and visual integrity of the buildings, to accord with Policies SP6, HO 6, HE 1, SP 7 and HO 8 of the Carlisle District Local Plan 2015-2030.

7. A section of native hedgerow including mixed species such as hawthorn, beech,

dog rose, hazel, elder, holly, oak and wych elm shall be planted along the entire site boundary between the north-east corner of the plot to 'pod 4' and the point at which the proposed hawthorn hedgerow forming the west boundary to 'pod 8' meets with the southern site boundary, as depicted within the approved drawing ref. 226-13-C (Site Plan as Proposed), before any of the pods 4-8 inclusive are installed. The hedgerow shall comprise a double staggered row of whip plants which are permitted to grow to a minimum height of 1m within the first two years after planting, and maintained no lower than 1m in height above adjacent ground level thereafter.

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that adequate landscaping is provided on the southern/south-eastern boundaries of the development site to promote a level of screening that is appropriate to the site, having regard to the proximity of the development to the Hadrian's Wall World Heritage Site and associated long distance walking route, and to accord with Policies SP 6, SP 7 and HE 1 of the Carlisle District Local Plan 2015-2030.

8. All new trees, hedgerows, shrubs and grassed areas shown for landscaping within the approved drawing ref. 226-13-C (Site Plan as Proposed), shall be planted prior to the occupation of any of the dwellings or pods hereby approved.

Any plants provided in response to this condition which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented, in the interests of public and environmental amenity, in accordance with Policies SP6 and GI 6 of the Carlisle District Local Plan 2015-2030.

9. The development shall be undertaken in strict accordance with the recommendations within the Hesketh Ecology report entitled 'Bat Survey at Garthside Farm, Walton, Brampton, Cumbria, CA8 2JP, 2020', as listed in the documents approved under Condition 2 of this permission, including the mitigation for bats and birds stated within Chapter 8 of the document.

Reason: To ensure that the potential of the site to provide habitat for protected species of fauna is appropriately realised; to ensure that development impacts on bats and Barn Owls, which are both protected by the Wildlife and Countryside Act 1981, are minimised, and to accord with Policy GI 3 of the Carlisle District Local Plan 2015-2030.

10. Prior to the carrying out of any construction work, the buildings affected by the proposed development shall be recorded in accordance with a Level 2 Survey as described by Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice, 2016'. Within 2 months of the commencement of construction works, a digital copy of the resultant Level 2 Survey report shall be furnished to the local planning authority.

Reason: To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their alteration as part of the proposed development, and to accord with the objectives of Policy SP7 of the Carlisle District Local Plan 2015-2030.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

12. The glamping pods hereby permitted shall be restricted to self-catering tourist accommodation only and shall not be occupied as permanent residential accommodation either independently or in association with the property within which it is situated.

Reason: To ensure that this element of the development accords with Policy EC 9 of the Carlisle District Local Plan 2015-2030, which only offers support for bona fide tourism developments and not for permanent residential accommodation.

13. The site manager/owner shall keep a register to monitor the occupation of the unit of tourism accommodation hereby approved. Any such register shall be available for inspection by the Local Planning Authority at any time when so requested and shall contain details of those persons occupying the units, their name, normal permanent address and the period of occupation of the units by them.

Reason: To ensure that the tourism unit is not occupied as permanent residential accommodation and to ensure that the development complies with Policy EC 9 of the Carlisle District Local Plan 2015-2030.

14. Notwithstanding any description of materials in the application, prior to their use as part of the development hereby approved, full details of the external materials relating to the following items shall be submitted to and approved in writing by the local planning authority. Such details shall include the type, colour and texture of the materials. The development shall then be undertaken in strict accordance with the approved details:

- (i) the proposed corrugated sheeting to be utilised in proposed roof coverings, as identified in the approved drawings;
- (ii) any replacement natural slate to be utilised on the roofs of the converted buildings;
- (iii) new windows (including rooflights), and doors;
- (iv) new pointing on the converted buildings.

Reason: Satisfactory details of the external materials have not yet been provided, therefore further information is necessary to ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

15. The stone flags forming the roof covering to Building 3 shall be carefully lifted, stored and re-used as indicated in drawing ref. 226-19-B 'Building 3 Elevations and Sections as Proposed', received on 26 October 2020 and listed as an approved document in Condition 2 of this planning permission. Any variation to this undertaking shall not be carried out unless written consent has first been obtained from the local planning authority.

Reason: To ensure that all possible measures have been taken to minimise adverse impacts on the character and appearance of the building, which constitutes a non-designated heritage asset, to accord with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

16. Notwithstanding the information contained within the documents approved as part of this planning permission, and prior to the undertaking of the approved conversions of the farm buildings to dwellinghouses and other uses, details of how the external joinery components located on the south elevation of building 2, the south elevation of building 9, the north elevation of building 1 and the south elevation of building 3 will be retained and/or re-deployed within the site shall be approved in writing by the local planning authority. The joinery items considered in response to this condition shall be re-used or re-deployed in strict accordance with the details approved.

Reason: To ensure that all possible measures have been taken to minimise adverse impacts on the character and appearance of the building, which constitutes a non-designated heritage asset, to accord with Policies SP 6, SP 7 and HO 6 of the Carlisle District Local Plan 2015-2030.

17. A Method Statement, relating to the proposed management of waste water, chemicals and fuel used for the operation of the 11 no. hot tubs identified in the approved planning documents, shall be submitted to and approved in writing by the local planning authority prior to the installation of the tubs. The Method Statement approved in response to this condition shall be strictly adhered to at all times during the operational lifespan of the development.

Reason: To minimise the risk of pollution to the water resource, to accord with Policies CC 5 and CM 5 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 05

Appn Ref No:
20/0669

Applicant:
Mr Neil Monkhouse

Parish:
Stanwix Rural

Date of Receipt:
02/10/2020

Agent:

Ward:
Stanwix & Houghton

Location:
25 Whiteclosegate, Carlisle, CA3 0JA

Grid Reference:
341068 557859

Proposal: Change Of Use Of Agricultural Land To Garden (Retrospective/Revised Application)

Grant Permission

1. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form, received 05 October 2020 ;
 2. the Location Plan, received 05 October 2020;
 3. the Block Plan, received 05 October 2020;
 4. the Fencing Details, received 05 October 2020;
 5. the Notice of Decision; and
 6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order), no building, garage, shed or other structure shall be erected within the rear garden extension hereby permitted, without the prior permission of the Local Planning Authority.

Reason: The Local Planning Authority wishes to retain full control over the matters referred to in order to protect the character, integrity and appearance of the building and its setting in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 06

Appn Ref No:
20/0279

Applicant:
Gladmans

Parish:
Wetheral

Date of Receipt:
30/04/2020 15:01:24

Agent:

Ward:
Wetheral & Corby

Location:
Land at Rookery Park (South of Alders Edge),
Scotby, Carlisle CA4 8EH

Grid Reference:
344357 554934

Proposal: Erection Of Up To 90no. Dwellings, Public Open Space, Landscaping And Sustainable Drainage System (SuDS) And Vehicular Access Point From The Scotby To Wetheral Road (Outline/Revised Application)

Refuse Permission

1. **Reason:** Policy HO2 (Windfall Housing Development) of the Carlisle District Local Plan 2015-2030 seeks to ensure that the scale and design of the proposed development is appropriate to the scale, form, function and character of the existing settlement. The scale of the proposed development would not be appropriate to the scale and character of Scotby. At present the majority of housing is located in a linear form and this development would extend the historic core to the east. In addition, the policy seeks to ensure that sites are well contained within existing landscape features, physically connected to and integrate with the settlement, and does not lead to an unacceptable intrusion into the open countryside. The perception of this site is one of open countryside and not well contained or integrated into the village. The proposal would, therefore, be contrary to Criteria 1, and 3 of Policy HO2 (Windfall Housing Development) of the Carlisle District Local Plan 2015-2030.
2. **Reason:** Criterion 8 of Policy SP2 (Strategic Growth and Distribution) states

that within the open countryside development will be assessed against the need to be in the location specified. The applicant has failed to demonstrate an overriding need for the additional housing to be sited in this location.

3. **Reason:** The application site has been considered throughout the Local Plan process, including the Strategic Housing Land Availability Assessment process, from the inception of the Local Plan. It has been considered against alternative sites and against the Sustainability Appraisal principles. This culminated in the site being omitted from the Local Plan. The site was specifically excluded due to its landscape impact. Policy GI1 of the Local Plan seeks to ensure that development should be appropriate to its surroundings and suitably accommodated within the landscape. When viewing the site from the central section of the village the landscape is typical of the Landscape Character Guidance sub-type 5b. The open nature of this landscape would be eroded by the development and would be harmful contrary to Policy GI1 (Landscape) of Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

DEVELOPMENT CONTROL COMMITTEE
WEDNESDAY 6 JANUARY 2021 AT 10.00 AM

PRESENT: Councillor Glendinning (Vice Chair), Alcroft, Birks, Finlayson, Meller, Morton, Nedved, Shepherd and Whalen.

ALSO

PRESENT: Councillor Betton (in his capacity as Ward Member) attended the virtual site visit at Land off Warwick Road, Carlisle (Application 19/0840).

Councillor Bomford (in his capacity as Ward Member) attended the virtual site visit at Land off Warwick Road, Carlisle (Application 19/0840).

OFFICERS: Development Manager
Legal Services Manager
Principal Planning Officer

DC.001/21 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Christian and Tinnion.

DC.002/21 DECLARATIONS OF INTEREST

No declarations of interest submitted.

DC.003/21 SITE VISITS

As agreed with the Chair the following virtual site visit was undertaken:

Application	Short Particulars of Development	Applicant and/or Agent
19/0840	<ul style="list-style-type: none">Erection Of Discount Foodstore With Car Parking And Landscaping (Outline) Land off Warwick Road, Carlisle	Lidl Great Britain Ltd / Rapleys LLP

(The meeting ended at 10:38am)

DEVELOPMENT CONTROL COMMITTEE

FRIDAY 8 JANUARY 2021 AT 10.00 AM

PRESENT: Councillor Tinnion (Chair), Alcroft, Birks, Christian, Glendinning, Finlayson, Meller, Morton, Nedved, Shepherd and Whalen.

OFFICERS: Corporate Director of Economic Development
Development Manager
Legal Services Manager
Principal Planning Officer
Planning Officer x 3
Mr Allan – Flood Development Officer, Cumbria County Council

ALSO

PRESENT: Councillor J Mallinson (in his capacity as Ward Member) attended the meeting having registered a Right to Speak in respect of application 20/0580 – Low Meadow, Kirklington, Carlisle, CA6 6BT.

Councillor Betton (in his capacity as Ward Member) attended the meeting having registered a Right to Speak in respect of application 19/0840 – Land off Warwick Road, Carlisle.

Councillor Paton (in his capacity as Ward Member) attended the meeting having registered a Right to Speak in respect of application 19/0840 – Land off Warwick Road, Carlisle.

DC.004/21 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

DC.005/21 DECLARATIONS OF INTEREST

In accordance with the Council's Code of Conduct the following declarations of interest were submitted:

Councillor Tinnion declared an interest in respect of application 20/0580 – Low Meadow, Kirklington, Carlisle, CA6 6BT. The interest related to supporters being known to him.

Councillor Christian declared an interest in respect of application 20/0709 – Land to the rear of Broomfallen Road, Scotby, Carlisle, CA4 8DE. The interest related to objectors being known to him. Councillor Christian indicated he would not take part in the discussion nor determination of the item.

DC.006/21 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

DC.007/21 MINUTES OF PREVIOUS MEETINGS

RESOLVED – 1) That it be noted that Council, at its meeting of 5 January 2021, received the minutes of the meetings held on 7 October, 9 October and 6 November 2020.

2) That the minutes of the meetings held on 4 December 2020 and 6 January 2021 (site visits) be approved.

DC.008/21 PUBLIC REPRESENTATIONS IN RESPECT OF PLANNING APPLICATIONS

The Legal Services Manager set out the process for those Members of the public who had registered a Right to Speak at the Committee.

DC.009/21 CONTROL OF DEVELOPMENT AND ADVERTISING

That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

1. Erection of agricultural workers dwelling, Low Meadow, Kirklington, Carlisle, CA6 6BT (Application 20/0580).

The Principal Planning Officer submitted the report on the application. Slides were displayed on screen showing: location plan, Rural Land Register Map and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Principal Planning Officer advised that the report contained an error in the reason for refusal, it stated "full timber worker" but should read full time worker.

In the last week it had come to light that the applicant was in paid employment in a job that was not related to agriculture: the agricultural assessment undertaken was on the basis that agriculture was the applicant's sole employment, but this was not the case.

The site was located in open countryside where there was a presumption against development unless there was a proven need to be in the location specified, such as where there was an essential need for a rural worker to live at or near their place of work, and evidence was provided to demonstrate a need for a full time worker to be available at all times for the business to function properly, provided that a) the business was established, had been profitable for a least a year, was currently financially sound and had a clear prospect of remaining so, b) housing cannot be met by other housing nearby and c) the house was appropriate in size, design etc for its location.

The business had operated since 2002 with the applicant living off site and travelling to it as required. In the vicinity of the site was a bungalow owned by the applicant's parents, it was unclear whether the bungalow was related to the business.

As stated in the report the application was accompanied by an agricultural appraisal undertaken by the applicant's agent. The Council commissioned an independent land agent to assess the information provided. All Members had received a full copy of the assessment in the third party schedule as it contained sensitive financial information relating to the business. The independent land agent stated that there was a functional need for the dwelling with the intensity of need only being in relation to the period when suckler cows and breeding ewes were giving birth.

The Principal Planning Officer summarised the independent land agent's assessment of profit made by the business which concluded that the enterprise could not support a living wage of a full-time worker or even the labour requirement of 0.6-0.7 of a worker as calculated by the land

agent. The Principal Planning Officer was aware that the applicant was in paid employment and farming was not the applicant's only source of income. Members were required to have regard to the financial position of a business and confidence that an enterprise would remain viable in the future. It was clear that there has been little significant expansion of the land holdings or on the steading in the last 18 years. The agent had provided figures in relation to repairs undertaken however, that comprised merely general repairs and maintenance associated with a farm steading. The financial information provided clearly demonstrated that the business would not be able to support a full time worker or even the current labour requirement of 0.6-0.7 of a worker or the cost of the dwelling. In such circumstance there was no confidence that the enterprise is viable now or would be in the future.

The land agent had not gone on to assess whether there were other dwellings in the locality that the applicant could live in since the financial test and labour requirement had not been met. Members were advised that the current practices had taken place for a significant period of time and there was a static caravan on site which may be used by the applicant.

In conclusion, the Principal Planning Officer recommended that the application be refused permission as the proposal did not meet the requirements of the relevant planning policies as a full time worker was not needed and there was no confidence in the viability of the business.

Councillor J Mallinson (Ward Member) addressed the Committee in the following terms: the large number of representations made in support of the application demonstrated the local community's support for the proposal; the applicant had been in sole control of the business for three years; the applicant had taken on other employment as a means of augmenting his income, his employer was aware and accepted that his farming business was his priority; the need to be on site full time, particularly during birthing times was a matter of practicality and animal welfare; the farm currently supported a commercial stock of cattle and sheep, which the applicant intended to develop further adding to the sustainability of the business; farmers were encouraged to diversify their businesses in order to increase sustainability.

Ms Jones (Agent) spoke in support of the application in the following terms:

- the siting of the proposed building enabled it to be constructed on previously developed land and would, as acknowledged by the Officer, improve the area;
- The Councils Land Agent had suggested that the farm should have sufficient funds to pay for the dwelling, however, there was no planning policy either national or local requiring that. Most agricultural workers dwellings were financed either through savings or loans, this site should be no different;
- The figures within the Agricultural Appraisal were taken from SAC: The Farm Management Handbook 2019/2020 and thus were correct;
- Varying levels of livestock across a year was normal farming practice (lower in winter / higher in summer). The existing business operated on a semi-intensive system;
- The 2013 Appeal was not relevant to the current application as after that time the Council had adopted a new Carlisle District Local Plan, and changes had been made to the National Planning Policy Framework (NPPF);
- The National Planning Practice Guidance (NPPG) and Local Plan policy HO 6 required the farm to be financially viable and remain so, however, they did not specify the extent of the profitability. The accounts demonstrated the business was viable. The farm had undergone several improvements details of which had been provided. Less improvements would be required in the future, and stocking levels were increasing therefore, the farm would remain viable and increase in profitability;

- In accordance with policy HO 6 there was an essential need when taking account of the annual livestock figures, the business was established and profitable thus the proposal complied with Policy HO6, NPPF and NPPG.

Mr Smith (Applicant) spoke in support of the application in the following terms:

- Not being resident at the farm meant undertaking daily visits to provide care for the stock. In times when stock was birthing young, there were significant safety concerns in the event of an emergency situation occurring;
- Profits were continually reinvested in the business to improve facilities and increase stock. Approving the development would allow further increase in stock levels as care and welfare could be provided more readily and safely;
- Mr Smith summarised his immediate family connections to the area and the expectation of a succession plan for the business. He also identified caring responsibilities he undertook at a property in the vicinity of the site;
- No objections had been submitted to the application, 25 representations in support of the proposal had been submitted.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- Policy HO 6 allowed for development in the open countryside on the basis of essential need, as shown in the independent land agent's assessment, the need for a full time worker at the site had not been demonstrated. Furthermore, the scale of the business was not sufficient to support the cost of the development;
- The applicant had successfully operated the business whilst not being resident at the site;
- Members may consider granting permission for a temporary structure at the site until such time as the business had been developed to a scale where it would support a full time worker and the cost of a dwelling;
- Given the applicant's other employment, it was difficult to envisage compliance with a condition permitting occupancy of the proposed dwelling related to agricultural work.

A number of Members were supportive of the application. They considered that: Policy HO 6 allowed for employment other than farming to be undertaken; Paragraphs 78, 79 and 85 of the NPPF supported the growth and expansion of rural businesses; Paragraph 79 of the NPPF set out a number of criteria which the application complied with, furthermore it did not define essential need as requiring a full time worker; the proposal was compliant with Local Plan policy SP 2 – Strategic Growth and Distribution; Policy HO 6 set out acceptable areas of work which was broader than farming, thus the Officer's interpretation of the policy had been overly narrow; fluctuating stock levels at a holding was normal farming practice; the independent land agent's assessment of there being need for a 0.6-0.7 worker only, did not preclude the need, especially in times of animal birthing, to be on site 24 hours per day for the sake of animal and worker welfare; refusing the proposal would make it more difficult for the applicant to expand the business.

The Development Manager acknowledged the significant support for the application indicated by Members. He reiterated the rationale for the Officer's recommendation in policy terms and noted that, were Members minded to go against the recommendation, clear reasoning would need to be set out. Moreover, given the recommendation, the imposition of conditions had not been discussed with the applicant/agent, were permission to be given, it was suggested that the Committee delegate authority to the Corporate Director of Economic Development to identify and include standard planning conditions.

On the basis of the reasons set out above, a Member moved that:

- a) the application be approved;
- b) the Corporate Director of Economic Development identify and incorporate into the permission relevant conditions to control the development of the site.

The proposal was seconded and following voting it was:

RESOLVED: 1) The application be approved.

2) That the Corporate Director of Economic Development identify and incorporate into the permission relevant conditions to control the development of the site.

3) That the relevant conditions be indicated on the Schedule of Decision attached to these minutes.

The Committee adjourned at 11:22am and reconvened at 11:35am.

Councillor Morton left the meeting at 11:22am

2. Variation of Condition 2 (Approved Documents) and Condition 8 (Landscaping Scheme) of previously approved application 20/0309 (Change of Use of land to provide extension to existing caravan park) to amend the approved layout, Green Meadows Country Park, Blackford, Carlisle, CA6 4EA (Application 20/0600)

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: site location plan; proposed site block plan (approved layout); proposed block plan (revised) and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer summarised the planning history of the site, including justification of the removal of conditions in respect to drainage associated with previously granted permissions. Members' attention was drawn to conditions 6 and 8 (detailed in the Main Schedule) which restricted the use of the site under the current proposal to residential use.

In conclusion, the Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- Westlinton Parish Council had not provided specific details as to which application it referred to in its submission, however, application 19/0670 had sought the removal of condition 7 (planning approval 19/0360). That condition had required a new biodisc foul drainage system to serve the increased number of holiday units approved to be fully operational prior to the occupation of the 11th static holiday unit unless otherwise agreed in writing by the Local Planning Authority. Later that year, a subsequent application (19/0670), was received for the removal of that condition. Supporting evidence submitted with the application consisted of detailed reports from a civil engineer and an accredited specialist installer of wastewater systems. The information was examined by the Council's Building Control Development Manager who was satisfied that the existing foul drainage system serving the caravan site had adequate capacity for the additional holiday units. The Committee had subsequently granted approval of the application at its meeting in January 2020;

- Cumbria County Council, as Lead Local Flood Authority, had been consulted and subject to the imposition of a pre-commencement condition requiring the submission of a surface water drainage scheme raise no objections to the application;
- The Highway Authority was investigating an issue relating to surface water discharge on to the highway in the vicinity of the owner's property and from there on to the A7. Although the discharge was believed to arise from a source out with the owner's control e.g. not on land within their ownership, the investigation was ongoing. Furthermore, it was understood that repair works had been undertaken to highways drains in the area.

A Member noted that concerns had been raised with him regarding alleged breach of conditions restricting the use of the site for temporary/holiday stay only.

The Planning Officer confirmed that she was aware of the issue and advised that an investigation was currently being conducted. In the event of a breach of planning permission being identified, the Council would enact relevant enforcement action.

The Legal Services Manager advised Members that the investigation of compliance with previously permitted development was not a material consideration in the determination of the current application, which was to be assessed on its own merits.

A Member moved the Officer's recommendation which was seconded, and it was:

RESOLVED: That applications be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

Councillor Morton re-joined the meeting.

3. Demolition of existing sawmill building; erection of contractors' office/storage unit, The Old Sawmill, Linstock, Carlisle, CA6 4PY (Application 20/0326)

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: location plan; block plan; proposed floor plans; proposed elevation plans, and photographs of the site, an explanation of which was provided for the benefit of Members.

In conclusion, the Planning Officer recommended that the application be approved subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

Responding to a question from a Member regarding the restriction the use of the proposed building to office and storage, the Planning Officer advised that condition had been imposed to prevent noise disturbance to nearby residential properties.

A Member moved the Officer's recommendations which was seconded and following voting it was:

RESOLVED: That applications be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

4. Erection of 1no. dwelling, Land to the rear of 46 Broomfallen Road, Scotby, Carlisle, CA4 8DE (Application 20/0709).

Councillor Christian, having declared an interest in the item of business took no part in the discussion nor determination of the application.

The Planning Officer submitted the report on the application. Slides were displayed on screen showing: location plan; block plan; sections plan; floor plans; elevation plans and, photographs of the site, an explanation of which was provided for the benefit of Members.

No details had been provided in respect of the proposed surface water drainage and the Lead Local Flood Authority raised no objections subject to the imposition of a pre-commencement condition ensuring the submission of a surface water drainage scheme to serve this plot. Should these details provide unsatisfactory then the development would stall as a result. In respect of the remaining site all the pre-commencement conditions in respect of surface water had been satisfied.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The bund installed at Plot 1 had only been necessary during the construction phase due to the impact of the ground works affecting surface water management in that area. The bund was not needed to manage surface water post construction and had been removed;
- Further to the production of the report the Lead Local Flood Authority had undertaken an investigation into flooding which had occurred at the rear of 44 Broomfallen Road. It had concluded that the development had not increased flood risk at that property. Therefore, the requirement to install a filter drain at the rear of that property was no longer deemed necessary;
- The drainage infrastructure installed at Plot 4 would divert water from the rear of 44 Broomfallen Road and Plot 1 to a central area within the application site. The Lead Local Flood Authority were satisfied with the drainage proposal set out in the application.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

5. Erection of 3no. dwellings (Outline), Site adjacent to Sandy Hill, Faugh, Heads Nook, Brampton, CA8 9EG (Application 20/0669)

The Planning Officer submitted the report on the application. Slides were displayed on screen showing the location plan, indicative block plan and, photographs of the site, an explanation of which was provided for the benefit of Members.

The Planning Officer recommended that the application be approved, subject to the conditions detailed in the report.

In response to questions from Members, Officers confirmed:

- the existing structures on the site were agricultural buildings;
- mitigation of noise impacts from the adjacent sand pit would be considered as part of any future Reserved Matters application.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: That application be approved, subject to the implementation of relevant conditions as indicated on the Schedule of Decision attached to these minutes.

DC.010/21 MODIFICATION OF S106 PLANNING OBLIGATION – AFFORDABLE HOUSING CONTRIBUTION – LAND AT CARLISLE ROAD, BRAMPTON

The Planning Officer submitted the report which sets out the position regarding S106 contributions relating to affordable housing following an independent viability assessment of the site. The item was deferred, from the December 2020 meeting of the Committee, to seek further clarification in respect of the developer's profit from the scheme. In addition, Members requested that additional training be provided in respect of viability of affordable housing provision.

With regard to the level of profit that may reasonably be achieved from a development, this was discussed in Section 2 of the report and paragraphs 2.3 to 2.7. The council's Supplementary Planning Documents together with planning appeal decisions clarify that a level of 17% was considered to be a reasonable return.

In respect of the training, Officers were in the process of organising and would proceed as soon as a mutually convenient date was arranged with the Council's consultant who advised on viability matters.

The Planning Officer recommended that the S106 legal agreements for applications 17/0869 and 19/0340 should be revised for the following contribution:

- for delivery of 22 affordable units (20.75% of the overall scheme);
- a tenure mix of 12 discounted sale units – 6 no. 2 bed Bailey houses (plots 26-29 & 43-44) and 6 no. 3 bed Fraser houses (plots 24-25; 41-42 & 53-54) and 10 no. affordable rent units - 6 no. 2 bed Bailey houses (plots 49-52 & 68-69) and 4 no. 3 bed Fraser houses (plots 45-48). Discounted sale units will be sold at 70% of market value to customers on the Council's Low-Cost Home Ownership register. Affordable/ social rent units will transfer to a Registered Provider/ Social Landlord based on 50% of market value.

A Member thanked the Officer for the report, noting he had supported the deferral of the item at its previous consideration. He considered it important that Members were satisfied that the proposed variation to the legal agreement, allowed for an appropriate level of developer profit whilst also retaining the greatest proportion of affordable housing at the development without compromising its viability. He felt the report had given Members sufficient clarity on those issues.

A Member moved the Officer's recommendation which was seconded and following voting it was:

RESOLVED: 1) That the S106 legal agreements for applications 17/0869 and 19/0340 should be revised for the following contribution:

- for delivery of 22 affordable units (20.75% of the overall scheme);
- a tenure mix of 12 discounted sale units – 6 no. 2 bed Bailey houses (plots 26-29 & 43-44) and 6 no. 3 bed Fraser houses (plots 24-25; 41-42 & 53-54) and 10 no. affordable rent units

- 6 no. 2 bed Bailey houses (plots 49-52 & 68-69) and 4 no. 3 bed Fraser houses (plots 45-48). Discounted sale units will be sold at 70% of market value to customers on the Council's Low-Cost Home Ownership register. Affordable/ social rent units will transfer to a Registered Provider/ Social Landlord based on 50% of market value.

The meeting adjourned at 12:44pm and reconvened at 2:00pm

DC.011/21 CONTROL OF DEVELOPMENT AND ADVERTISING

That the applications referred to in the Schedule of Applications under A be approved/refused/deferred, subject to the conditions as set out in the Schedule of Decisions attached to these Minutes.

6. Erection of discount food store with car parking and landscaping, Land off Warwick Road, Carlisle (Application 19/084).

The Development Manager submitted the report on the application which had been subject to a virtual site visit by the Committee on 6 January 2021. Slides were displayed on screen showing the location plan; proposed site layout plan; aerial photograph illustrating red line boundary of the site, sewer infrastructure location, culvert location, and bus stop locations; Access arrangement plan and, photographs of the site, an explanation of which was provided for the benefit of Members.

Although the proposal sought Outline Permission the applicant and agent had worked with the relevant authorities to address concerns relating to impact on flood risk in order that the application could be considered with some assurances. A further Reserved Matters application to deal with those matters would still be required with conditions addressing the requirement for further information even though it was proposed that conditions include the relevant flood risk assessment and junction proposal as part of the current application.

The application included an indicative layout which assisted in the understanding of the proposal and whilst not a fixed arrangement, as layout was a Reserved Matter, it included a standard proposed small retail store for a discount operator (Lidl) set at the back of the site with car parking and access in front. There were some constraints within the site which dictated the potential to change the layout in particular underground infrastructure which cannot be built over.

At the virtual site visit Members asked for clarification on some matters of local infrastructure relating to the site. Using an aerial photograph, the Development Manager detailed the red line boundary of the application site in the context of the wider field which showed that land to the west and rear of the site do not form part of the proposal and would remain undeveloped. Moreover, the siting of sewerage infrastructure was illustrated along with the location of a culvert that discharged into Durranhill Beck and had formed part of the investigative works referred to in the Flood Risk Assessment and by the Lead Local Flood Authority.

During the virtual site visit a Ward Member raised concerns about existing access arrangements to other properties. A Stage 1 Road Safety Audit had considered the proposed new access in the context of the proposed development however; as part of a subsequent application a stage 2 Road Safety Audit would be required which would highlight those local issues in need of consideration, although there were currently no significant changes to the kerb line which would affect existing arrangements.

Following publication of the report, additional support for the store had been received by email and anonymous phone call from local residents. The Development Manager was also aware that Members had been provided with some information from the applicant reflecting the proposals, the pre-application consultation and the work undertaken to get the application before Members. Furthermore, Members had been circulated a response and additional email from another retailer operating in the city. It acknowledged there was no issue with competition however, it questioned whether the format of the store was significantly different from other supermarkets as the store's operation had evolved. The Development Manager stated that there were no planning conditions on any existing stores which limited the price range of goods being sold.

In the context of the report and the above presentation, the application was deemed to be acceptable in principle. The Development Manager assured Members that the recommendation had been difficult to make when balancing the local issues in the Warwick Road area.

On the basis of the report and that no significant further issues have arisen since the publication of the report, the Development Manager recommended that:

- a) The application be approved with conditions, subject to the completion of a Section 106 Agreement to secure a travel plan monitoring contribution of £6,000;
- b) Should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

Mr Nash (Objector) spoke against the application in the following terms: there was another site available in the immediate area of the site which would be better suited to the development; the response to the applicant's public consultation on the proposals was small; approving the proposal may lead to job losses at local Post Offices; the proposed traffic junction had not been fully considered; traffic density flows were taken at a time when traffic restrictions were in place on Warwick Road; the response from the Environment Agency was not sufficient; the bus services listed in the report were incorrect.

Councillor Betton (Ward Member) addressed the Committee in the following terms: he had received comments in support and objection to the proposal from residents; the development had the potential to negatively impact the effectiveness of nearby flood defences; the site was a flood basin. Councillor Betton displayed on screen showing: a summary of residents' views in relation to the application; pictures illustrating the impact of high river levels near the site in 2019; pictures of drainage infrastructure in the vicinity of the site, an explanation of which was provided for the benefit of Members.

Councillor Paton (Ward Member) addressed the Committee in the following terms: he was not opposed to the development of the site, but felt that the constraints of the site meant that either the store should be constructed on stilts or another site ought to be used for the development; nearby residents would prefer the site to remain a flood plain. Councillor Paton requested that the application be deferred or another consultation on the proposal be carried out

Mr Baines (Agent) responded in the following terms:

- The site was mapped by the Environment Agency as being within Flood Zone 3a and was not within an area of functional floodplain. The site also benefitted from flood defences, the location of which were summarised for Members. It was noted that a recent planning application for a site in a similar context with regard to flood risk had previously been approved by Committee. Proposals for work at the Sands Centre were approved in 2018 for that site, which was located in Flood Zone 3a and which benefitted from flood defences;

- Following flooding in 2015, the scale of which exceeded the design standard of installed local flood defences, options were developed to increase the standard of protection afforded by defences in the Warwick Road area. Those options had been developed as part of the Carlisle Flood Risk Management Scheme;
- The risk of flooding at the site primarily related to potential fluvial flooding from the River Petteril, River Eden, Old Eden and Durranhill Beck however, when the local flood defences were taken into consideration, the probability of flooding at the site for fluvial events was considered to be low;
- Mitigation measures were included in the design in order to protect the development and to ensure that the proposals did not increase the risk of flooding at the site or for off-site areas. Mr Baines provided a summary of the proposed mitigation measures;
- At the request of Cumbria County Council, a CCTV survey of the surface water sewer which would receive drainage from the site had also been undertaken. It confirmed that the sewer was in good condition from the site to the outfall on Durranhill Beck;
- The Flood Risk Assessment demonstrated that the proposed development was in line with planning policy relating to flood risk. The Environment Agency had confirmed it was satisfied the proposals would not be subject to unacceptable levels of flood risk and that flooding of the scheme would not occur unless the defences were over topped or breached. They were also satisfied that that the scheme will not exacerbate flood risk elsewhere.

Mr Huteson (Agent) responded in the following terms:

- In regard to Retail Planning Considerations, Officers had concluded that the principle of retail development was acceptable as the scheme would not give rise to any significant adverse impacts on designated retail centres;
- The Highway Authority was fully satisfied that the proposal was acceptable in highways terms and provided appropriate access, parking and delivery provision, and that it would not impact adversely on the highway network;
- The proposal would introduce a new signalised junction which had been agreed with the Cumbria County Council. A Stage 1 Road Safety Audit and detailed junction modelling had been carried out on the design of the proposed signal junction including the B&B driveway, which concluded that there were no safety concerns and that the new junction would provide a betterment to the highway network
- In regard to Sustainable Travel:
 - It had been demonstrated that the proposed site was served by public transport with bus stops located along Warwick Road and Victoria Road within easy walking distance. The 74, 75, 76 and 31 and 685 bus services were able to be accessed from these bus stops providing 7 services per hour;
 - the proposed development provided pedestrian access from Warwick Road directly to the site and cycle parking facilities close to the store's entrance;
 - the development would introduce 2 Rapid electric vehicle charging points;
 - a Travel Plan had been prepared to encourage staff and visitors to travel by sustainable travel modes to minimise the need to travel by single car occupancy; and, if required, Lidl could provide a free to use taxi phone in the store;
 - The applicant was also aware of some concerns about the match day parking due to the proximity to the stadium ground. To address this, an adequate car park management plan would be provided in those events;
- There was significant public support for the proposals. Prior to the submission of the application a significant public consultation was carried out. Over 300 replies were received, with 60% of respondents supporting the proposals. The application had received 47 letters of support from local residents versus 35 objections;

- The proposed development would deliver a number of tangible benefits to the local area – provision of a local, discount shopping choice for the Botcherby residents, allowing local population to shop more sustainably; creation of 40 new full and part-time jobs, a multi-million pound investment into the local economy;
- A comprehensive landscaping scheme (to be agreed at the Reserved Matters stage) would improve the visual amenity of the site including new tree planting thus enhancing and developing local biodiversity.

The Committee then gave consideration to the application.

In response to questions from Members, Officers confirmed:

- The site was not a flood plain, but its capacity to store water during a heavy rain event was recognised;
- The pictures shown by Councillor Betton illustrating the high water event in 2019 showed drainage infrastructure connected to the river Petteril, whereas the drainage from the proposed scheme would discharge into Durranhill Beck. However, following an investigation by the Environment Agency and the Lead Local Flood Authority into the causes of that flood event, faults had been identified with the infrastructure, the appropriate measures would be taken to repair the infrastructure. The Officer had delayed his assessment of the application until the investigation had been complete so its findings may be considered in terms of their potential impact on the proposed scheme;
- The surface water drainage plan would need to make provision for a storm event of a magnitude that would result in the existing flood defences being over topped;
- The applicant had conducted a full camera survey of the drainage infrastructure the proposed scheme would utilise and it was found to be in good working order. Moreover, the drainage proposals meet agreed national standards and provided sustainable drainage features including permeable tarmac which would allow surface water to drain into infiltration tanks installed underneath the car park;
- The proposed infiltration tanks would act as mitigation for the loss of the water storage capacity of the site, the discharge rates from the tanks would equal greenfield runoff rate. Therefore, all drainage requirements were met by the proposal;
- Cycle access to the site would be considered as part of any Reserved Matters application;
- The area of the proposed car park was currently lower than that of the adjacent highway, the level of the car park would be considered during the assessment of a Reserved Matters application;
- The submitted Retail Impact Survey concluded the development would have a minor impact on other stores in the area;
- A series of traffic modelling exercises had been carried out, the Highway Authority had determined the impact of the proposal was acceptable, therefore it had not submitted an objection;
- The location of sewerage infrastructure under the site placed constraints on the layout of the scheme but did not preclude the development from taking place;
- In considering planning contributions to be imposed on the permission the Officer had liaised with the Environment Agency to identify whether a contribution to its flood defence work in the city was required. Currently a contribution to those works was not needed. It was not possible to include a speculative request in a formal legal agreement (Section 106), but the matter would be reappraised during the consideration of a Reserved Matters application.

A Member moved the Officer's recommendation which was seconded. Another Member moved that the application be refused on the grounds that the site was not appropriate for the development, which was seconded.

The Chair indicated that the proposals would be put to the vote in the order that they were submitted. The proposal to accept the Officer's recommendation was put to the vote and agreed, therefore the proposal to refuse the application was not voted upon.

RESOLVED: 1) That the application be approved with conditions, subject to the completion of a Section 106 Agreement to secure a travel plan monitoring contribution of £6,000;
2) should the legal agreement not be completed, delegated authority be given to the Corporate Director of Economic Development to refuse the application.

DC.012/21 STANDING ORDERS

During consideration of the above item, it was moved, seconded and RESOLVED that Council Procedure Rule 9, in relation to the duration of meetings be suspended in order that the meeting could continue over the time limit of 3 hours.

[The meeting closed at 3:43pm]

Schedule of Decisions

Control of Development and Advertisements

The Development Control Committee received and considered the following applications:

Item no: 01

Appn Ref No:
20/0580

Applicant:
Mr A Smith

Parish:
Kirklington Middle

Date of Receipt:
28/08/2020

Agent:
Planning Branch Ltd

Ward:
Longtown & the Border

Location:
Low Meadow, Kirklington, Carlisle, CA6 6BT

Grid Reference:
344272 564914

Proposal: Erection Of Agricultural Workers Dwelling (Outline)

Grant Permission

1. Any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years from the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) the expiration of 3 years from the date of the grant of this permission, or
- ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any works are commenced, details of the layout, scale, appearance, access, and landscaping of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority. The development shall be undertaken in strict accordance with the details approved in response to this condition.

Reason: To accord with the provisions of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, because this is outline permission only and these matters have been reserved for the subsequent approval of the local planning authority.

3. The development shall be undertaken in strict accordance with the approved

documents for this Outline Planning Permission which comprise:

1. the submitted planning application form received 28th August 2020;
2. the site location plan received 7th September 2020;
3. the block plan received 28th August 2020;
4. the Notice of Decision;
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

4. The occupation of the dwelling hereby approved shall be limited to persons solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or dependants of such persons residing with him or her, or a widow or widower of such a person.

Reason: The unrestricted use of the dwelling would be contrary to the provisions of the National Planning Policy Framework and Policy HO6 of the Carlisle District Local Plan 2015-2030 which seeks to prevent additional sporadic development in the countryside unless demonstrated to be essential in the interests of agriculture or forestry.

5. Samples or full details of all materials to be used on the exterior shall be submitted to and approved in writing by the Local Planning Authority prior to their first use on site. The development shall then be undertaken in strict accordance with the approved materials.

Reason: To ensure the design of the dwelling is appropriate to the area and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

6. Details shall be submitted of the proposed hard surface finishes to all external areas within the proposed application site and approved in writing by the local planning authority before their use as part of the development hereby approved. The approved development shall be carried out in strict accordance with the details approved in response to this condition.

Reason: To ensure that materials to be used are acceptable visually and harmonise with existing development, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

7. All planting, seeding or turfing comprised in the landscaping scheme (to be submitted with the Reserved Matters application) shall be carried out in the first planting and seeding seasons following the occupation of the dwellings and maintained thereafter to the satisfaction of the Council; and any trees or plants

which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

8. Prior to the erection of any boundary treatment on the site no such work shall be undertaken until the details of the walls, gates, fences and other means of permanent enclosure and/or other boundary treatment have been submitted to and approved, in writing, by the Local Planning Authority. The development shall then be undertaken in strict accordance with the approved details.

Reason: To ensure the design and materials to be used are appropriate and to ensure compliance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

9. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

10. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage has been submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use until the foul drainage scheme has been constructed and completed in accordance with the approved plans.

Reason: To ensure that adequate drainage facilities are available and to prevent pollution of the water environment, to accord with Policy IP6 of the Carlisle District Local Plan 2015-2030.

11. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

12. Adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

Reason: To ensure adequate provision of infrastructure and to accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. Prior to the commencement of development, the applicant shall submit details of tree/ hedgerow protection fencing to be installed on the site for approval in writing by the Local Planning Authority. This fencing shall be erected prior to the commencement of development and shall remain in place until the works are completed.

Reason: To ensure that the existing hedgerow is protected in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

15. The development shall not commence until visibility splays providing clear visibility of 86 metres in both directions and measured back by 2.4metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety. To support Local Transport Plan Policies: LD7 and LD8.

16. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the local planning authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management. To support Local Transport Plan Policies LD7 and LD8.

17. The dwelling shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use.

Relevant Development Plan Policies

Item no: 02

Appn Ref No:
20/0600

Applicant:
Mr Patrick Lee

Parish:
Westlinton

Date of Receipt:
07/09/2020

Agent:
Sam Greig Planning

Ward:
Longtown & the Border

Location:
Green Meadows Country Park, Blackford, Carlisle,
CA6 4EA

Grid Reference:
339852 562220

Proposal: Variation Of Condition 2 (Approved Documents) And Condition 8 (Landscaping Scheme) Of Previously Approved Application 20/0309 (Change Of Use Of Land To Provide Extension To Existing Caravan Park) To Amend The Approved Layout

Grant Permission

1. The development shall be begun not later than 17th July 2023.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the

Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form received 14th December 2020;
 2. the submitted planning application form received 13th May 2020 as approved under planning reference 20/0309;
 3. the site location plan received 13th May 2020 (Drawing No. GMCC/SLP 1 Rev A) as approved under planning reference 20/0309;
 4. the proposed site block plan received 14th December 2020 (Drawing No. GMCC/PHASE 2 / SBP2 Rev H);
 5. the Notice of Decision;
 6. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk, of flooding and pollution in accordance with the National Planning Policy Framework and Policies CC4, CC5 and CM5 of the Carlisle District Local Plan 2015-2030.

4. Notwithstanding the submitted foul drainage details contained in the HiPAF Packaged Treatments Plants document together with foul drainage details annotated on drawing number GMCC / PHASE 2 / SBP2 Rev H full details of a foul drainage scheme to serve the development shall be submitted to and approved in writing by the local planning authority prior to the commencement of any development. Thereafter, the development shall be undertaken in strict accordance with the approved details.

Reason: To ensure that the development is served by an adequate method for the disposal of foul drainage in accordance with Policies IP6 and CM5 of the Carlisle District Local Plan 2015-2030.

5. The total number of static holiday units to be stationed within the application site at any one time shall not exceed 25no. The total number of tent pitches/touring

pitches shall not exceed 20no. and 27no. respectively.

Reason: For the avoidance of doubt.

6. The static holiday units, touring caravan pitches and tent pitches shall be used solely for holiday use and shall not be occupied as permanent accommodation.

Reason: To ensure that the approved static units, touring caravans and tents are not used for unauthorised permanent residential occupation in accordance with the objectives of Policy EC10 of the Carlisle District Local Plan 2015-2030.

7. The static holiday units shall not exceed 12.2 metres by 6.1 metres in size or be positioned closer than 6 metres from one another unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt.

8. The site manager/owner shall keep a register to monitor the occupation of the static holiday units subject of this approval. Any such register shall be available for inspection by the local planning authority at any time when so requested and shall contain details of those persons occupying the units, their name, normal permanent address and the period of occupation.

Reason: To ensure that the approved holiday units are not used for unauthorised permanent residential occupation in accordance with the objectives of Policy EC10 of the Carlisle District Local Plan 2015-2030.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and maintained thereafter to the satisfaction of the council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and maintained, in the interests of public and environmental amenity, in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 03

Appn Ref No:
20/0326

Applicant:
Richard Telford

Parish:
Stanwix Rural

Date of Receipt:
20/05/2020 17:01:00

Agent:
PlanB Building Drawing

Ward:
Stanwix & Houghton

Location:
The Old Sawmill, Linstock, Carlisle, CA6 4PY

Grid Reference:
342245 557911

Proposal: Demolition Of Existing Sawmill Building; Erection Of Contractors
Office/Storage Unit

Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form, received 20 May 2020;
 2. the location and block plan (dwg no. RT002PL), received 20 May 2020;
 3. the proposed floor and elevations plan (dwg no. RT001PL), received 20 May 2020;
 4. the Ecological Impact Assessment (undertaken by Envirotech), received 5 October 2020;
 5. the Email Correspondence from the Agent regarding the details of the Applicant's Business and The Use Of The Site, received 21 October 2020;
 6. the Notice of Decision;
 7. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The building hereby permitted shall only be used as a building contractors office and storage accommodation, and shall at no time be used for any other commercial or business purposes whatsoever.

Reason: To ensure that the development remains compatible with surrounding uses and to safeguard the residential amenity of the area.

4. No building or any kind of assembly works associated to the applicant's joinery business shall be carried out on site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development remains compatible with surrounding uses and to safeguard the residential amenity of the area.

5. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management.

6. Prior to the commencement of any development, a surface water drainage scheme, including a sustainable drainage management and maintenance plan for the lifetime of the development, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, and no surface water shall be discharged to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off onto adjoining land including the highway and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030, in the interests of highway safety and environmental management and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

7. Foul and surface water shall be drained on separate systems. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

8. No development shall take place until details of a soft and hard landscaping scheme have been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared to reduce the potential for crime in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. If the installation of external lighting is required, the contractors office/storage unit hereby permitted shall not be occupied until an external lighting scheme that minimises any potential impacts of light pollution has been completed in accordance with details submitted to and approved in writing beforehand by the local planning authority.

Reason: To safeguard the ecology and environment of the area, and the living conditions of the occupiers of any neighbouring properties, in accordance with Policies GI3 and SP6 of the Carlisle District Local Plan 2015-2030.

11. The development hereby approved shall not be carried out otherwise than in complete accordance with the Mitigation Measures contained within page 4 of the submitted Ecological Impact Assessment (compiled by Envirotech on 5 October 2020), received by the Local Planning Authority on 7 October 2020.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

12. No work associated with the construction of the contractor's office and storage unit hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

Relevant Development

Plan Policies

Item no: 04

Appn Ref No:
20/0709

Applicant:
Simpson's Builders

Parish:
Wetheral

Date of Receipt:
21/10/2020

Agent:
Summit Town Planning

Ward:
Wetheral & Corby

Location:
Land to Rear of 46 Broomfallen Road, Scotby,
Carlisle, CA4 8DE

Grid Reference:
344208 554344

Proposal: Erection Of 1no. Dwelling

Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the submitted planning application form received 21st October 2020;
 2. the contamination report received 21st October 2020;
 3. plot 4 site plan received 15th December 2020 (Drawing No. 17042-39B);
 4. plot 4 site section, elevations, floor plans received 21st October 2020 (Drawing No. 17042-40);
 5. plot 4 block plans, location plan received 21st October 2020 (Drawing No. 17042-41);
 6. the Notice of Decision;
 7. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March

2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy CC5 of the Carlisle District Local Plan 2015-2030.

4. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason: To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with Policy CC4 of the Carlisle District Local Plan 2015-2030.

5. No development approved by this permission shall be commenced until a scheme for the provision of foul water drainage works has been approved in writing by the local planning authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure a satisfactory means of foul water disposal and in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

6. The dwelling shall not be occupied until the access, turning and parking facilities have been constructed in accordance with the approved plan. The access and turning provision shall be retained and be capable of use thereafter and shall not be removed or altered without the prior consent of the local planning authority.

Reason: In the interests of highway safety and in accordance with Policies SP6 and IP3 of the Carlisle District Local Plan 2015-2030.

7. The development hereby approved shall be undertaken in strict accordance of the Construction Management Plan Rev B (May 2019) approved under planning approval 19/0225

Reason: To protect the living conditions of the occupiers of the adjacent residential properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

8. As part of the development hereby approved, adequate infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwellings.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy GI6 of the Carlisle District Local Plan 2015-2030.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 05

Appn Ref No:
20/0735

Applicant:
Mrs Diane Ridley

Parish:
Hayton

Date of Receipt:
30/10/2020

Agent:
Abacus Building Design

Ward:
Wetheral & Corby

Location:
Site Adjacent Sandy Hill, Faugh, Heads Nook,
Brampton, CA8 9EG

Grid Reference:
350824 555146

Proposal: Erection Of 3no. Dwellings (Outline)

Grant Permission

1. In case of any "Reserved Matter" application for approval shall be made not later than the expiration of 3 years beginning with the date of this permission, and the development shall be begun not later than whichever is the later of the following dates:

- i) the expiration of 3 years from the date of the grant of this permission, or
- ii) the expiration of 2 years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended by The Planning and Compulsory Purchase Act 2004).

2. Before any works are commenced, details of the access, appearance, landscaping, layout and scale of the site (hereinafter called "reserved matters") shall be submitted to and approved by the local planning authority.

Reason: To accord with the provisions of Part 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development shall be undertaken in accordance with the approved documents for this Outline Planning Permission which comprise:

1. the Planning Application Form received 30 October 2020;
2. the Location Plan and Block Plan (excluding the indicative site layout)(Dwg No. 2020/685/BH/001), received 30 October 2020;
3. the Site Plan (Dwg No. 2020/685/BH/10)), received 30 October 2020;
4. the Planning Statement, received 30 October 2020;
5. the Desk Top Study Report for Contamination, received 30 October 2020;
6. the Topographical Survey, received 30 October 2020;
7. the Preliminary Ecological Appraisal (compiled by Envirotech on 5 October 2020), received 30 October 2020;
8. the Notice of Decision;
9. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

4. No development shall be commenced until samples or full details of materials to be used externally on the proposed dwellings have been submitted to and approved in writing by the local planning authority. Such details shall include the type, colour and texture of the materials. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: To ensure that materials to be used are acceptable in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

5. Prior to the commencement of any development, a surface water drainage scheme, including a sustainable drainage management and maintenance plan for the lifetime of the development, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, and no surface water shall be discharged to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off onto adjoining land including the highway and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030, in the interests of highway safety and environmental management and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

6. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the local planning authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management, and to accord with the NPPF.

7. Foul and surface water shall be drained on separate systems. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

8. The development shall not commence until visibility splays providing clear

visibility of 215 metres in a north easterly direction and site maximum in a south westerly direction, measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety and to accord with the NPPF.

9. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 10 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to support Local Transport Plan Policies: LD5, LD7, LD8

10. Full details regarding the surfacing of the driveways for each plot shall be submitted to the local planning authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to accord with the NPPF.

11. The dwellings shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and has been brought into use. The vehicular access turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason: To ensure a minimum standard of access provision when the development is brought into use and to accord with the NPPF.

12. Development shall not be begun until a Construction Phase Traffic Management Plan (CPTMP) has been submitted to and approved in writing by the local planning authority. The CPTMP shall include details of:

1. details of proposed crossings of the highway verge
2. retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development
3. retained areas for the storage of materials
4. cleaning of site entrances and adjacent public highway

5. details of proposed wheel washing facilities for vehicles leaving the site
6. the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway
7. construction vehicle routing
8. implementation of noise mitigation measures i.e. use of noise attenuation barriers, storage/unloading of aggregates away from sensitive receptors, use of white noise reversing alarms where possible
9. provision and use of water suppression equipment
10. dust management measures
11. use of vibro-compaction machinery/vibration management
12. waste minimisation and management measures
13. security

Reason: To protect the living conditions of the occupiers of the adjacent residential properties in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

13. Prior to the commencement of development, details of the relative heights of the existing and proposed ground levels and the height of the proposed finished floor levels of the dwellings and garages (if proposed) shall be submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: In order that the approved development is appropriate to the character and appearance of the area and does not adversely affect the occupier of a neighbouring property in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

- No development shall take place until details of a landscaping scheme have
14. been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared to reduce the potential for crime in accordance with Policies SP6 and GI6 of the Carlisle District Local Plan 2015-2030.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy SP6 of the Carlisle District Local Plan 2015-2030.

16. Prior to the commencement of development, details of tree protective fencing around the trees and hedgerows to be retained shall be submitted to and

approved in writing by the local planning authority. The specification for all tree protective fencing must conform to BS5837:2012 'Trees in relation to Construction – recommendations'. All tree protective fencing shall be erected and maintained outwith all root protection areas. No tree protective fencing shall be removed until all construction works and all plants and temporary accommodation have been removed from the site. Within the protection zone and the restricted area:

- no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree;
- no equipment, machinery or structure shall be attached to or supported by a retained tree or hedge or by the hedge protection barrier;
- no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area;
- no alterations or variations to the approved tree and hedge protection schemes shall be made without prior written consent of the local planning authority;
- no materials or vehicles shall be stored or parked within the fenced off or hatched area;
- no alterations to the natural/existing ground level shall occur; and
- no excavations will be carried out within the fenced off area.

Reason: To ensure that the trees and hedges are protected for the duration of the construction works in accordance with Policy GI6 of the Carlisle District Local Plan 2015-2030.

17. Construction of any dwelling shall not commence until full details of the proposed hard surface finishes to all external areas have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies SP6 and CM5 of the Carlisle District Local Plan 2015-2030.

18. Prior to the occupation of any dwelling, particulars of height and materials of all screen walls and boundary fences shall be submitted to and approved by the local planning authority prior to the commencement of the development hereby permitted. All works comprised in the approved details of means of enclosure and boundary treatment shall be carried out in accordance with the approved details prior to the occupation of the dwelling.

Reason: To ensure that the work is undertaken in a co-ordinated manner that safeguards the appearance and security of the area in accordance with Policies SP6 and CM5 of the Carlisle District Local Plan 2015-2030.

19. The development hereby approved shall not be carried out otherwise than in complete accordance with the Mitigation Measures contained within pages 27 to

30 of the submitted Preliminary Ecological Appraisal (compiled by Envirotech on 5 October 2020), received by the Local Planning Authority on 30 October 2020.

Reason: In order to ensure no adverse impact on a European Protected Species in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

20. As part of the development hereby approved, adequate underground infrastructure shall be installed to enable telephone services, broadband, electricity services and television services to be connected to the premises within the application site and shall be completed prior to the occupation of the dwelling.

Reason: To maintain the visual character of the locality in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

21. No work associated with the construction of the residential units hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

22. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

Relevant Development Plan Policies

Item no: 06

Appn Ref No:
19/0840

Applicant:
Lidl Great Britain Ltd

Parish:
Carlisle

Date of Receipt:
30/10/2019 15:00:46

Agent:
Rapleys LLP

Ward:
Botcherby & Harraby North

Location:
Land off Warwick Road, Carlisle

Grid Reference:
342004 555966

Proposal: Erection Of Discount Foodstore With Car Parking And Landscaping
(Outline)

Members resolved to give authority to the Corporate Director (Economic Development) to issue approval for the proposal subject to a legal agreement to include the financial contribution towards travel plan monitoring.

If the S106 Agreement is not completed, Members resolved to give authority to the Corporate Director of Economic Development to issue refusal of the proposal.

Relevant Development Plan Policies

AUDIT COMMITTEE

FRIDAY 18 DECEMBER 2020 AT 10.00 AM

PRESENT: Councillor Meller (Chair); Councillors Birks, Bomford, Mrs Bowman, Mrs McKerrell and Patrick.

OFFICERS: Corporate Director of Governance and Regulatory Services
Corporate Director of Finance and Resources
Principal Auditor

ALSO

PRESENT: Key Audit Partner (Grant Thornton)
Audit Manager (Grant Thornton)
Deputy Leader, and Finance, Governance and Resources Portfolio Holder

AUC.27/20 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Dr Tickner.

AUC.28/20 DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

AUC.29/20 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

AUC.30/20 MINUTES OF PREVIOUS MEETINGS

The Chair moved the Minutes of the Audit Committee meeting held on 24 September 2020; which had been received and adopted by Council on 3 November 2020.

RESOLVED – (1) That it be noted that Council had, on 3 November 2020, received and adopted the minutes of the Audit Committee meeting held on 24 September 2020.

AUC.31/20 MINUTES OF BUSINESS AND TRANSFORMATION SCRUTINY PANEL

The Chair moved and Councillor Birks seconded that the Minutes of the meetings of the Business and Transformation Scrutiny Panel held on 3 and 17 September; 15 October and 1 December 2020 be noted and received.

RESOLVED – That the Minutes of the meetings of the Business and Transformation Scrutiny Panel held on 3 and 17 September; 15 October and 1 December 2020 be noted and received.

AUC.32/20 EXTERNAL AUDIT FINDINGS FOR CARLISLE CITY COUNCIL

The Key Audit Partner (Grant Thornton) submitted the initial draft Interim Audit Findings Report for Carlisle City Council.

The Key Audit Partner (Grant Thornton) informed Members that whilst the submitted report did not set out the final position the External Audit was substantially complete with the exception of some areas in relation to the valuation of Property Plant and Equipment and Investment assets held by the Council which required further clarification.

It had been identified that the valuations carried out by the Council's external valuer had not been in line with the RICS Guidance or the International Valuation Standards Code. Upon being made aware of the issues, the Council had entered into dialogue with its external valuer. The Council had accepted the Key Audit Partner's view and, in order to secure assurances around the valuations and the measurement bases used, had appointed a new external valuer to carry out inspections of those assets carried at Depreciated Replacement Cost, as well as a sample of other assets from across the portfolio.

Once the work was completed on the revaluations, any adjustments to asset carrying values would need to be determined and that may require previous years' valuations to be amended as well.

The rest of the audit process was largely complete with any required amendments being agreed with the auditors and reflected in the final statements which would be brought to the Committee for approval once the asset valuations and Audit Findings Report were finalised.

The Key Audit Partner (Grant Thornton), commended the Council on its response to the issue once it had been identified and it was noted that the Corporate Director of Finance and Resources had provided effective leadership on the matter.

A summary of the Value for Money work was provided, and the Key Audit Partner (Grant Thornton), advised that he planned to give an unqualified Value for Money conclusion.

In light of the additional work in relation to the valuation of Property Plant and Equipment and Investment assets held by the Council, the fee for External Audit Services would be reviewed and presented in the final report once the External Audit was completed.

The Audit Manager (Grant Thornton) have an overview of the Significant Audit Risks as detailed in the report. It was noted that the work regarding the Significant findings – key estimates and judgements in relation to NNDR appeals remained outstanding and it was hoped that it would be finalised early in 2021.

The Chair noted that the Corporate Director of Finance and Resources considered the gearing impact prior to any future borrowing being undertaken in light of any potential changes to the Council's asset portfolio. Given the Covid 19 Pandemic restrictions the continued work to realise the stage that the Council had was commendable, especially in light of assurances from the Local Government Association, HMRC and DWP that all correct procedures were in place.

Members raised the following observations during their consideration of the report:

- A Member thanked the Key Audit Partner (Grant Thornton) for his detailed work. She invited the Corporate Director of Finance and Resources to comment on the revaluation work being undertaken.

The Corporate Director of Finance and Resources commented that the National Audit Office had advised auditors to consider in greater detail the rationale and basis of valuations and indices submitted, which the audit team had actioned. The Council was due to appoint a new valuer as the contract with the previous provider had ended. The tender process for the new contract would include the RICS Guidance in the specification to ensure all statutory guidance and audit requirements were built in. Going forward, the Property Services team would engage in greater challenge of received valuations.

A new valuer had been appointed on an interim basis to carry out the revaluation work identified as necessary and a report had recently been submitted to the Council. However, that was still

in the process of being reviewed, once the Council had made its assessment, the data would be submitted to the External Auditor for their consideration. A meeting had been scheduled in early January 2021 for the Council and Grant Thornton to consider the revaluation work, in the event of that being deemed satisfactory, it was anticipated a Special meeting of the Committee may be held later that month where the final external audit report and amended accounts would be submitted.

A Member proposed: that the External Audit Findings for Carlisle City Council report be noted; an increase in external audit fees be acknowledged and that the Action Plan be forwarded to the Business and Transformation Scrutiny Panel for it to be taken into account as part of its work.

RESOLVED – 1) That the External Audit Findings for Carlisle City Council report be noted.

2) An increase in external audit fees be acknowledged.

3) That the Action Plan be forwarded to the Business and Transformation Scrutiny Panel for it to be taken into account as part of its work.

AUC.33/20 STATEMENT OF ACCOUNTS 2019/20 AND 2020/21

The Corporate Director of Finance and Resources reported (RD.46/20) that at the time of writing the audit of the 2019/20 Statement of Accounts had not yet been completed, the timeline for that work was set out.

The Corporate Director also summarised for Members the changes arising from the 2020 Code of Practice on Local Authority Accounting; and the Accounting Policies, details of which were provided at Sections 3 and 4 of the report.

A Member thanked the Corporate Director of Finance and Resources for her and her team's work, particularly in light of the challenges arising from the Covid 19 restrictions.

RESOLVED – That the Audit Committee noted the current position on the 2019/20 accounts and had considered the draft Accounting Policies to be used in the preparation of the 2020/21 accounts.

AUC.34/20 INTERNAL AUDIT PROGRESS 2020/21 (OCTOBER TO DECEMBER)

The Principal Auditor submitted report RD.45/20 providing an overview of the work carried out by Internal Audit between October and December of 2020/21.

Progress against the 2020/21 audit plan was as detailed at Appendix 1. 38% of planned reviews had been finalised to draft stage; with a further 3 reviews anticipated to be complete in draft by the end of Quarter 3 (48%).

The Principal Auditor advised that five planned pieces of work had been completed in the period, namely Audit of Local Air Quality Management; Audit of City Centre (including Events and Inspections); Audit of Carlisle Partnership – Value for Money; Audit of Income Management; and the Annual Fraud Review 2019/20.

He further summarised for Members the information provided at paragraphs 2.3 – 2.5; and Sections 3 and 4 concerning utilisation of the Audit resource during the period; performance indicators; and audit recommendations.

As identified above Internal Audit were currently behind target to achieve the audit plan. A recruitment exercise was underway to fill the vacant post. Internal Audit was also carrying out further work to identify and employ additional temporary resource to assist with the completion of the 2020/21 Internal Audit Plan.

A review of the Internal Audit plan had also been undertaken, including relevant discussion with responsible managers and the amendments identified at paragraph 5.2 were proposed to the Internal Audit plan.

Members raised the following observations during their consideration of the report:

- A Member commended the Principal Auditor on the work undertaken in relation to the Audit Plan. With respect to the proposal to remove 3 reviews, she asked when those areas would receive review in the future.

The Principal Auditor responded that risk informed decision making would be used to identify when further reviews of those areas proposed to be removed would be carried out.

The Corporate Director of Finance and Resources advised the Committee that, the Council had recently undergone an external review of risk management comprising all Risk Registers which was to be considered at the next meeting of the Corporate Management Risk Sub Group. She undertook to share the review with the Committee. In relation to the Effectiveness Review, work was being done to develop training resources for members of the Committee.

The Member requested that the CIPFA Code of Best Practice be adopted.

RESOLVED – That the Audit Committee:

- 1) Noted the progress against the Audit Plan for 2020/21 set out within Report RD.45/20.
- 2) Noted the progress made on audit recommendations to date outlined in Appendix B.
- 3) Approved the suggested amendments to the 2020/21 audit plan in Section 5.
- 4) Approved the adoption of the CIPFA Code of Best Practice.
- 5) That the Corporate Director of Finance and Resources circulate the Effectiveness Review to Members.

AUC.35/20 INTERNAL AUDIT REPORT LOCAL AIR QUALITY MANGEMENT

The Principal Auditor submitted report RD.47/20 which supplemented the Internal Audit Progress Report and considered the Review of Local Air Quality Management which was found to provide reasonable assurances and contained three medium graded recommendations. The Principal Auditor elaborated upon the audit highlighting, in particular detail, the key points and associated recommendations.

RESOLVED – That the Audit Committee received the final Audit Report outlined in paragraph 1.1 of Report RD.47/20.

AUC.36/20 INTERNAL AUDIT REPORT CITY CENTRE

The Principal Auditor submitted report RD.48/20 which supplemented the Internal Audit Progress Report and considered the Review of City Centre which was found to provide reasonable assurances and contained eleven medium graded recommendations.

The Principal Auditor elaborated upon the audit highlighting, in particular detail, the key points and associated recommendations.

RESOLVED – That the Audit Committee received the final Audit Report outlined in paragraph 1.1 of Report RD.48/20.

AUC.37/20 INTERNAL AUDIT REPORT CARLISLE PARTNERSHIP

The Principal Auditor submitted report RD.49/20 which supplemented the Internal Audit Progress Report and considered the Review of Carlisle Partnership – Value for Money which was found to provide reasonable assurances and contained one high and four medium graded recommendations.

The Principal Auditor elaborated upon the audit highlighting, in particular detail, the key points and associated recommendations.

Members raised the following questions and observations:

- What level of resource did the Council provide to Carlisle Partnership?

The Principal Auditor advised that the authority employed the Carlisle Partnership Manager, there were also costs associated with some venue hires that were met by the Council.

In response to comments regarding the out of date nature of some information on the Carlisle Partnership website, the Principal Auditor noted that the matter had been picked up via an advisory comment in the report.

- A Member considered that the timescale for setting up a Task and Finish Group to develop a performance framework for the Partnership of June 2021 was too long.

The Principal Auditor explained that the internal audit of the Partnership had only recently been completed and its recommendations and Action Plan agreed, as such it was reasonable to allow time for those to be implemented. As recommendation 1 of the audit was high level recommendation, it would be reviewed on a quarterly basis. Moreover, the work of the Task and Finish Group would be predicated on the finalised strategy.

The Member proposed that the matter be forwarded to the Health and Wellbeing Scrutiny Panel for inclusion in its Work Programme.

- A Member was disappointed that a high level recommendation had arisen from the audit and that the Partnership did not have a complete strategy in place, she asked whether consideration had been given to issuing a partial assurance?

The Principal Auditor confirmed that a partial assurance had been considered. However, there was evidence that the work of the Partnership did add value for money which counterbalanced the lack of a formal strategy. On that basis, a partial assurance was not felt to be reasonable.

The Member commented that the implementation of the report recommendations would improve the Partnership.

RESOLVED – 1) That the Audit Committee received the final Audit Report outlined in paragraph 1.1 of Report RD.49.20.

2) That the Internal Audit report for Carlisle Partnership be forwarded to the Health and Wellbeing Scrutiny Panel for inclusion in its Work Programme.

**AUC.38/20 DRAFT TREASURY MANAGEMENT STRATEGY STATEMENT,
INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION
STRATEGY 2021/22**

The Corporate Director of Finance and Resources submitted report RD.44/20 setting out the Council's draft Treasury Management Strategy Statement for 2021/22 in accordance with the CIPFA Code of Practice on Treasury Management. The Investment Strategy and the Minimum Revenue Provision Strategy for 2022/21 were incorporated as part of the Statement, as were the Prudential Indicators as required within the Prudential Code for Capital Finance in Local Authorities.

The report was scheduled for consideration by the Executive on 13 January 2021, prior to submission to full Council on 2 February 2021.

RESOLVED – That, subject to the observations detailed above, the Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy 2021/22 be noted.

**AUC.39/20 TREASURY MANAGEMENT QUARTER 2 2020/21 AND FORECASTS FOR
2021/22 TO 2025/26**

The Corporate Director of Finance and Resources presented report RD.34/20 (amended) providing the regular quarterly summary of Treasury Management Transactions for the second quarter of 2020/21 and budgetary projections for 2021/22 to 2025/26.

The Executive had, on 9 November 2020, received Report RD.41/20 and the projections for 2021/22 to 2025/26 incorporated into the Budget reports considered elsewhere on the Executive Agenda (Minute EX.129/20 referred).

Since the report was considered by the Executive the government had announced the outcome of a consultation into use of the PWLB borrowing facility. As part of the Spending Review announcement on 25 November 2020, the government outlined the new guidelines under which borrowing from the PWLB could be undertaken by local authorities.

As expected, those new guidelines restricted the use of borrowing for commercial investment property ventures where yield was the primary reason for purchase.

The outcome of that new approach was that the additional 100bps that was added to rates 12-months ago had now been rescinded and borrowing rates had immediately fallen back to now be at levels similar to when the Council undertook some borrowing in September 2019 when it borrowed (£9m at 1.8% for 40 years, and £5m at 1.33% for 20 years).

The impact of the reduction in rates would be factored into the draft budget proposals and provided a significant saving in the cost of the borrowing that was still included in the Medium-Term Financial Plan. (Appendix C showed the original MTFP projection as considered by

Executive in November 2020). A revised projection was now shown at Appendix D that showed the impact of the new rates.

The borrowing rates shown at Para 1.4.2 have been updated as detailed on page 220 of the document pack.

The Business and Transformation Scrutiny Panel had, on 1 December 2020, resolved that the Treasury Management Quarter 2 2020/21 and Forecasts for 2021/22 to 2025/26 be received (Minute BTSP.73/20(f) referred).

RESOLVED – That Report RD.34/20 (amended) be noted, including the update to borrowing rates as outlined.

AUC.40/20 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraph numbers (as indicated in brackets against the minutes) of Part 1 of Schedule 12A of the 1972 Local Government Act.

AUC.41/20 INTERNAL AUDIT REPORT INCOME MANAGEMENT (Public and Press excluded by virtue of paragraph 3)

The Principal Auditor submitted private report RD.50/20 (Part B) which supplemented the Internal Audit Progress Report considered in Part A and considered the Review of Income Management.

The Principal Auditor outlined, in some detail, the content of the audit report including the key points and recommendations.

In response to a request from a Member that the Corporate Director of Finance and Resources comment on how the high level recommendation set out in the report be addressed, she set out the process that would be employed.

The Member proposed that progress against the high level recommendation, detailed in the report be reviewed on a quarterly basis. The Committee indicated its assent.

RESOLVED – 1) That the Audit Committee received the final Audit of Income Management.

2) That progress against the high level recommendation, detailed in the report be reviewed on a quarterly basis.

AUC.42/20 ANNUAL REVIEW OF COUNTER-FRAUD ARRANGEMENTS (Public and Press excluded by virtue of paragraph 3)

The Principal Auditor submitted private report RD.39/20 on the annual review of counter-fraud arrangements. Background information on the definition of fraud; its significant impact upon resources; and the role of Internal Audit was set out at Section 1.

The Principal Auditor summarised, in some detail, the arrangements in place and made suggestions for developments.

A Member suggested that information be made available, on the Council's website regarding the Council Tax Single Person Discount to assist residents in understanding when they should report changes in their household circumstances to the authority.

The Principal Auditor undertook to liaise with the Revenues and Benefits Services Manager on the matter.

The Corporate Director of Finance and Resources advised the Committee on the current process for reviewing the Single Person Discount, noting that consideration was being given to a county-wide review of the matter. She undertook to update the Committee on the progress of that review in due course.

A Member requested that a Committee receive a further report regarding data matches in relation to Housing Waiting Lists. The Committee indicated its assent.

Following a suggestion from a Member that Counter Fraud arrangements training be made available to Members, the Corporate Director of Finance and Resources agreed to extend the training, which had been provided to Officers, to Members. It was noted that the Officer training had been well attended and received.

RESOLVED – 1) That the Audit Committee noted the content of Report RD.39/20 and endorsed the improvements set out at Appendix A thereto.

2) That the Principal Auditor liaise with the Revenues and Benefits Services Manager regarding the provision of information on the Council's website relating to Council Tax Single Person Discount.

3) That a report be submitted to a future meeting of the Committee regarding data matches in relation to Housing Waiting Lists.

4) That the Corporate Director of Finance and Resources arrange training for Members on Counter Fraud arrangements.

[The meeting ended at 11:29am]

(Received and adopted by Council on 5 January 2021)

STANDARDS COMMITTEE

THURSDAY 10 DECEMBER 2020 AT 11.00

PRESENT: Councillor Mrs Mallinson (Chair), Councillors Mrs Bowman, Meller, Paton, Dr Tickner and Miss Sherriff.

OFFICERS: Deputy Monitoring Officer

ST.01/20 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor McNulty and Mr Thomas, Independent Person.

ST.02/20 DECLARATIONS OF INTEREST

There were no declarations of interested submitted.

ST.03/20 PUBLIC AND PRESS

The Chair informed the Committee that Agenda items B.1, B.2 and B.3 have been deferred to a future meeting.

RESOLVED - It was agreed that the items of business within Part A be dealt with in public and the items in Part B of the agenda be deferred to a future meeting of the Standards Committee.

ST.04/20 CO-OPTION OF PARISH COUNCIL REPRESENTATIVE

In accordance with the Council's Scheme of Delegation the Standards Committee were invited to co-opt a Parish council representative onto the Committee in a non-voting capacity for 2020/21.

It was agreed that Councillor Craig Nicholson be appointed the Parish Council representative on the Standards Committee for Municipal Year 2020/21.

RESOLVED – That Councillor Craig Nicholson be appointed as the Parish Council representative (non-voting) on the Standards Committee for Municipal Year 2020/21.

[The meeting ended at 11.03am]

APPEALS PANEL 3

FRIDAY 11 DECEMBER 2020 AT 2.00PM

PRESENT: Councillors Dr Davison, J Mallinson, Miss Sherriff (as substitute for Councillor Dr Tickner).

ALSO

PRESENT: Complainant x 2

OFFICERS: Corporate Director of Economic Development
Legal Services Manager
Development Manager
Planning Officer

AP3.01/20 APPOINTMENT OF CHAIR

It was proposed and seconded that Councillor Dr Davison be appointed Chair of Appeals Panel 3 for the 2020/21 Municipal Year.

RESOLVED: That Councillor Dr Davison be appointed Chair of Appeals Panel 2 for the 2020/21 Municipal Year.

Councillor Dr Davison thereupon took the Chair.

AP3.02/20 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Dr Tickner.

AP3.03/20 DECLARATIONS OF INTEREST

There were no declarations of interest in respect of the complaint.

AP3.04/20 PUBLIC AND PRESS

RESOLVED - That in accordance with Section 100A(4) of the Local Government Act 1972, the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in Paragraph Number 1 of Part 1 of Schedule 12A of the 1972 Local Government Act.

AP3.05/20 COMPLAINT AGAINST DEVELOPMENT MANAGEMENT

The Chair introduced the Panel and the Officers present in the meeting, she invited the Complainants to summarise their complaint.

The Complainants set out in some detail the reason for the complaint which related to the granting of planning permission for the erection of an extension at a residential property. The Complainants were representing their mother who resided in the property adjacent to that where the extension had been constructed.

The Complainants set out the principal aspects of the complaint as follows:

- The Development Management Service had failed to notify neighbouring properties of the planning application thereby preventing submission of comments or objections by those residents. Page 26 of the agenda document pack contained an excerpt from the software system used by the Development Management Team which showed no

representations had been received which should have prompted the Planning Officer to investigate further, but that had not occurred;

- The length of the process, in particular the failure of the Planning Officer to respond, for a period of three months to correspondence from a Ward Member relating to the matter, that item had not been submitted as part of the agenda document pack;
- The failure of the Officer who had responded to the Stage 2 complaint correspondence to address all matters raised by the Complainants;
- A request by the Complainants to be provided with copies of the photographs taken during his site visit was declined by Officers on the grounds of privacy. The Complainants had subsequently followed the matter up with a Freedom of Information request. The correspondence relating to that issue was not included in the agenda document pack;
- The design of the extension was not in accordance with Carlisle District Local Plan 2015 – 30 (Local Plan) policy HO 8 - House Extensions and was not in-keeping with neighbouring properties.

In response to questions from the Panel, the Complainants confirmed:

- The impact on the Complainants' mother had been significant as the extension was visible from the room which she principally used in her home, it preyed on her mind and affected her sleep. She had also been impacted by disturbance related to the construction works;
- The pictures included in the Complainants' submission to the document pack showed the proximity of the extension to their mother's property. The Complainants were of the view that Officers had not carried out a proper assessment of the application as it would largely have been allowed under Permitted Development Rights;
- The extension had resulted in a loss of light into their mother's property, particularly at evening times;
- The Stage 2 Corporate Complaint response had not responded to all the issues raised and gave the impression the Council was not adequately representing the Complainants' mother;
- They felt the Planning Permission ought to be reviewed.

The Legal Services Manager advised that the Panel was not able to re-open the application process as the permission had now been granted.

One of the Complainants noted that their mother had been denied the usual appeal pathway of Judicial Review as that process needed to commence within six weeks of the granting of permission. As no notification of the development had been received it had not been possible to pursue that course of action.

The Chair thanked the Complainants for their submission and summed up the main points from the complaint as follows: The failure to send out notifications to neighbours prevented their making representations which may have lessened the impact of the development; failure to respond to the complaint in a timely manner, in particular, Ward Member correspondence in a timely manner; failure to respond to all issues raised by the Complainants in the Corporate Complaint Stage 2 response; being required to request site visit photographs via a Freedom of Information request, and the design of the extension not being in-keeping with relevant Local Plan policies.

The Complainants agreed the summary.

The Chair thanked the Complainants for their input and advised that they would be informed by letter within 20 working days of the Panel's decision.

The Complainants left the meeting at 2:53pm.

Consideration was given by the Panel as to which Officers they wished to speak to in order to clarify any issues relating to the complaint.

The Panel adjourned from 3:10pm to 3:18pm.

The Corporate Director of Economic Development, the Development Manager and the Planning Officer were invited to attend the meeting. The Chair outlined the complaint and invited Officers to respond.

In response to questions from the Panel, the Officers confirmed:

- Permitted Development Rights (PDR) allowed for householders to carry out some development of residential property without requiring planning permission: the application for the extension exceeded PDR, in terms of length but not height, the size of development allowable under those Rights. In assessing the application, the Officer had considered the proposal as a whole not just the portion which exceeded that which was permissible via PDR;
- PDR was a material consideration in the determination of the application as it constituted the backstop position;
- The extension was compliant with relevant planning policies, the matter of impact on residential amenity was considered under Local Plan policy HO 8;
- Had the Complainants' mother been notified of the application she may have made representations to the Case Officer. She may also have discussed the matter with her local Ward Member who was able to request that the application be submitted to the Development Control Committee for consideration. In the event of that Committee refusing permission, the applicant had the right to lodge an appeal against the refusal with the Planning Inspectorate who had the power to overturn a refusal of planning permission. Given the Officers' professional opinions, based on a thorough assessment of the proposal, it was likely any appeal would have been upheld, therefore the development would have received planning permission;
- Had representations been made on the matter of design, it was possible some negotiation may have been undertaken with the applicant. The extension was built to the rear of the dwelling and was screened from the Complainants' mother's property by an existing hedge, thus mitigating the visual impact to some extent, a portion of the extension remained visible. A different roof construction e.g. hipped or crown was likely to have had a greater visual impact than the one constructed as those forms were higher in the centre and so would be more visible from the adjacent property;
- A site visit had not been carried out at the Complainants' mother's property as part of the Officer's assessment of the application. It was not likely that had a site visit been conducted that the application for the extension would have been refused as it was acceptable in planning policy terms;
- The extension had been constructed on the north-west elevation of the applicant's dwelling, the sitting room of the Complainants' mother's property was orientated to the west-south-west. The impact on the residential amenity of the neighbouring property had been considered as part of the Officer's assessment, but was not deemed adverse. It was noted that pictures 1 and 2 of the Complainants' submission which showed the view from the sitting room before and after the extension had been constructed were not taken from the same position;
- The Complainants request for the pictures taken by the Planning Officer during his site visit had been declined on the grounds of privacy. The Development Manager showed one slide on screen and explained where others had been taken from during his site visit;
- Following notification of the complaint, the Planning Officer had visited the Complainants' mother, where he had discussed the matter with her.

Officers acknowledged and apologised for the lack of notification to the neighbouring property. Not all types of application required such consultation therefore, a lack of response had not automatically highlighted that it had not been dispatched. Even when applications were consulted on, they may not necessarily generate responses.

Further acknowledgement and an apology was given for the length of time taken to respond to correspondence from the Ward Member. The initial communication had been received around the time the first wave of restrictions relating to the Covid 19 pandemic had been implemented. At that time Officers were transitioning from paper based office working to paperless working from home and the item had been overlooked.

The Development Manager and the Planning Officer left the meeting at 4:03pm.

On the matter of the Stage 2 Corporate Complaint response not fully addressing the issues raised by the Complainants, the Corporate Director responded that Officers aimed to be clear in their communications, issues raised at Stage 2 may have been addressed as part of the initial complaint and during Stage 1. It was acknowledged that this response was not up to the usual standard and the importance of clear language in public communications was recognised.

In terms of preventing a similar issue arising in the future, the Corporate Director explained that the Development Manager had circulated a guidance note to support staff reminding them of the protocols to be followed when dealing with an application. Furthermore, the Development Management Service was trialling new software for case management.

The Corporate Director of Economic Development left the meeting at 4:13pm.

The Panel then considered all the evidence presented to them prior to and during the hearing and:

RESOLVED – 1) That the complaint against Development Management Services be upheld in part.

Members agreed that:

1. Officers had failed to dispatch notification to the Complainants' mother of the planning application which had prevented her from making representations;
2. The Planning Officer had not responded in a timely manner to correspondence from the Ward Member;
3. The Stage 2 Corporate Complaint response had not sufficiently responded to the issues raised by the Complainants.

(The meeting closed at 4:23pm)