

Public Services News

May 2023



The Civic Hall at Leeds, Leeds is one of Britain's largest local authorities.

Contents:

Barnet Borough Council and the Easy Council Model	1
Local Government Finance in England	3
Adult Social Care	5
Unpaid Carers	7
The Crisis in NHS Dentistry	8
The Welfare System in Britain	9
Street Lights and Footway Lights	10
Museums and Heritage Centres	11
European Court of Human Rights	12
AWICS Surveys	14
About AWICS	14

Barnet Borough Council and the Easy Council Model

Last November an article about Barnet Borough Council by John Harris in the 'Guardian' caught my eye. It considered Barnet's experiment with the 'Easy Council' where several services were outsourced in the belief that significant savings would materialise but then they didn't. The result was summarised by John Harris as follows:

"Amid the borough's mock-Tudor houses, newly built apartment blocks and arterial roads, a political project variously known as 'easy Council', 'Future Shape' and 'One Barnet' has risen and spectacularly fallen. It was meant to blaze a trail that Tory politicians all over the country could follow.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

“The basic idea was to drastically shrink Barnet’s council, mostly by handing an astonishing array of local services – highways, planning, regeneration, phone helplines, even cemeteries and crematoriums – to the outsourcing company Capita, the self-styled ‘consulting, transformation and digital services business’ giant that does a huge range of work for national and local government.

“Savings were promised, but didn’t materialise. Complaints about how people were being treated soon piled up. To cap it all, there were two cases of fraud related to the Capita contracts, together worth just over £2million. Not entirely surprisingly, the story eventually reached (its) denouement.”

The ‘Guardian’ reports that the council has paid £229million more than the original contracts had set out. Consequently, Barnet Borough Council is now bringing most of these services back in-house. This process started in 2018 under the former Conservative administration and is being accelerated by the current Labour administration.

The reason why this caught my eye was because, in 2011, I was asked (as an Associate Consultant with the Association for Public Service Excellence) by the UNISON branch in Barnet to prepare a financial review of the Council’s business case for the externalisation of the Council’s Development and Regulatory Services. In March 2011, I provided UNISON with a 67-page report that provided an analysis and critique of the Council’s business case.

UNISON presented my report to the Council but that it was dismissed by councillors and council officers. As Barnet UNISON tweeted to me recently:

“Barnet Council can’t claim that they were not warned. You provided Barnet UNISON a report which we submitted to Barnet Council.”

To view John Harris’ article in the Guardian, please [click here](#).

I am not ideologically opposed to councils using private contractors to deliver services. I can think of examples of private contractors providing good quality services to councils as well as bad. Equally, I can think of examples of in-house teams providing good quality services to councils as well as bad. As a local government officer and as a consultant I have been happy to support both out-sourcing exercises and in-house services. I think councils should have an open mind about whether to provide a service in-house or through a contractor and should take decisions based on evidence including a robust financial appraisal.

However, I am most certainly opposed to councils taking important decisions with significant financial implications without first preparing and considering a robust financial appraisal of options and a robust business case for the preferred option.

So what does this tell us about local government as a whole?

According to the Chartered Institute of Public Finance & Accountancy:

“Option appraisal is about making informed choices and better decisions. And nowhere is this more important than within public service organisations, as the choices these organisations make dictate how public funds are spent and impact on how people live their lives.”

They consider that an options appraisal should include:

- An overview of the option appraisal process, including the importance of being clear about what the organisation wishes to achieve, the identification of options, the use of long and short lists, and the application of appraisal techniques to identify a preferred option
- The identification and evaluation of cash flows and the consideration of the affordability of different options
- Non-financial appraisals, including economic appraisal, cost benefit analysis, multi-criteria analysis, and impact assessments
- Consideration of other issues relevant to option appraisal, including risk, sensitivity analysis, optimism bias, peer review, and post-implementation review
- Early consideration of reporting and good reporting.

Unfortunately, Barnet has not been the only council where I have found important decisions being based on inadequate financial appraisals. Neither is it the only case where the result has been disadvantageous to the council both financially and operationally.

So, why does this problem occur? I would suggest that there are two common reasons:

First, situations where politicians are driven by motives such as 'ideology' and officers are reluctant to speak truth to power. I have worked with councils where this was the prevailing culture. In these situations no one wants a robust financial appraisal. What the organisation wants is a report that recommends the desired outcome and enables the council to tick the box. The strength of the evidence and the logic of the arguments is irrelevant.

Second, situations where there is a lack of capacity in strategic and / or financial management. Again, I have worked with councils where this has been the case. This, I think, results from the continuation of traditional approaches to the appointment of senior staff.

Chief Executives have traditionally been appointed because of their experience of bureaucratic procedures and their closeness to politicians – qualities that do not necessarily give them skills in strategic or financial management. I have met several Chief Executives who simply don't understand their council's finances and see no need to do so.

Finance Directors have traditionally been appointed because of their experience in preparing annual financial statements. However, a local authority, with a multi-million pound budget and operating in a dynamic environment really needs the Finance Director to be an accountant who understands financial and management accounts and who will provide good strategic financial advice. Unfortunately, many local authorities don't recognise this.

As outlined below, local authorities are facing an even more challenging environment financially than has been the case in recent years. Several are tottering on the brink of bankruptcy. The need for better financial management has never been more apparent.

Local Government Finance in England

The National Audit Office has found that a third of British local authorities are at medium to high risk of financial failure. It is tempting to think that this is because of the coronavirus pandemic and that the situation will improve. However, this is not the case. The pandemic has simply worsened a situation that was already perilous.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

In 2018/19, before the pandemic, the Chartered Institute of Public Finance & Accountancy published its resilience index that showed that 10% of authorities were at high risk and during 2019/20 authorities withdrew £0.8billion from reserves to support revenue expenditure. Before this, the Local Government Association published its infamous 'graph of doom' that showed that, by the middle of the decade, councils would not have enough resources to fund social care services let alone anything else.

The pandemic has done nothing to reduce the pressure on budgets for adult social care and children's services; and has increased the pressure on services including mental health and domestic abuse. It has also reduced Councils' income with no guarantee that levels of income will recover to pre-pandemic levels quickly.

One problem that Councils faced before the pandemic was reduced income from business rates as consumers switched their expenditure from the high street (where business rates are high) to online (where business rates are low). The pandemic has accelerated this trend and it is generally expected that this shift in consumer behaviour will be permanent. Many councils have invested in town centre shopping centres that are no longer looking like sound investments. This shift in consumer spending has also reduced car parking income that is of critical importance to the finances of many councils.

Rob Whiteman, the Chief Executive of the Chartered Institute of Public Finance & Accountancy, writing in the 'Public Finance' magazine as the pandemic came to an end, said that:

"Covid19 has distorted the nature of local government. With the sector having been in permanent crisis mode for the past twelve months, officers are working to short-term planning horizons and sources of funding. There can be no doubt that this has compromised the financial resilience of councils across the UK. And while it would be unfair to say that all Councils are at a fiscal cliff edge, most are camped on the headland."

"Covid 19 has rightly brought many local government services to the forefront of political and public conversations in the UK. Any work to improve these services will rely on improving the financial resilience of the sector. Local government finances have never been as fragile as they are today."

"The pandemic has allowed government to delay reform of local authority finances but has only increased the scale of change needed."

Prior to the pandemic the government launched the 'fair funding review'. This started with a consultation in December 2017. The fair funding review was intended to set new baseline funding allocations for local authorities by delivering an up-to-date assessment of their relative needs and resources, using the best available evidence. As part of this the government considered a wide range of options for developing an updated funding formula by looking again at the factors that drive costs for local authorities.

However, the 'fair funding review' has yet to conclude with the government putting it off twice, firstly because of 'Brexit' and secondly because of the coronavirus pandemic.

Rob Whiteman's thoughts for the 'fair funding review' are that:

"The current system is heavily centralised and funding for services is overly reliant on property taxes. If local councils are to maintain their current services, or deliver more through devolution, those responsibilities should be met with a wave of necessary funding reforms that provide access to a plurality of additional funding sources."

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

I have published a briefing paper on the revenue aspects of local government finance in England. [To view or download your copy, please click here.](#)

For information on the support that AWICS can give local authorities on financial management, [please click here.](#)

Adult Social Care

The biggest casualty of the government's economic policies and quest for budget cuts is likely to continue to be the adult social care service and the millions of vulnerable people who depend on it.

Research by 'Cumbria Crack' (an online news platform in Cumbria) in the autumn of 2022 revealed that 452 people in Cumbria were already on the waiting list for social care. That is about one person in every thousand. However, this will come as no surprise to people who work in the sector, unpaid carers or the people they care for. Furthermore, it is not a problem that is confined to Cumbria.

Local authorities are responsible for adult social care – including providing residential care and supporting people in their own homes, and they spend more on it than any other service. This means that, since austerity started, they have been forced to make cuts in adult social care. One way they have done this is by using private contractors to provide the care and by continually reducing the amount they are prepared to pay for that care. However, this model is becoming unsustainable for two reasons:

- Local government is running out of money. The Local Government Association estimates that if councils are to continue to provide adult social care at current levels they will soon have to stop doing everything else altogether.
- Companies that provide care have to offer low wages, even though caring is skilled and onerous work, and therefore cannot attract enough staff. Therefore, they are often not able to provide care to people who need it, even when the Council is able and willing to pay.

Adult social care in England has been in a serious crisis for years and it is getting worse. Even Conservative council leaders at the County Councils' network have warned the government, that it faces a funding gap and a growing staffing shortage. According to Councillor Martin Tett (Conservative), Leader of Buckinghamshire Council:

"We face the perfect storm of staffing shortages, fewer care beds, and higher costs – all of which will impact on individuals waiting for care and discharges from hospital."

Although social care budgets have been under pressure for years, an extra £1.4billion was added to the already large funding deficit faced by English councils during the autumn of 2022, according to analysis carried out by the network, pushing many services to the edge of viability and bringing many local care providers to the brink of collapse. Some local authorities fear that if funding levels do not improve they will be unable to meet their legal obligation to provide care to local residents. Others report care providers handing back contracts because rising costs and staff shortages mean they are no longer able to provide services. The network estimates that without intervention, councils will run up a £3.7billion care funding shortfall over the period ending March 2024. Any cuts forced onto councils by the Treasury will add to this shortfall.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

The reality is that, in relation to need, less money went into social care this winter than last and that next winter the budgets are likely to be smaller while the number of people in need will increase.

Councils and private sector providers alike are struggling to recruit and retain staff when local labour market rivals like supermarkets are able to offer wage rises and staff incentives such as free food. There are currently about 165,000 social care vacancies in England and that probably means there are at least half a million vulnerable people who are not getting the social care that they need. 'Brexit' means that these vacancies cannot be filled by recruiting in other parts of Europe as was done in the past.

The scale of contract hand-backs in Devon has reached the point where the council has set up a dedicated team to find alternative placements for care clients whose providers walk away. Councillor James McInnes (Conservative), the cabinet member for adult social care at Devon County Council, told the Guardian that:

"It is very difficult because you can stack shelves in supermarkets and earn more money than you can in social care. We need national government to recognise this... We have never seen anything like it."

Cathie Williams, the chief executive of the Association of Directors of Adult Social Services, told the Guardian that:

"Too many people are missing out on vital care and support – we estimate that over half a million people are waiting for assessments, care, or reviews. With over 165,000 staff vacancies, this is only set to get worse."

Let me give you an example. A lady of pensionable age was discharged from hospital unable to walk. She was given a care package so that she could return home with disabled adaptations and the help of paid carers and a relative as an unpaid carer. She found the carers excellent, but they had not been allocated enough time to help her to shower. She hadn't had a shower for some considerable time and her doctor considered this detrimental to her health. Prior to being admitted to hospital, she had her bathroom converted to a disabled wet room funded by a Disabled Facilities Grant from the district council but was admitted to hospital before being able to use the shower. Her occupational therapist recommended that the carers' hours be increased so they could help her to shower and the council agreed to fund it. However, the company that provided the care was not able to do this because of lack of staff. She had to wait for six months before the carers were able to find enough hours to help her to shower. She used her new bathroom twice before returning to hospital where, sadly, she passed away.

Clearly the care system had the best intentions and allocated resources accordingly, but was too slow to meet this person's needs.

Some other vulnerable people are in a far worse situation than this person.

A government spokesperson told the Guardian that:

“The health and social care secretary is focused on delivering for patients and has set out her four priorities of A, B, C, D – reducing ambulance delays, busting the Covid backlogs, improving care, and increasing the number of doctors and dentists... We are investing £5.4billion over the next three years to reform adult social care – to end the lottery of unpredictable care costs and support the workforce... This includes £3.6billion to enable all local authorities to move towards paying providers a fair cost of care, and a further £1.7billion to begin major improvements across adult social care in England – on top of record annual funding to help councils respond to rising demands and cost pressures.”

But clearly this is not enough in the face of increasing need caused by longer life expectancy. National politicians appear complacent, out of touch, penny pinching and reluctant to address these problems. Local politicians who are responsible for delivering adult social care appear to focus their efforts on issues that are visible to everyone even if they are relatively insignificant – like potholes and refuse collection - rather than on issues like adult social care that are very significant for those concerned but are not in the everyday experience of many voters. National and local politicians should stop being complacent about the problems in adult social care and prioritise it.

Unpaid Carers

Last November, Carers UK released their ‘State of Caring 2022’ report: the largest and most comprehensive survey of unpaid carers. This year, a record number of carers took part, with over 12,400 current carers helping them to paint a picture of caring in 2022.

It is clear from carers’ responses that the cost of living crisis has created unprecedented pressure for carers that has not only affected their finances but their health and wellbeing. Last month, Carers UK published a report ‘Heading for Crisis: caught between caring and rising costs’ based on these findings.

As well as finances, the State of Caring 2022 survey covered many other aspects of caring, from the impact of caring on health, to experiences of using support services, and the challenges of juggling work and care. The huge pressures placed across the NHS, together with the record levels of demand for social care services, means that many carers may not be getting the support they need.

The report found that:

- Many carers are facing serious difficulties in getting NHS treatment – of those waiting for specialist treatment or assessment, a third have been waiting for over a year.
- Two thirds of those waiting for treatment said that waiting is having a negative impact on their physical or mental health.
- 41% of carers haven’t taken a break from their caring role in the last year.
- Half of all carers took over a year to recognise their caring role, with over a third taking over three years to recognise themselves as a carer.
- 75% of carers worry about continuing to juggle work and care going forward.

With many services being reduced or cut completely, carers are extremely worried about the future: 61% said they were uncertain about what practical support they might be able to access in the next 12 months.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

While Governments across the UK have taken a range of actions to provide carers with help and support, much more must be done. Carers UK have set out several recommendations on how carers should be supported, from a funded National Carers Strategy for England to review and reform of carers' benefits and investment in social care to support carers with adequate breaks. They have also been campaigning for a landmark new right for employed carers to take up to one week of unpaid Carer's Leave. This is now included in the Carers' Leave Bill put forward by Wendy Chamberlain MP (Liberal Democrat, Northeast Fife) that has secured government support and has now passed its Second Reading.

With increasing numbers of people in need of care and much of this care being provided by unpaid carers, the government needs to give more serious consideration to how it supports unpaid carers in their important role.

For further information please follow the links below:

- [State of Caring 2022](#)
- [Heading for Crisis: caught between caring and rising costs](#)
- [Carers' Leave Bill](#)

The Crisis in NHS Dentistry

My local newspaper is the 'Cumberland & Westmorland Herald' and they recently highlighted the shocking decline in NHS dental services in the Eden area of Cumbria. However, this isn't new. It is a problem that has been developing nationally over many years, was already serious before the pandemic, and has now reached crisis proportions. The impact is generally worst in rural areas such as the Eden Valley.

'Mydentist', Britain's largest provider of NHS dentistry reports that 16million people in England don't have a dentist, 53% of people haven't seen a dentist for over a year, mainly because they can't get an appointment, while one in five has carried out 'do it yourself' dentistry including tooth extractions and fillings.

The British Dental Association says that dentistry went into the pandemic on a lower budget than it received a decade before – cut in real terms by 30%, with half of the population unfunded to receive NHS treatment. They also say that dentistry is haemorrhaging talent owing to failed contracts, underfunding and a 'cack-handed' Covid response. There were 951 fewer dentists offering NHS services in 2020/21 than in the previous year, and more than 40% say they intend to change career or retire. Dentists are also leaving the NHS so they can concentrate on private treatment.

NHS England advises anyone who is in pain and cannot find a dentist to call NHS 111. They say that patients should only visit Accident & Emergency in serious circumstances, such as severe pain; heavy bleeding; or injuries to the face, mouth or teeth.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

Central to the problem is the target-based NHS contract. It was introduced in 2006 by the Labour government and has been retained by the Conservatives. It pays dentists on their activity, giving them targets to meet and penalising them financially if they don't meet them. Treatment is divided into three bands; the most complex care requires dentists to pay the laboratory fee themselves that can be as much as several hundred pounds per patient. NHS dentists can therefore lose money when they treat patients who need significant treatment. It has generated chronic recruitment and retention problems that have been exacerbated by restrictions on foreign dentists and has inevitably led to the slow but certain decline of the service.

In January 2022, the government provided another £50million of funding. But this is a small one-off sum that will not reverse the decline in NHS dentistry. As usual the government has a short-term penny-pinching approach. Lack of NHS dentists is not only causing hardship and suffering to patients but is storing up significant health problems that will cost the NHS dearly in the long-term. We need to commit to continuing to have an NHS dental service. We need more funding, more dentists to be appointed and reform of the NHS contracts.

The Welfare System in Britain

Winston Churchill once said that there should be a ladder for aspirational people to climb and a safety net for those who fall off – but the safety net has now been lowered too near to the floor.

If I was designing a welfare system I would start by calculating what people would need for a basic minimum standard of living – what they would need to pay for rent, utilities, food and other essentials – and benefits would be based on that calculation. If the cost of these things went up, then so would the benefits. This would create a transparent system where benefit recipients would get what they needed.

But the welfare system doesn't work like this. Levels of pensions and benefits are set by ministers plucking figures out of the air that bear no relation to what people need to spend to live. And it's now clear that these amounts fall far short of what is needed.

The Joseph Rowntree Foundation and the Trussell Trust calculate that a single person needs a minimum of £120 a week in addition to their rent. This includes food (£37), energy (£35), travel (£16), utilities (£20) and sundries (£23). A couple would need £195. They describe this as 'the more stringent and conservative end of the spectrum'. These figures are modelled partly on official data that tracks what low-income households actually spend, and has been reality-checked with benefit claimant focus groups.

The basic rate of universal credit will be £85 a week for a single adult even after April's increase. The charities say that social security benefits have become so eroded in recent years that they no longer provide a realistic or secure safety net.

In 2020/21, 13.4million people in Britain were living in poverty. Of these, 7.9million were working age adults, 3.9million were children and 1.7million were pensioners. Numbers have increased since then, not least because of the cost of living crisis. In October 2022, the Joseph Rowntree Foundation reported that 60% of low income households could not afford an unexpected expense, over half were in rent arrears, a quarter use credit to pay essential bills, 70% are going without essentials, half have reduced spending on food for adults, 40% of families are spending less on food for children and 60% are heating their homes less.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

This poverty is caused by government policy. The welfare system should not be failing on this scale in a developed country like Britain. Radical reform is needed and I would suggest that we start by basing universal credit, old age pensions and other benefits on properly costed packages of spending that represent the minimum that people need to live on.

Even better, a scheme called 'Guaranteed Basic Income' could be introduced. This would guarantee all citizens and families an income that is enough to live on, as long as eligibility criteria are met. It is a targeted payment system directed at those on the lowest incomes with the aim of abolishing deep poverty – and it could do this within a decade. It would be a radical policy for advancing social justice and combating economic inequality. It could be combined with abolishing the benefit sanctions attached to Universal Credit.

It would also be possible to end the need for claimants to opt-in to receive payments. Ending the need to opt-in to the system would minimise the risk of social stigma towards claimants and reduce the need for government bureaucracy. Claimants could be automatically enrolled into receiving Guaranteed Basic Income by linking it to the tax system that already administers levels of taxation based on earnings. In this sense, Guaranteed Basic Income would become a form of Negative Income Tax.

Street Lights and Footway Lights

Of all the services that local authorities provide, I would initially have thought that street and footway lighting would be among the most straightforward. However, there are several reasons why they are not. It is often difficult to understand who is responsible for street and footway lighting, why the service is often badly co-ordinated and why the public are so often dissatisfied with it.

Major advantages of street lighting are considered to include prevention of accidents and increase in safety. Studies have shown that darkness results in a large number of crashes and fatalities, especially those involving pedestrians; pedestrian fatalities are 3 to 6.75 times more likely in the dark than in daylight. Several decades ago, street lighting was found to reduce pedestrian crashes by approximately 50%.

The term 'street lighting', though commonly used, is a general term to describe systems of public lighting but does not discern between the different type of lighting systems in use or ownership - for example 'street / road lighting' and 'footway lighting'. I used to think that street lighting lit streets that are used by traffic, whereas footway lighting lit footways that are not used by traffic. However, this is not the case.

Highway authorities (county and unitary authorities), have the power to provide systems of road lighting under Section 97 of the Highways Act 1980. This power is restricted to the network for which they are the Highway Authority, being adopted roads and footpaths. While there is no specific definition for road lighting in the Act it is generally considered this lighting is designed to an applicable standard (BS5489 and BS EN 13201) at the time of original installation. These columns tend to be taller than footway lights (in excess of six metres) or where less than six metres (in residential locations), no lower than four with closer spacing between columns. These lights are also usually linked.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

District and Town / Parish Councils, acting as a Local Lighting Authority have the power, under various public health and local government acts, to provide what is known as systems of footway lighting. A description of footway lighting is given in Section 270 of the Highways Act 1980. These systems tend to use lower columns of four or five metres (but can be up to six) with much greater spacing between them, they are not designed to meet any required lighting standard. Systems of footway lighting can also be installed on unadopted roads and footpaths. They are generally not linked.

Unfortunately the terms 'road' and 'footway' where they refer to systems of lighting are slightly misleading as road lighting can be installed on footpaths and footway lighting can, and often is, installed on roads irrespective of the road classification.

I have written a briefing paper that describes the confusing way in which street and footway lighting is often provided, using Kirkby Stephen in Cumbria as a case study. In Kirkby Stephen the councils involved have created complex and dysfunctional relationships between themselves and their contractors that have made a basically simple service difficult to manage.

On 1st April 2023 the two-tier structure of local government in Cumbria was replaced by two unitary authorities. Kirkby Stephen is served by the new Westmorland & Furness Council. I hope that the new Westmorland & Furness Council will work with the town and parish councils to create a simple and effective way of providing and managing street and footway lights but I don't think it is certain that this will happen.

[To view or download a copy of my briefing paper, please click here.](#)

Museums and Heritage Centres

The coronavirus pandemic and the lockdowns have had a damaging effect on the economy of areas that are dependent on tourism, including the town of Kirkby Stephen where I live. As we emerge from the pandemic there is clearly a need to consider how these places should position themselves in the tourism market to ensure that they achieve their full potential.

I think Kirkby Stephen should have a museum and heritage centre that would showcase the fascinating history of Kirkby Stephen and the Upper Eden area. This wouldn't just be something that would be nice for local people to have, but would be an important part of the tourist offer and therefore of the local economy.

The Upper Eden has been settled since prehistoric times. The Romans built a fort at Brough and buried a cavalry helmet at Crosby Garrett. The Vikings founded Kirkby Stephen and carved the Loki Stone. In the middle ages the Upper Eden was filled with castles and pele towers, Kirkby Stephen got a market charter, Andrew Harclay won the Battle of Boroughbridge and the Musgraves were buried in Kirkby Stephen church. In the seventeenth century Kirkby Stephen sided with Parliament against the King and Lady Ann Clifford restored the Clifford estates. In the nineteenth century the industrial revolution brought the mills and the railway to Kirkby Stephen. And these are only a few of the highlights!

One of the historic gems of Kirkby Stephen is the medieval church. [To view or download a fact sheet on it, please click here.](#)

The economy of the Upper Eden is dependent on tourism with people attracted by the scenery and the outdoor activities as well as the history. But, as this is Cumbria, we get a lot of rain – and what is there to be done in the rain? This is why it is important for tourist towns to have ‘wet weather’ attractions that can act as a magnet when the weather turns wet.

When I worked for Copeland Council in the 1990s, we had the challenge of transforming post-industrial Whitehaven into a tourist town and central to this was the creation of the Beacon Heritage Centre. A museum or heritage centre really can act as a catalyst for economic activity. Other successful tourist centres in Cumbria already have museums or heritage centres. Carlisle has Tullie House. Kendal, Penrith and Keswick all have museums.

Kirkby Stephen does, of course, have the excellent Stainmore Railway Centre and the brilliant display of early medieval carvings in the church, but what I have in mind is a museum or heritage centre that would cover the whole of the history of Kirkby Stephen and the Upper Eden, would complement existing displays and would encourage more footfall in businesses in the town and surrounding villages. It would also be a useful resource for the town and surrounding villages, helping the schools to teach local history and providing another focus for the community.

This idea has been considered previously and it is easier to talk about a museum and heritage centre than to create one. There would be a need to identify suitable premises, to put together the exhibits and displays, to find staff and volunteers and to find finance. However, considering the advantages that it would bring to Kirkby Stephen and the Upper Eden I think the effort would be worthwhile. With the coronavirus pandemic coming to an end it would be an opportune time for the public, community & commercial bodies in Kirkby Stephen to come together to make a museum and heritage centre a reality.

And the same argument would apply, of course, to similar towns in all parts of Britain and, indeed, in other countries as well.

European Court of Human Rights

Parliament is considering a Bill of Rights that would replace the Human Rights Act and reduce Britain’s commitment to the European Convention on Human Rights. I am afraid that, if it is passed it would undermine human rights in Britain and undermine Britain’s standing in the world. Worse still, Liz Truss has said that if she becomes Prime Minister she may go further and withdraw Britain from the European Convention of Human Rights altogether.

The European Convention on Human Rights is sometimes presented as a threat to British sovereignty but this is not true. The Convention was drafted after the Second World War as a way of protecting human rights in Europe and preventing communist subversion or a resurgence of fascism. It came into force in 1953 when Churchill was Prime Minister and has been supported by every British government since – until the present one. It is supported by every government in Europe with the exceptions of Russia and Belarus.

**Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658.
Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk**

**Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB.
Company Number: 3713554. VAT Registration Number: 721 9669 13.**

The convention covers: Right to life; Freedom from torture & inhuman or degrading treatment; Freedom from slavery & forced labour; Right to liberty & security; Right to a fair trial; No punishment without law; Respect for your private & family life, home & correspondence; Freedom of thought, belief & religion; Freedom of expression; Freedom of assembly & association; Right to marry & start a family; Protection from discrimination in respect of these rights & freedoms; Right to peaceful enjoyment of your property; Right to education; Right to participate in free elections; & abolition of the death penalty. Britain signed the convention in 1953 and it is enshrined in law in the Human Rights Act 1998. I would have thought that anyone with a sound mind would want to support these principles.

People who believe their human rights are being denied by a national government can appeal to the European Court of Human Rights. This court is not part of the European Union. An international court is needed because the convention is there to protect citizens when national institutions fail them.

The purpose of the Bill of Rights that is now before Parliament is to allow political interference in the courts and to make significant changes including:

- A harder test to claim the right to family life to avoid deportation.
- Limits on cases where public bodies have a positive obligation to protect individuals' rights (this would have prevented the relatives of the Hillsborough victims from pursuing justice).
- Rules instructing courts to consider a claimant's past record before awarding them damages for human rights breaches.
- A new 'permission stage' requiring claimants to show they have 'suffered a significant disadvantage' to bring a case (meaning that some level of human rights abuse would be legal).

The president of the Law Society says that the bill would 'create an acceptable class of human rights abuses in the United Kingdom'. In undermining the European Convention on Human Rights, it would also reduce its effectiveness in protecting human rights in other European countries; and generally undermine the rule of law internationally. I cannot imagine why anyone would want to undermine or withdraw from the European Convention on Human Rights unless they were a fascist or a communist who wished to see human rights undermined not only in Britain, but also across the continent – yet the British government is doing just that!

To view or download a copy of the European Convention on Human Rights, please [click here](#).

I will follow the progress of the Bill with considerable concern and would advise readers of the 'Public Services News' to do likewise.

AWICS Surveys

At AWICS we value feedback from our clients and from users of our website. This is for two reasons:

- We actively seek feedback from clients so that we can evaluate what we are doing now and use the information to improve our services in future.
- We like to have a dialogue with clients and users of our website so that we can understand their developing needs and provide services to meet them as part of a long-term commercial relationship.

We have therefore developed a series of surveys and questionnaires that can be found at: <http://awics.co.uk/questionnaires-and-feedback>

These include a survey on webinars. Whether or not you have attended one of our webinars recently, I would be grateful if you could assist us by completing our short survey. It can be found at: <https://form.jotformeu.com/73325960384360>

Editorial Note

The Public Services News is published by AWICS Limited. This edition was edited by Adrian Waite. Articles are written by Adrian Waite unless otherwise stated. However, the views expressed are not necessarily those of Adrian Waite or AWICS unless expressly stated.

About 'AWICS'

'AWICS' is a management consultancy and training company. We specialise in providing support in finance and management to clients in local government and housing in England, Scotland and Wales. We are well known for our ability to analyse and explain complex financial and management issues clearly. Our mission statement is 'Independence, Integrity, Value'. We therefore provide support to clients from an independent standpoint that is designed to help the client to achieve their objectives. We are passionate about working with the utmost integrity. We believe that we offer the best value for money that is available today!

For more information about our services and us please visit our website at www.awics.co.uk or contact Adrian Waite at Adrian.waite@awics.co.uk. Services that we offer include:

- Management Consultancy – <http://www.awics.co.uk/ManagementConsultancy.asp>
- Interim Management – <http://www.awics.co.uk/interimmanagement.asp>
- Regional Seminars - <https://awics.co.uk/seminars-2019>
- In-House Training - <http://www.awics.co.uk/inHouseCourses.asp>
- Webinars - <http://www.awics.co.uk/webinars.asp>
- Independent Residents' Advice – <http://www.awics.co.uk/IndependentTenantAdvice.asp>
- Technical Books - <http://www.awics.co.uk/publications.asp>
- Information Service - <http://www.awics.co.uk/aboutUs.asp>

IF YOU WOULD LIKE TO PLACE AN ADVERTISEMENT IN THE PUBLIC SERVICES NEWS PLEASE CONTACT Adrian.waite@awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM. AWICS Ltd., Tel: 017683-30159. Mobile: 07502-142658. Twitter @AdrianWaite. E-Mail: adrian.waite@awics.co.uk. Website: www.awics.co.uk

Registered office: c/o Butterworths Solicitors, 3 Walker Terrace, Gateshead, Tyne & Wear, NE8 1EB. Company Number: 3713554. VAT Registration Number: 721 9669 13.