

Public Services News – May 2014

- **Budget 2014 – The Implications for Local Government**
- **Local Government Expenditure and Income**
- **Value for Money and Management Costs in Local Government**
- **Councils and bus subsidies including Cumbria**
- **Irwin Mitchell persuades Supreme Court that Disabled Man was deprived of his Liberty**
- **The Recession in Perth & Kinross**
- **National Housing Federation – Regulation Conference**



The offices of Perth & Kinross Council in Perth

Budget 2014 – The Implications for Local Government

The United Kingdom Government's Budget for 2014 was announced on 19th March 2014. Its main provisions were:

- **Local Government** – Additional funds for infrastructure including flood defences and highway maintenance.
- **Housing** - A package of measures to support house building.
- **Welfare** - Welfare spending across 26 benefits, including elements of the Universal Credit, is to be capped at £119.5 billion from 2015/16. The government considers that restrictions on benefits, excluding payments to jobseekers and pensioners, are needed to keep government spending in check and protect Britain from future economic storms.
- **Departmental Spending** -£1 billion in cuts in departmental spending first announced in last year's Autumn Statement for three years from 2013/14 will now form a permanent part of departmental spending plans.
- **Public Sector Pay** – Restraint will continue. The government considers that this is necessary to ensure that the government will run a total spending surplus in times of growth, which they believe they are on track to reach in 2018/19. This includes ensuring that employers meet the full costs of public sector pension schemes.
- **Pensions and Savings** – makes reforms to pensions and savings schemes that are designed to benefit savers.

The Chancellor said:

"I can confirm that in addition to the cuts this year and next, there will be cuts in the next Parliament too."

The Chancellor announced an additional £140 million for flood defence repairs and maintenance; and £200 million is made available to repair potholes.

The government considers that housing, town-centre regeneration and public service reform are part of a single project that only local authorities have the strategic vision to lead. The 2014 Budget supports this approach and sets some foundations for taking it further.

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.
Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.
E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM
Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13

One element of that which will feel particularly relevant to local authorities is extra support for house building, with a £500million budget to provide financing to developers, a £150million budget to stimulate regeneration of housing estates and reform to the planning system to allow increase flexibility in change of use. This will include a consultation on a new retail class that will exclude pay-day loan and betting shops. These measures are all things that local government has called for and will welcome. They will give democratically elected local councils more freedom to stimulate house building thus providing homes for local people and a boost to local economies and will help them regenerate high streets in interesting new ways. Increasingly local authorities see their role not just as providers of services, but as curators of places, helping local people create places that are good to live in.

The most significant announcement, buried deep in the detail, might be the £100million support promised to Greater Cambridge to support transport and infrastructure initiatives through a Gain Share mechanism. This is a new sort of new relationship: central government supporting local government to innovate and allowing it to benefit.

In March 2014, Councils across England learned how much they would receive from the £183.5million the government has made available to help repair local roads damaged by severe weather. This is an emergency payment to help with road repairs following the wettest winter on record, and will pay for the repair of 3.3 million potholes.

In addition to this money, the Chancellor of the Exchequer announced in the budget that another £200million will be provided for pothole repairs in 2014/15. Transport Secretary Patrick McLoughlin said:

Damage to roads causes misery for drivers and local communities and the severe weather over the last few months has made the problem worse. This extra money will help make a real difference to the millions of road users and residents across England who rely on local roads, giving them safer and smoother journeys. The extra money is being distributed now to ensure that repairs can be started as soon as possible, so that the majority of the damage can be fixed ahead of the summer holidays.

116 local highway authorities in England received a share of the funding, along with a one-off payment to Transport for London to distribute to London Boroughs.

However, local authorities currently estimate they face a £10.5billion backlog of road repairs and that they need around £840million to repair this year's damage.

An increase in the amount that the Public Works Loans Board can lend to local authorities from £70billion to £95billion was also announced.

A comprehensive briefing paper on the Budget 2014 and its implications for Local Government and Housing can be freely downloaded from:
<http://www.awics.co.uk/dynamicdata/data/docs/budget%202014%20-%20briefing%20paper.pdf>

Local Government Expenditure and Income

Local Government general fund expenditure in England in the years 2010/11, 2011/12 and 2012/13 is summarised in the table below:

	2010/11 £billion	2011/12 £billion	2012/13 £billion
Education	45.3	40.2	39.3
Highways & Transport	5.7	5.4	5.3
Social Care	21.1	21.2	21.2
Housing General Fund	21.0	21.9	21.8
Cultural, Environmental & Planning	10.7	9.7	9.5
Police	11.9	11.7	11.6
Fire & Rescue	2.2	2.1	2.2
Central Services	3.6	3.3	3.6
Other	0.3 Cr	0.3 Cr	0.0
Appropriations (accumulated absences)	0.1	0.0	0.0
Total Net Current Expenditure	121.2	115.2	114.4
Capital Financing	4.1	4.6	4.3
Capital Expenditure charged to Revenue	2.6	2.9	1.7
Other non-current expenditure	4.3	4.3	4.3
Appropriations (financial instruments)	0.0	0.2 Cr	0.0
Private Finance Initiative	0.0	0.0	0.1
Less:			
Interest Receipts	0.7 Cr	0.9 Cr	0.4 Cr
Specific Grants (outside AEF*)	27.2 Cr	26.5 Cr	25.8 Cr
Business rates supplement	<u>0.2 Cr</u>	<u>0.2 Cr</u>	<u>0.2 Cr</u>
Revenue Expenditure	<u>104.3</u>	<u>99.3</u>	<u>98.4</u>

It will be noted that the major services in terms of expenditure are Education, Social Care and Housing General Fund (including Housing Benefits). Capital Financing costs represent interest paid on long-term loans taken out to fund capital expenditure. Other non-current expenditure includes Council Tax benefit, discretionary non-domestic rate relief, flood defence payments to the environment agency and bad debt provision.

This expenditure was financed as follows:

	2010/11 £billion	2011/12 £billion	2012/13 £billion
Revenue Support Grant	3.1	5.9	0.4
Redistributed Non-Domestic Rates	21.5	19.0	23.1
Police Grant	<u>4.4</u>	<u>4.5</u>	<u>4.2</u>
Total Formula Grant	29.0	29.4	27.8
Specific Grants (inside AEF*)	45.8	45.5	43.5
Area Based Grant	4.4	0.0	0.0
Local Services Support Grant	0.0	0.3	0.2
General Greater London Authority Grant	<u>0.0</u>	<u>0.1</u>	<u>0.1</u>
Total Specific Grants	50.1	45.8	43.7
Appropriations from Reserves	1.3 Dr	2.6 Dr	0.0
Other Items	0.1	0.1	0.1
Council Tax	<u>26.3</u>	<u>26.5</u>	<u>26.7</u>
Total	<u>104.3</u>	<u>99.3</u>	<u>98.4</u>

*AEF = Aggregate External Finance (government grants are either classified as being within or outside aggregate external finance).

Most expenditure is funded by government through either formula grant or specific grants. The balance is funded through Council Tax and sometimes from reserves. Council tax is discussed further in the section on revenues. Formula Grant is also discussed further in the section on revenues and includes revenue support grant, redistributed non-domestic rates and police grant.

Key points to note include:

- Total revenue expenditure totalled £99.3billion in 2011/12, a decrease of 5% from £104.3billion in 2010/11.
- Education expenditure for 2011/12 is not comparable to previous years because a number of schools changed their status to become academies that are centrally funded rather than funded by local authorities.
- There has been a transfer of responsibilities between local government and the National Health Service relating to adults with learning difficulties in long-stay National Health Service institutions making expenditure on adult social care not strictly comparable.
- 35% of total net current expenditure in 2011/12 was on education, 18% on social care, 17% on housing benefits and 10% on Police.
- Capital financing costs in 2011/12 were £4.6billion, compared with £3.0billion in 2007/08, an increase of over 50%.
- In 2011/12, revenue accounts financed £2.9billion of capital expenditure, compared with £1.1billion in 2007/08. The Greater London Authority accounted for almost all of the increase.
- Revenue expenditure, in cash terms, increased by 139% between 1993/94 and 2011/12. This represents a real terms increase of 61%.

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.
Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.
E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM
Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13

- In 2011/12, about 57% of revenue expenditure was funded through government grants, 27% from Council Tax and 19% through non-domestic rates. The corresponding figures in 1993/94 were 52%, 21% and 28%. (The figures do not round due to use of balances).
- Expenditure on employees exceeds expenditure on procurement with almost half of expenditure on employees being in the Education services. Of the £29.0billion spent in Education, £18.2billion was on Teachers' salaries.
- Of the £57.6billion spent on procurement, £27.7billion was spent on contractors.

Geographical analysis of expenditure shows that:

- Revenue expenditure per head is generally highest in London and parts of the North, and lowest in Central and Southern England.
- The patterns of high revenue expenditure generally reflect high grant levels through central government finance with a lower proportion of revenue raised through Council Tax in the highest spending areas.
- The lowest levels of revenue spending are generally in the more rural areas where there is a lower level of grant and a greater proportion of expenditure is financed by Council Tax.

A comprehensive briefing paper on local government expenditure and income can be freely downloaded from our website at:
<http://www.awics.co.uk/dynamicdata/data/docs/local%20government%20expenditure%20and%20income%20-%20briefing%20paper.pdf>

'AWICS' is holding a seminar and workshop 'All You Want to Know about Local Authority Finance 2014' in London on 7th October 2014.

Local Government is going through a period of significant change following the 2010 Comprehensive Spending Review. There has been a significant reduction in funding for local authorities and this is requiring a fundamental redesign of how authorities are organised and services are delivered. There are now far fewer ring-fenced grants giving local authorities more discretion over how they spend their money. The Localism Act also promotes local decision making. An understanding of the finances of local government is now of critical importance.

In the current climate, a working knowledge of local authority finance will put you and your colleagues in a position of advantage.

Whether you are in a London Borough, Metropolitan, Unitary, County or District Council or otherwise involved in local government; whether you are an Elected Member, Non-Financial Manager, or even a member of the Finance Team, you could benefit from our seminar and workshop at which you will learn: "All You Want To Know about Local Authority Finance"

The session will answer the following questions:

- How do Local Government Finances work?
- How does Local Government fund its Capital Programmes?
- What are the Implications of Localism and Austerity?
- What are the Financial Opportunities for Local Authorities?

The session includes a participatory case study and is accompanied by a very useful 100 page book that is designed for reference after the session entitled: 'All You Want to Know about Local Authority Finance 2014'.

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.
Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.
E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM
Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13

For more information or to make a booking please see: <http://www.awics.co.uk/lafin.asp>

The book that accompanies the session can also be purchased separately. For more information or to make a purchase please see: http://www.awics.co.uk/local_authority_finance.asp

Value for Money and Management Costs in Local Government

In February 2014 the Audit Commission reported that, despite austerity, management costs in local authorities, including some finance functions, have increased by 10% in the last decade, with poor monitoring now hindering attempts to cut spending.

The audit commission examined the cost of central management functions, such as finance, human resources, information technology and property and called for greater scrutiny following the rise in spending.

Total spending on management support services in councils grew by 23% in real terms between 2003/04 and 2007/08. From 2009/10 to 2011/12, spending was cut by 11%, according to available figures, but spending in real terms was still £577million higher in March 2012 than in 2003/04.

By contrast, spending on statutory corporate functions such as financial reporting, as well as democratic management costs like councillors' allowances and expenses, fell over the decade. Although there was a real-terms increase of 4% between 2003/04 and 2009/10, there was then a 16% fall to 2012/13, meaning a total cut of £227million – or 13% in real terms – over the period.

The audit commission also found that only 223 councils had a complete record of spending on central functions. Around one-third of authorities in England – 119 – recorded no spending in one or more years from 2003/04 to 2012/13!

Spending on management services is higher than local government's total budgets for children's social care so this evidence that Councils are protecting management budgets while making severe reductions in direct services will be of concern to many. There is clearly a need for enhanced scrutiny and for a genuine focus on value for money and performance management.

Jeremy Newman, Chair of the audit commission told 'Public Finance' that:

"The councils with missing data or unusually high year-on-year variation will find it difficult to get a clear picture of their spending in order to identify possible savings. These councils need to focus on consistent and reliable recording of their spending to improve financial management and strengthen accountability to local taxpayers."

"As a result of efforts made by English councils, we've seen a saving of £227m in real terms in their corporate and democratic management costs from 2003/04 to 2012/13. However, some still spend much less than others and the majority of this variation can't be explained by external factors. If the higher-spending councils in 2012/13 had kept their costs in line with their peers, they'd have saved £290million."

Jeremy Newman also stated that savings in democratic management costs could be greater if the performance of all councils matched the most efficient.

However, Peter Fleming, Chair of the Local Government Association's Improvement Board denied that there was a problem and told 'Public Finance' that:

"Local government is the most efficient part of the public sector. Like many other types of organisation, councils have finance, human resources and IT functions which enable them to get on with the job of providing vital services like caring for the elderly, protecting vulnerable children and collecting the bins. Councils have taken innovative approaches to keeping these costs down and different approaches have led to local variations in the way these costs are categorised and reported. This simplistic attempt to compare one authority with another has resulted in a misleading picture from which little can be learned."

Personally I am not convinced that all councils are delivering significantly improved value for money and increased customer focus. While many Councils are transforming themselves and providing better services at lower costs; in others old bureaucratic habits based on 'command and control' and the 'producer culture' die hard; and while the local government magazines are full of 'management speak' this cannot conceal the fact that many budgets are based on cutting direct services and protecting the corporate and democratic core.

'AWICS' is holding a seminar and workshop on 'Value for Money and Performance Management in Local Government and Housing' in London on 8th October 2014. This seminar and workshop will look in detail at how Local Authorities and Housing Associations can achieve improved Value for Money and effective Performance Management. It will look at housing and other services provided by local authorities. The presenter will be Adrian Waite, Managing Director of 'AWICS' Limited, Chair of Impact Housing Association and former Strategic Director at Copeland Borough Council. The presentation will be illustrated with practical examples drawn from Impact Housing Association and other housing associations and local authorities.

All those with an interest in achieving improved Value for Money and effective Performance Management in Housing or Local Government in England, Scotland, Wales or elsewhere should attend; including Managers in Local Authorities, Housing Associations and Arm's Length Management Organisations; Councillors, Housing Association and ALMO Board Members, Accountants, College Lecturers and others.

The Seminar and Workshop addresses:

- The Political, Economic, Social and Technical Context and the Threats and Opportunities that this creates
- Approaches to achieving improved Value for Money and effective Performance Management
- Value for Money obligations of Local Authorities and Housing Associations
- Service Transformation and Re-Engineering
- Systems thinking and the LEAN approach
- Value for Money and the Customer
- Case Study: Impact Housing Association and 'Transforming Impact'
- Participatory Session and Opportunities for Networking
- Implementing the Performance Management and Value for Money Strategy
- Motivating and Empowering People
- Embedding Value for Money and Performance
- Delivering a 'Step Change'

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.

Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.

E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM

Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13

We are interested in quality rather than quantity and so numbers at this seminar and workshop will be limited to twenty. It includes a participatory session and opportunities for networking and is accompanied by an up-to-date and very useful book for future reference entitled: "Value for Money and Performance Management in Housing and Local Government"

For more information or to make a booking please see: <http://www.awics.co.uk/vfm2014.asp>

Councils and Bus Subsidies including Cumbria

In March 2014 the Local Government Association warned that Councils are cutting the support they provide to keep bus services running due to the growing cost of the concessionary fares scheme for elderly people.

In England and Wales, local authorities provide subsidies for services that would not be economic for private bus firms to run – except in London, where services have not been deregulated.

However, the Local Government Association said that increasing demand for the statutory concessionary fares scheme – providing free bus travel for older and disabled people during off-peak times – and lower Whitehall funding was reducing the support available to some key routes.

According to the Local Government Association, government funding for concessionary fares has fallen by £261million, or 39%, since 2010. This is despite nearly one-third of all journeys being through concessions. As a result, councils have to find the money themselves to reimburse bus operators, which in turn has reduced the funds available for other services.

Peter Box, Chair of the Local Government Association's Economy and Transport Board told "Public Finance" that routes and services could no longer be protected by councils:

"The concessionary fares scheme provides a lifeline for our most vulnerable residents to go shopping, pick up medication, attend doctor appointments or socialise with friends. However, it is now under real threat... The way the concessionary travel scheme is funded by Whitehall has long been unfit for purpose and has not kept up with growing demand and cost. Unless the government commits to fully funding concessionary fares, elderly and disabled people will be left stranded with a free bus pass in one hand but no local buses to travel on in the other."

The Local Government Association highlighted a few 'reluctant' cuts in support for bus services from among its council members. These included Worcestershire County Council, which has consulted on a £3million cut in its subsidised bus budget across 97 routes, and Dorset County Council, which has ended all subsidies for evening and weekend services. Somerset County Council is planning to end subsidies on twelve of the 81 routes it supports, Cumbria County Council has examined reductions over as many as seventy routes and Oxfordshire County Council has also pledged to cut its £15million support budget.

As Cumbria is England's second most rural county the County Council's reductions in bus subsidies were controversial and were vigorously opposed especially in rural areas. It was argued that the economies of many small towns and villages are dependent on bus services that enable people to travel to work and to access services; and that reducing bus subsidies would be especially harmful to the interests of people on low incomes who were least likely to be able to afford cars. At the conclusion of the Council's budget consultation exercise the Council recognised the importance of these points and, while proceeding with the cuts to bus subsidies established a transitional fund to facilitate a transition from subsidised bus services to community transport schemes.

An interesting example of what has occurred in practice is provided by Appleby-in-Westmorland where 'AWICS' is based. Appleby-in-Westmorland is a town of 3,000 people. Its public transport links include a rail service to Carlisle and Leeds and bus services to Penrith and Kendal that were subsidised by the County Council. All these services are well used. When the County Council proposed the withdrawal of their subsidies for the bus services there was significant concern in the town. The bus companies stated that they may have to discontinue providing the services if the subsidies came to an end; and the town's mayor, Cllr. Andy Connell (Liberal Democrat) led an unsuccessful campaign to persuade the County Council not to withdraw the subsidies.

However, in April 2014 the 'Cumberland & Westmorland Herald' reported that:

"Two bus services in Eden (the services from Kirkby Stephen to Penrith via Appleby and Appleby to Kendal) which have been under threat following the withdrawal of county council subsidies will continue to be operated by local firms... The two operators have confirmed that they will continue to run the services without a subsidy from Cumbria County Council."

A spokesman for Grand Prix coaches, that operates the Kirkby Stephen to Penrith service said:

"We look forward to continuing to operate the 563 daytime service. It is our aim to maintain the level of service that our passengers have been used to, while seeking any improvements that could be introduced."

The evening service remains part of the Council's ongoing review to explore alternative solutions for supported services before funding is formally withdrawn.

Judith Walker of Robinsons' coaches said:

"Robinsons are pleased to be able to continue running the Appleby to Kendal service for all our existing and new customers. We hope the service will go from strength to strength with the support of the local community and visitors to the area."

Councillor Keith Little (Labour), the County Council's Cabinet member for Highways and Transport said:

"This is the first confirmation that we can give on any individual services following the budget decision to withdraw subsidies and it's fantastic news that these companies have committed to supporting the local community by running these two services themselves. This is a good example of reducing the pressures on the public purse while allowing bus services to be run commercially and sustainably in Cumbria. I hope this change will see the services become more viable in the future. The best way for the public to support and protect their local bus services is to actually use them."

While all this is good news for bus passengers in the town (including me); it also brings into question whether the bus subsidies were necessary in the first place. If these are commercially viable routes, has the County Council's subsidy simply increased the bus companies' profits while making no difference to the services that have been provided? Furthermore, are there any other subsidies for businesses that could be discontinued without any effect on services?

Irwin Mitchell persuades Supreme Court that Disabled Man was deprived of his Liberty

Irwin Mitchell, who have represented the mother of a disabled man taken into social services care say a landmark Supreme Court ruling handed down in March 2014 will provide safeguards for people in similar situations after judges ruled that he was deprived of his liberty and should have regular independent reviews of his situation.

The 39-year-old man, known as 'P' for legal reasons, was the subject of a long running legal argument over the definition of the term 'deprivation of liberty' and the circumstances in which safeguards must be put in place to protect vulnerable adults.

The local council, Cheshire West and Chester Council, had removed him from his mother's home and placed him into the care of social services. However, expert Court of Protection lawyers from Irwin Mitchell acted for P's mother in successfully arguing that the law requires safeguards to be put in place for people in P's position so that their protective care regime is regularly reviewed.

P has been diagnosed with a number of conditions, including cerebral palsy and Down's syndrome and as a result, he lacked the mental capacity to make decisions about his own welfare.

The Supreme Court ruled that P was 'under continuous supervision and control and was not free to leave' and was therefore deprived of his liberty.

Irwin Mitchell say the landmark case is hugely significant in health and social care as it now means that anyone meeting this definition will be deemed to be deprived of their liberty and will benefit from regular independent reviews to ensure that it is the most appropriate system of care for that individual.

Lawyers say it will affect thousands of people across the country who do not have the mental capacity to make decisions for themselves, including many elderly dementia patients and other disabled adults.

This judgment, in what has become known as the 'Cheshire West case', was much anticipated by those working in the field of health and social care, many of whom felt that the previous law in this field was confusing and led to fewer people being given the protection of regular independent reviews. These reviews will come via an existing system called the Deprivation of Liberty Safeguards, or via an order from the Court of Protection itself.

Commenting on the Supreme Court's judgment, Mathieu Culverhouse, a specialist Court of Protection lawyer at Irwin Mitchell who acted for P's mother, said:

"This judgment provides much needed clarity on the issue of deprivation of liberty. The Supreme Court has provided a simple test to decide if the individual is deprived of their liberty which will be far easier to apply than the previous test and which will afford far greater protection to vulnerable people. P's mother welcomes this ruling, as it now gives her the peace of mind that her son's placement will be reviewed regularly to ensure that the restrictions placed on him are appropriate and in his best interests."

"This case now sets a precedent that anyone who meets the new legal test will be considered to be deprived of their liberty and subject to a protective care regime. People in P's situation who lack the mental capacity to make decisions for themselves, whether as a result of dementia, learning disabilities, brain injury or mental health problems, should have the benefit of regular independent reviews to ensure that their placement and any restrictions on their movement are still in their best interests."

The case started in the Court of Protection. Social services became concerned about P living at home with his mother. Although P's mother eventually agreed that he should move into the care of the local Council, a dispute arose as to whether this placement amounted to a deprivation of liberty and whether this therefore needed to be authorised by the Court. In the original court proceedings the judge, Mr Justice Baker, ruled that P was deprived of his liberty and that he should therefore be the subject of regular reviews by the Court. However, the local authority, Cheshire West and Chester Council, appealed this decision.

The Court of Appeal then ruled that P was not deprived of his liberty and that it was necessary to take into account the reason why P had been placed where he was and to compare the 'normality' of his situation with that of any other person with the same disabilities.

The Official Solicitor, acting for P, appealed this decision to the Supreme Court, with the support of P's mother, who instructed Irwin Mitchell. Together, they argued that the reasons why P was placed where he was, and the 'normality' of the placement were not relevant, but that the key factor was that in all practical terms P was not free to leave his placement and this therefore meant that he was deprived of his liberty.

The Supreme Court decision provides clarity and the legal test to be applied will now be well understood by families and health and social care professionals when considering which patients will require regular independent reviews.

'AWICS' has been pleased to support Irwin Mitchell in previous cases as an expert witness in matters of local authority finance. More information about previous cases can be found on our website:

- R v Isle of Wight Council - [http://www.awics.co.uk/documents/briefing_papers/public_administration/R v Isle of Wight Council %5b2011%5d EWHC 2911 22-12-2011.pdf](http://www.awics.co.uk/documents/briefing_papers/public_administration/R_v_Isle_of_Wight_Council_%5b2011%5d_EWHC_2911_22-12-2011.pdf)
- R v Birmingham City Council - [http://www.awics.co.uk/documents/briefing_papers/public_administration/Birmingham Adult Social Care Case 23-05-2011.pdf](http://www.awics.co.uk/documents/briefing_papers/public_administration/Birmingham_Adult_Social_Care_Case_23-05-2011.pdf)

The Recession in Perth and Kinross

In April 2014 it was announced that the health of Perth and Kinross as it pulls free of the devastation wrought by recession will be evaluated by a wide-reaching new study.

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.
Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.
E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM
Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13

Perth and the surrounding region have been attempting to recover from the global downturn that has threatened to destroy communities across the country for some years. Despite its affluent reputation, Perth has been far from immune and both it and traditional tourist destinations such as Crieff have felt the effects of the recession.

In recent months, however, there have been clear signs that recovery is at hand with renewed confidence within the business and retail sectors. Long empty shop units are being filled, with Perth's High Street and George Street benefiting, and Kinross seeing some of its historic buildings gradually being brought back into use.

Now a new study, costing the not insignificant sum of £9,000, is to assess just how far the area has come and how much more needs to be done to return it to growth. More than 1,200 residents have already taken part, while as many as 250 businesses in Perth and Kinross have also been involved. It is looking at the health of Perth city centre, Crieff and Kinross, while further studies will also be carried out in town centres in other parts of the region. The results will be reported in due course and could influence future planning by Perth and Kinross Council.

Such a widespread survey has not been carried out for some years and it will be used to update work done by the council in 2009 and 2011, since when there is expected to have been considerable change.

Among those awaiting the results with a sense of acceptance will be Perthshire Chamber of Commerce. Chief Executive Vicki Unite told The Courier:

"It will be very interesting to compare the results of this exercise with those of the previous surveys in light of the current economic climate. Our habits, with regards to shopping and technology, are changing rapidly and this has had a huge impact on the sustainability of our city centres and those involved in retail."

Ms Unite said the Chamber's own business confidence survey had illustrated the renewed confidence within the business sector, together with an increase in sales and business overall.

Perth and Kinross Council said the study formed an important part of its examination of the economic health of city and town centres in the area, with the aim of maintaining and enhancing the vitality and viability of these retail centres. It will also establish whether the way shoppers use their local amenities for buying food and other significant items has changed in the past five years. A spokeswoman said:

"This household and business survey looks at the health of Perth city centre, Crieff and Kinross. Residents throughout Perth and Kinross and businesses in the three centres have been contacted."

The results from the survey will be reported to Councillors in due course and it is also planned to carry out similar town centre 'health checks' in other parts of Perth and Kinross in the future.

The Council is also concerned about the effects on the community and economy of the United Kingdom government's reforms to welfare. Consequently they invited 'AWICS' to provide some training for staff involved in housing, social work, welfare and finance during the autumn of 2013.

The Public Services News is published by 'AWICS'. Articles are written by Adrian Waite unless otherwise stated. Other views that are expressed in this newsletter do not necessarily reflect the views of Adrian Waite or 'AWICS'.

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 us and our services please visit our website at www.awics.co.uk or contact me at Adrian.waite@awics.co.uk.

Services that are available from 'AWICS' include:

- Regional Seminars - <http://www.awics.co.uk/seminars2014.asp>
- In-House Training – <http://www.awics.co.uk/inHouseCourses.asp>
- Management Consultancy – <http://www.awics.co.uk/ManagementConsultancy.asp>
- Interim Management – <http://www.awics.co.uk/interimmanagement.asp>
- Independent Residents' Advice – <http://www.awics.co.uk/IndependentTenantAdvice.asp>
- Publications – <http://www.awics.co.uk/TechnicalBooks.asp>
- Information (including free newsletters and briefing papers - <http://www.awics.co.uk/informationsservice.asp>

I have a blog at <http://www.awics.co.uk/Blog.asp> and a Twitter feed at [@AdrianWaite](https://twitter.com/AdrianWaite)

ADVERTISEMENT

NATIONAL HOUSING FEDERATION

Regulation Conference 2014; Regulation in a changing world

30 April 2014, Doubletree by Hilton, **London West End**

8 May 2014, Renaissance Hotel, **Manchester**

How can regulation remain effective and relevant, and still allow the sector to evolve? Join us at the Regulation Conference in London or Manchester, which will put the current proposals to revise the standards into the broader context of regulatory development, and set the likely direction of future travel

Key speakers include:

- **Julian Ashby**, Chair, Regulation Committee, HCA (London)
- **Matthew Bailes**, Executive Director, Regulation, HCA (Manchester)
- **James Tickell**, Director, Campbell Tickell
- **Clare Miller**, Group Director of Governance, Affinity Sutton

Why attend?

- Be first to hear the HCA's thinking on current proposals and wider process of change
- Directly question the experts on the regulatory pressures and drivers for change
- Two dates available – London or Manchester
- Network with other housing associations and share ideas

Who should attend?

- Chief executives
- Chairs
- Finance managers and directors
- Operations directors and managers
- Risk managers

Fees: Member £275, Associate member £315, Non-member £345

For more information visit: <http://www.housing.org.uk/events/browse/regulation-conference-2014-london>

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

Unit 3, Shire Hall, The Sands, Appleby in Westmorland, Cumbria. CA16 6XN.
Telephone: 017683-52165. Mobile: 07502-142658. Twitter @AdrianWaite.
E-Mail: Adrian.waite@awics.co.uk. Website: www.awics.co.uk

Managing Director: Adrian Waite MA CPFA CIHM FInstLM
Registered Address as above. Company Number: 3713554. VAT Registration Number: 721 9669 13