

DECLARATION OF INTEREST - CHECKLIST FOR ASSISTANCE OF MEMBERS – 2007

Name: Councillor

Cabinet/Council/Committee:

Date:

Item No:

Item Title:

Nature of Interest:

A Member with a personal interest in any business of the Council must disclose the existence and nature of that interest at commencement or when interest apparent except:

- Where it relates to or is likely to affect a person described in 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose the existence and nature when you address the meeting on that business.
- Where it is a personal interest of the type mentioned in 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- Where sensitive information relating to it is not registered in the register, you must indicate that you have a personal interest, but need not disclose the sensitive information.

A Member with a prejudicial interest must withdraw, **either** immediately after making representations, answering questions or giving evidence where 4 below applies **or** when business is considered and must not exercise executive functions in relation to that business and must not seek to improperly influence a decision.

Please tick relevant boxes

Notes

	General (not at overview & scrutiny)		Notes
1.	I have a personal interest* but it is not prejudicial.	<input type="checkbox"/>	<i>You may speak and vote</i>
2.	I have a personal interest* but do <u>not</u> have a prejudicial interest in the business as it relates to the functions of my Council in respect of:		
(i)	Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.	<input type="checkbox"/>	<i>You may speak and vote</i>
(ii)	school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iii)	Statutory sick pay where I am in receipt or entitled to receipt of such pay.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iv)	An allowance, payment or indemnity given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(v)	Any ceremonial honour given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(vi)	Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a personal interest* and it is prejudicial because it affects my financial position or the financial position of a person or body described in 8 overleaf and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 8 overleaf and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 4 or 5 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 4 or 5 below</i>

4.	I have a personal and prejudicial interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>
5.	A Standards Committee dispensation applies.	<input type="checkbox"/>	<i>See the terms of the dispensation</i>

* **“Personal Interest”** in the business of the Council means either it relates to or is likely to affect:

- 8(1)(a)(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body -
- (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
- of which you are a member or in a position of general control or management;
- (iii) any employment or business carried on by you;
- (iv) any person or body who employs or has appointed you;
- (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
- (vi) any person or body who has a place of business or land in your authority’s area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
- (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
- (ix) any land in your authority’s area in which you have a beneficial interest;
- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- (xi) any land in the authority’s area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer.

or

A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

“a relevant person” means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 8(1)(a)(i) or (ii).

“body exercising functions of a public nature” means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13)(b) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

CABINET

HELD:

AGENDA ITEM: 8

16 MARCH 2010

Start:

7.30pm

Finish:

8.20pm

PRESENT:

Councillor Grant (Leader of the Council, in the Chair)

Councillors		<u>Portfolio</u>
I Ashcroft		Human Resources
M Forshaw		Planning and Transportation
A Fowler		Community Services and Health
P Greenall		Street Scene Management
Mrs V Hopley		Housing
A Owens		Deputy Leader & Regeneration and Planning
D Westley		Finance and Performance Management

In attendance Councillors: P Cotterill R Pendleton

Officers

- Chief Executive (Mr W Taylor)
- Deputy Chief Executive (Mr L Abernethy)
- Council Secretary and Solicitor (Mrs G Rowe)
- Assistant Chief Executive (Ms K Webber)
- Executive Manager Housing & Property Maintenance Services (Mr R Livermore)
- Executive Manager Community Services (Mr D Tilleray)
- Treasurer (Mr M Taylor)
- Estates and Valuation Manager (Ms R Kneale)
- Economic Regeneration Manager (Ms P Huber)
- Heritage and Environment Manager (Mr I Bond)
- Assistant Member Services Manager (Mrs J Denning)

96. APOLOGIES

There were no apologies for absence.

97. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of urgent business,

98. DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillors Owens and Westley declared a personal interest in agenda item 5(i) 'Conservation Area Enhancement Grants' as they live in conservation areas.

2. Councillors Grant, Westley, Ashcroft, Owens, Fowler, Cotterill and Greenall declared a personal interest in agenda item 5(f) 'Neighbourhood Management – Costs and Benefits – Final Report of the Corporate Overview and Scrutiny Committee' as members of the Local Strategic Partnership (LSP).
3. Councillors Westley, Fowler, Ashcroft and Grant declared a personal interest in agenda item 5(b) 'Capital Monitoring 2009/2010' as Members of Halsall, Scarisbrick, Hesketh with Beconsall and Aughton Parish Councils respectively.
4. Councillor Westley declared a personal interest in item 5(e) 'Car Parking in West Lancashire – Final Report of the Environmental Overview and Scrutiny Committee' and item 5(h) 'Locality Plans' as a Member of Lancashire County Council.

99. MINUTES

RESOLVED: That the minutes of the meeting of Cabinet held on 19 January 2010 be received as a correct record and signed by the Leader.

100. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions, as contained on pages 1223 to 1360 of the Book of Reports:

101. REVENUE BUDGET MONITORING

Councillor Westley introduced the report of the Council Secretary and Solicitor which provided a projection on the financial position on the General and Housing Revenue Accounts to the end of the financial year.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That the financial position of the Revenue Accounts be noted.

- B. That call in is not appropriate for this item as the report is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2010.

102. CAPITAL MONITORING 2009/2010

Councillor Westley introduced the report of the Council Secretary and Solicitor which detailed the current position in respect of the 2009/2010 Capital Programme.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That the current position in respect of the 2009/2010 Capital Programme be noted.

- B. That call in is not appropriate for this item as the report is being referred to the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2010.

103. RISK MANAGEMENT

Councillor Westley introduced the report of the Council Secretary and Solicitor which detailed the Key Risks facing the Council and how they are being managed.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the progress made in relation to the management of the risks shown in the Key Risks Register at Appendix A to the report be noted and endorsed.
 - B. That the revised Risk Management Policy and Strategy at Appendix B to the report be approved.

104. OFF-STREET CAR PARKING

Councillor Forshaw introduced the report of the Executive Manager Community Services which detailed arrangements that need to be put in place to continue the delivery of off-street parking enforcement and cash collection services from June 2010.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the Executive Manager Community Services, in consultation with the Portfolio Holders for Planning & Transportation and Finance & Performance Management, be given delegated authority to accept the lowest suitable tender for the provision of off-street parking enforcement and cash collection arrangements within the Borough to run from 6 June 2010.
 - B. That the Executive Manager Community Services, in consultation with the Executive Manager Regeneration and Estates, the Council Secretary and Solicitor and the Portfolio Holders for Planning & Transportation and Finance & Performance Management, be given delegated authority to enter into a licence/lease agreement, as appropriate, in relation to the successful tenderers' occupation of Council premises if required.
 - C. That in view of the deadline for the implementation of the arrangements this matter shall not be available for call in.

105. CAR PARKING IN WEST LANCASHIRE - FINAL REPORT OF THE ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

Councillor Forshaw introduced the joint report of the Council Secretary and Solicitor and the Executive Manager Regeneration and Estates which set out the final report and recommendations of the Environmental Overview and Scrutiny Committee following an in-depth review conducted entitled 'Car Parking in West Lancashire' and referred to recent work undertaken by Lancashire County Council on car parking in the Borough and the need to consider the same.

In reaching the decision below, Cabinet considered the details set out in the report before it and the further information provided by the Portfolio Holder and accepted his reasoning.

- RESOLVED:
- A. That the Committee be thanked for their work on the final report on "Car Parking in West Lancashire", attached at Appendix A to the report.
 - B. That the Report be referred back to the Committee with a request that they consider the recent work done by Lancashire County Council in the Borough on car parking and update their Report as appropriate and bring it back to Cabinet when convenient.
 - C. That the report be not considered by Council at this stage
 - D. That call in is not appropriate as the matter is being referred to the Environmental Overview and Scrutiny Committee on 8 July 2010.

106. NEIGHBOURHOOD MANAGEMENT - COSTS AND BENEFITS - FINAL REPORT OF THE CORPORATE OVERVIEW & SCRUTINY COMMITTEE

Councillor Fowler introduced the joint report of the Council Secretary and Solicitor and the Assistant Chief Executive which detailed the final report and recommendations of the Corporate Overview and Scrutiny Committee following an in-depth review conducted entitled 'Neighbourhood Management – Costs and Benefits'.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the final report on 'Neighbourhood Management – Costs and Benefits', attached at Appendix A to the report, be received and the Committee be thanked for their work.
 - B. That Recommendations (1) to (4)(a) contained in the final report be referred to the LSP for consideration as follows:

- (1) That consideration be given by the LSP to the provision of our own model for Neighbourhood Management building on the principles of the West Lancashire SSCF Project that will enable local communities to work with the providers of neighbourhood services more effectively to meet local needs and expectations.
- (2) That in consideration of (1) above, that it be recommended that a “pilot” of the ‘West Lancashire Neighbourhood Management Model’ be undertaken in a designated locality in the Borough.
- (3) That in consideration of the provision of a “West Lancashire Neighbourhood Management Model”, that the following findings are taken into account when evaluating the approach and location of the “pilot” study:
 - (a) That the model recognises the range of diverse circumstances (rural and urban), existing and potential community engagement structures and availability of neighbourhood services and facilities across the Borough.
 - (b) That the fundamental concept of the model is to develop a “Local Board” taken from a cross-section of the community, with a significant involvement of local democratically-elected Members.
 - (c) A key role for the Board is to develop meaningful links with public agencies, services providers and members of their community (particularly to include residents, local businesses, youth groups, etc).
 - (d) That a further role of the Board be to include the promotion of volunteering, community engagement and empowerment.
 - (e) That the Neighbourhood Manager’s role be to focus on specific neighbourhoods around the Borough, according to need and opportunity, using a two stage approach on two neighbourhoods at a time, (with the Digmaor Project continuing to be ‘managed’ as one of those neighbourhoods, but with Stage 2 support for one year, as described at (g) below).

- (f) That the first stage (being the more intensive 'development stage') be to include working with various agencies, locally elected Members and community representatives to develop the Local Board. The Board would then oversee the development of a practical Action Plan for improvement of their area based upon voluntary contributions, business contributions and the actions of public agencies (within existing resources). Consideration should be given to providing the Board with a small budget for promoting community activities in that area. This stage to take approximately one year, before moving on to Stage 2.
 - (g) That the second stage (the less intensive 'sustainability stage') be to develop the Board such that it is self-sustaining, with minimum support from the Neighbourhood Manager. Again, this support would last for approximately one year.
- (4) (a) That, given this is a multi-agency and community engagement approach to improving the communities of West Lancashire, that the Local Strategic Partnership be asked to fund the post of Neighbourhood Manager, along with some administrative support.
- C. That in respect of Recommendation (4)(b) Cabinet determine its recommendations to Council at a future date (if applicable) once the LSP's response to the earlier recommendations has been received.
 - D. That in respect of Recommendation (4)(c) Cabinet determine its approach (if applicable) at a future date once the LSP's response to the earlier recommendations has been received.
 - E. That Call In is not appropriate as the matter has already been considered by the Corporate Overview and Scrutiny Committee and will be considered at Council on 14 April 2010.

107. QUARTERLY PERFORMANCE INDICATORS (OCTOBER 2009 TO DECEMBER 2009)

Councillor Westley introduced the report of the Assistant Chief Executive which presented the quarterly performance monitoring data for the quarter ended 31 December 2010.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That the overall trend of improvement shown by the performance indicator data for the quarter ended 31 December 2009 be noted.
- B. That call in is not appropriate, as the report has previously been considered by the Corporate Overview and Scrutiny Committee on 3 March 2010.

108. LOCALITY PLANS

Councillor Grant introduced the report of the Assistant Chief Executive which detailed the current position regarding locality plans and sought approval for a suggested approach to be adopted in respect of producing a locality plan for the Borough.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That a locality plan be developed in accordance with the arrangements set out at Section 7 of the report and in this respect the Assistant Chief Executive be given delegated authority, in consultation with the Portfolio Holder, to commence the process after taking account of any comments agreed by the Executive Overview and Scrutiny Committee, following that Committee's consideration of this report.
- B. That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2010.

109. CONSERVATION AREA ENHANCEMENT GRANTS

Councillor Forshaw introduced the report of the Acting Executive Manager Planning which sought approval to implement a Borough wide strategy for the enhancement of conservation area in line with the West Lancashire Heritage Strategy.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED: A. That the revisions to the existing conservation area enhancement programme as detailed in the report be approved.
- B. That delegated authority be given to the Acting Executive Manager Planning, in consultation with the Portfolio Holder for Planning and Transportation, to make the necessary arrangements to implement the enhancement programme as set out in the Appendix the report.

110. DATA SHARING - BUSINESS INFORMATION

Councillor Owens introduced the report of the Executive Manager Regeneration and Estates which sought authority to enter into data sharing agreements (or similar) with external organisations, i.e. Business Link Northwest (BLNW) and to share data with partner organisations.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: That the Executive Manager Regeneration and Estates, in consultation with the Council Secretary & Solicitor and Portfolio Holder Regeneration and Estates, be authorised to negotiate and enter into necessary agreement(s), and share data, with Business Link Northwest and other partners and stakeholders for the economic benefit of the Borough of West Lancashire.

111. OPERATIONAL COMMUNITY ASSETS - MANAGED ALLOTMENT SITES

Councillor Fowler introduced the joint report of the Executive Manager Community Services and the Executive Manager Regeneration and Estates which proposed revised arrangements for the management of the Council's allotments.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That the new asset management arrangements for community assets as set out in the report be applied to the Council's allotment holdings.

B. That the Executive Manager Community Services, in consultation with the Executive Manager Regeneration and Estates and the Council Secretary and Solicitor, be authorised to take all necessary steps to give effect to the revised management arrangements sanctioned at A. above, including putting in place suitable agreements and leases and the obtaining of all necessary consents.

112. SOCIAL ENTERPRISE AND EMPLOYMENT INITIATIVE

Councillor Owens introduced the report of the Executive Manager Regeneration and Estates which detailed a potential new Social Enterprise and Employment Initiative, which would help to support employment and the social enterprise sector in West Lancashire, and sought approval to investigate appropriate funding sources, including external, towards its establishment.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: That the Executive Manager Regeneration and Estates, in consultation with the Portfolio Holder Regeneration and Estates, investigate funding in respect of a social enterprise and employment initiative and fully investigate the options available through the Lancashire County Council HR workforce solutions to secure suitable placement opportunities.

113. REGULATION OF INVESTIGATORY POWERS ACT PART 2 ORDERS AND CODES OF PRACTICE

Councillor Grant introduced the report of the Council Secretary and Solicitor which provided details of the new Regulation of Investigatory Powers Codes and Orders which come into force on 6 April 2010 and sought approval for implementing relevant requirements.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

- RESOLVED:
- A. That the contents of the report be noted and the Council Secretary and Solicitor be authorised to undertake the role of Senior Responsible Officer (“SRO”) in accordance with the relevant Code of Practice.
 - B. That the Council Secretary and Solicitor be required to bring an annual report to Cabinet seeking approval of the Policy on the use of the Regulation of Investigatory Powers Act 2000 (“RIPA”) powers and reviewing the use of these powers.
 - C. That the quarterly monitoring of the use of RIPA powers be carried out by the Audit and Governance Committee.
 - D. That it be noted in the Council’s Scheme of Delegation that the Chief Executive should authorise relevant surveillance activity when knowledge of confidential information is likely to be acquired or when a vulnerable individual or juvenile is to be used as a source.
 - E. That in view of the Codes and the Order being set to take effect from 6 April 2010 the matter shall not be available for call in.

114. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

115. PROPOSED SALE OF LAND AT PINGWOOD LANE, SIMONSWOOD, KIRKBY

Councillor Owens introduced the report of the Executive Manager Regeneration and Estates which sought authority to dispose of land at Pingwood Lane, Simonswood, Kirkby.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: That delegated authority be given to the Executive Manager, Regeneration and Estates in consultation with the Council Secretary and Solicitor, Portfolio Holder for Regeneration and Estates and the Leader to:

- A. Dispose of the land shown hatched on the plan attached as an appendix to the report, subject to the negotiation and agreement of Terms.
- B. Enter into all necessary documentation and to take all other necessary steps to facilitate the disposal.
- C. Obtain, where necessary, all other appropriate consents.

THE LEADER



AGENDA ITEM: 6(1)

CABINET: 15 June 2010

Report of: Executive Manager Community Services

Relevant Portfolio Holder: Councillor A Fowler

Contact for further information: Mrs. P Campbell (Extn 5144)
(E-mail: paula.campbell@westlancs.gov.uk)

SUBJECT: LITTLE DIGMOOR PLAY AREA

The following wards are affected:- Digmoor.

1.0 PURPOSE OF THE REPORT

1.1 To update Members on action undertaken to reduce anti-social behaviour at the Multi-Use Games Area (M.U.G.A.) and teenage shelter in Abbeystead, Little Digmoor.

2.0 RECOMMENDATIONS

- 2.1 That the play equipment, M.U.G.A. and teenage shelter remain in situ.
- 2.2 The Executive Manager Community Services continues to work with the Police to monitor any future anti-social behaviour issues and take appropriate action where necessary.

3.0 BACKGROUND

- 3.1 Members have previously been informed of anti-social behaviour issues relating to children's play facilities in Abbeystead, Little Digmoor (Cabinet 16 June 2009 – Little Digmoor Play Area). At that time options were proposed to try to resolve the problems, and following the matter being called in and heard by Executive Overview and Scrutiny Committee (2 July 2009) it was decided to work with the police to monitor the situation, and report back to Members after 3 months.
- 3.2 The update (Cabinet 17 November 2009 – Little Digmoor Play Area) reported no further incidents of anti-social behaviour reported to the Council or recorded by

the police, and resident's surveys did not produce any evidence of specific problems. Members recommended that officers continue to work with the police to monitor the situation and report back after a further 6 months.

4.0 CURRENT POSITION

4.1 During the last 6 months there have been no further reports to the Council in relation to anti-social behaviour or drug related issues.

4.2 The Police have continued to monitor and regularly visit hotspots in the area including the Multi Use Games Area (MUGA). At the Crime Focus Group Meeting held on Tuesday 11th May 2010 there were no issues reported by the Police in relation to anti-social behaviour surrounding the play facility and on the whole the area was quiet.

5.0 ISSUES

5.1 Members decision to support additional Police involvement rather than remove equipment would appear to be having good results. Should there be a change in emphasis and a decision taken to remove equipment there would obviously be a cost associated with this which would have to be met by the Council's play budget thus reducing availability elsewhere.

6.0 PROPOSALS

6.1 The information provided by the Police and their partners indicates that the anti-social behaviour originally reported taking place on the MUGA and teenage shelter has ceased. The Police have indicated that they will continue to monitor the site and maintain patrols in the area.

6.2 It is proposed, therefore, that the play area, M.U.G.A. and teenage shelter remain in situ and that the Executive Manager, Community Services continues to work with the Police and MAPS team to monitor any future anti-social behaviour issues, take appropriate action.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

7.1 It would appear from the initial reports from residents that the problems of anti-social behaviour, which the residents associated with the teenage facilities at Abbeystead, were creating a reduction in the quality of life for some local residents.

7.2 The facility was installed by local public demand and justified by a need for outdoor leisure provision in the area. To remove the teenage element of the facility without providing an alternative would create a reduction in leisure provision for the community. A result of this could have negative outcomes in that there may be an increase in anti-social behaviour within the Little Digmoor area.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 Should the Council decide to remove any of the equipment there would be a cost associated with this removal, ground preparation and storage. Some of this cost may be mitigated should an alternative site be found which would be suitable in satisfying the need in the Little Digmoor area; however, further installation costs would then be required.
- 8.2 To remove the teenage shelter would cost approximately £1,000; removal of the Multi-Use Games Area would be approximately £4,000

9.0 RISK ASSESSMENT

- 9.1 The Council needs to continue work with partners to try to achieve solutions to the type of issues outlined in this report. Failure to do so would leave us open to criticism for not dealing with issues reducing the quality of life for some residents.
- 9.2 Moving the type of equipment in question may not solve anti-social issues. Indeed Multi-Use Games Areas themselves assist in reducing problems by confining ball games within an enclosed area. They are also a safer environment for young people to play ball games in. Prior to the equipment installation at Little Digmoor the area was open space alongside a traffic route into the estate.
- 9.3 There was an identified need for the provision of this equipment in the Little Digmoor area and this need would have remained should the equipment have been moved.

10.0 CONCLUSION

- 10.1 Although a few residents believed the teenage shelter and M.U.G.A. installed in 2004 had been a contributing factor to anti-social behaviour in the area, reports and surveys by the Council and Police have not conclusively confirmed these views. The Police are continuing to work within the community to build confidence in reporting incidents of concern.
- 10.2 The teenage shelter and M.U.G.A. were installed at the request of the local community with a consultation showing at the time overwhelming support for the project, confirming local need.
- 10.3 It needed to be recognised that simply removing the equipment would not resolve the problems and the anti-social behaviour and drug related issues need more sustained input by the police to reduce this criminal activity.
- 10.4 It would appear that the present course of action, which mainly involves additional input and patrolling from the police has greatly reduced the issues of anti-social behaviour to a point whereby no significant issues have been reported over the last 9 months.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
16 June 2009	Cabinet Report – Little Digmoor Play Area	
2 July 2009	Executive Overview and Scrutiny Committee Report - Little Digmoor Play Area	
17 th Nov.2009	Cabinet Report - Little Digmoor Play Area.	

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

None



AGENDA ITEM 6(2)

**CABINET:
15 June 2010**

Report of: Executive Manager Community Services

Relevant Portfolio Holder: Councillor Forshaw

Contact for further information: C Brady (Extn 5125)
(E-mail: colin.brady@westlancs.gov.uk)

SUBJECT: MARKET REGULATIONS

Borough Wide Interest

1.0 PURPOSE OF THE REPORT

1.1 To seek agreement to the introduction of revised Market Traders Regulations.

2.0 RECOMMENDATIONS

- 2.1 That the Market Traders Regulations, attached as Appendix A to this report, be approved subject to 2.2 and 2.3 below.
- 2.2 That the Executive Manager Community Services be authorised to consult with all relevant bodies and individuals in respect of the proposed implementation of the Regulations.
- 2.3 That the Executive Manager Community Services be authorised, in consultation with the Portfolio Holder for Planning and Transportation, to finalise and implement the new Regulations following the consultations in accordance with 2.2 above.
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-

3.0 BACKGROUND AND ISSUES

3.1 The existing Market Traders Code of Practice (which includes the Regulations and Byelaws) has been in circulation for some years now and is in need of updating to take into account recent changes to Council structure, market operation and changes in legislation affecting the sale of goods on the market. The intention is to now dispose of the Code of Practice booklet and simply have the Market Regulations and the Byelaws as separate documents.

- 3.2 In order to reflect these changes, to update the Regulations and to bring them in line with the EU Services Directive, a new document has been prepared for approval. This is in a form that can also be accessed via the Council website.
- 3.3 There are no proposals within this report to make any changes to the current Market Byelaws which remain in effect under the Food Safety Act 1990.
- 3.4 It is not intended that the new Regulations will cover Continental Markets or any other additional markets, as these will be dealt with in accordance with existing arrangements for additional markets.

4.0 ISSUES

- 4.1 The new Regulations represent an update of the existing Code Of Practice with the main changes being to the following areas:

- Registration to trade (see paragraph 3)
- Licence to trade (see paragraph 10)
- Attendance time for casuals (see paragraph 17)
- Sickness absence (see paragraph 30)
- Adverse weather (see paragraph 69)
- Stall covers (see paragraph 74)

4.0 PROPOSALS

- 4.1 Draft Regulations have been prepared and these will be consulted on with the Market Traders Federation, market traders and any other interested parties prior to approval.
- 4.2 Following completion of the consultation exercise, due account will be taken of responses received and any resultant alterations deemed necessary to the draft Regulations will be made accordingly. The new Regulations in their final form will then be produced.
- 4.3 The new Regulations should be brought into operation on 1 April 2011, to coincide with the annual renewal date for permanent stallholders' licences.
- 4.4 That the Byelaws should be kept as a separate document, which will also be made available on the Council website

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 The proposals in this report will help the Council to improve its service performance and is consistent with the Community Strategy aim of providing good quality services that are accessible to all.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are no significant financial or resource implications as a result of the production of the new Market Traders Regulations.

7.0 RISK ASSESSMENT

7.1 If the Market Regulations are not fully up to date, difficulties may be experienced in enforcing compliance by traders. Ensuring that the Regulations are current should reduce the chances of this situation arising.

8.0 CONCLUSIONS

8.1 In order to maintain effective management of the street market in Ormskirk town centre the existing Code of Practice needs updating to reflect the changes which have occurred with respect to various aspects of the market operation and legislative changes. The adoption of the new Regulations will therefore assist in achieving this goal.

Background Documents

The following background documents (as defined in Section 100D(5) of the Local Government Act 1972) has been relied on to a material extent in preparing this report:

Document: Market Traders Code of Practice

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Appendix A: Market Traders Regulations

APPENDIX A

ORMSKIRK MARKET REGULATIONS

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Market Regulations

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Ormskirk Market - Market Regulations

General

1. West Lancashire Borough Council (the Council) has made the following regulations for stallholders trading on the outdoor market located in Ormskirk town centre. The Council may amend these regulations from time to time and a minimum of twenty eight days notice will be given to permanent stallholders prior to the implementation of any amendment to the regulations
2. The market is open for trading on Thursdays and Saturdays (except bank holidays) throughout the year. The times of operation are from 8.00am - 4.30pm March to October (inclusive) and 8.00am - 4.00pm November to February (inclusive)

Stallholder registration and application to trade

3. All stallholders on Ormskirk Market must be registered with the Council and have completed the appropriate registration form outlining their details and goods/services they wish to sell- see Appendix 2 for details.
4. On receipt of the completed Registration form , applicants will be contacted and arrangements made to send a Market Trading Application Form where applicable.
5. Completion of the registration form and / or application form does not infer, nor guarantee that a stall will be offered to the applicant on a casual or permanent basis.
6. To ensure a wide variety of goods are sold on the market, applications to trade may not be accepted if it results in too many of the same or similar products being sold.
7. If there are no suitable stall vacancies available at the time of application details of applicants will be added to a waiting list, which will be maintained in the order of date of receipt.
8. The Council reserves the right to exclude any stallholder from inclusion on the waiting list or to remove any stallholder who has been included on the list.
9. The Council must be notified in writing, within seven days of any changes to the information that a stallholder has registered in connection with trading on Ormskirk Market.

Allocation of stalls and spaces to permanent stallholders

10. The allocation of a particular stall or space will be by an annual licence agreement between the Council and the stallholder- see Appendix 2 for further details.
11. The allocation of a stall or space is personal to the stallholder who shall not assign, transfer, share or part with the stall or space allocated. The stallholder may, however, employ other persons to assist him/her. The site or size of the stall or space allocated shall be at the absolute discretion of the Council.

12. A stallholder may nominate a manager to operate a stall on his behalf, subject to compliance with the relevant market regulations. The nominated manager must complete a registration form and supply a recent passport size photograph of himself/herself together with appropriate identification.
13. As far as practicable the Council would not normally allocate a stall on a permanent basis to a stallholder within close proximity of another stallholder selling the same or similar goods.
14. The stallholder shall only trade from the stall or space allocated and at the prescribed times, and must not trade from any other stall or space unless instructed to do so by the Council.
15. After a minimum of six month's trading, a stallholder may request to move to a different stall, and must do so in writing to the Market staff. The Council will try to accommodate such requests but is under no obligation to do so.

Allocation of stalls and spaces to casual stallholders

16. When a stall becomes available for a limited time a casual stallholder will be invited to trade on a temporary basis,
17. Casual stalls/spaces, if available, will be allocated at the latest by 9.00am on each market day. The allocation of a particular stall or space will be by a daily licence agreement between the Council and the stallholder, see Appendix 2 for further details
18. Casual stallholders must not set up on any stall or space before allocation by Market staff. Casual stallholders who refuse the offer of a stall or space at the allocation time may not be offered an alternative stall or space.
19. The allocation of a stall or space is personal to the stallholder who shall not assign, transfer, share or part with the stall or space allocated. The stallholder may, however, employ other persons to assist him/her.
20. The stallholder shall only trade from the stall or space allocated and at the prescribed times, and must not trade from any other stall or space unless authorised to do so by the Council.
21. The Council reserves the right not to allocate a stall or space for casual trading if, in the opinion of the Market staff, to do so would disrupt the balance of goods being sold on the market.
22. From time to time stalls may also become vacant on a temporary basis for a limited time period e.g. through sickness or holiday of a permanent stallholder. In these circumstances it may be offered on a casual stallholder basis to the most suitable stallholder from the waiting list. If a stallholder is unable to accept the offer of a stall it will be offered to the next most suitable stallholder from the waiting list. This process will continue until a stallholder accepts the offer to trade or until the list is exhausted.
23. The Council reserves the right not to allocate a stall that has become vacant.

Attendance

24. Permanent stallholders must attend personally on appropriate market days unless he/she has a nominated Manager, approved in writing by the Council, operating the stall on his/her behalf. In these circumstances, the stallholder must attend the Market at least one week in every four. Attendance in this respect means attendance throughout the whole of the trading day.
25. In instances where a nominated Manager has been approved in writing by the Council he/she may only attend, in a managerial capacity, a maximum of three weeks in every four. Attendance in this respect means attendance throughout the whole of the trading day.
26. If the permanent stallholder or his manager fails to occupy the stall or space by the opening time of the market, the stall or space may be re-allocated for that day.
27. In the event of a permanent stallholder or his manager being unavoidably delayed, the stall or space may be reserved provided the Market staff are notified prior to the opening time of the market.

Absences

28. Any absence must be notified to the Market staff in advance, as far as is reasonably practicable. For this purpose, a 24 hour answerphone service is provided for stallholders: Tel. 01695 570125. See Appendix 6
29. In instances where a stallholder is delayed due to breakdown, traffic jams or other emergency and he/she has informed the Market staff accordingly, the stall will be held for such stallholder until not later than 9.00am on the day of trading. The stall may then be allocated under the normal casual allocation procedure.
30. In the case of absence through sickness of any period in excess of two weeks, subject to the production of medical certificates (originals, not photocopies, must be provided) an allowance of half stallage charges for the first two weeks of absence will be allowed.
31. If the absence through sickness continues for a period of 6 weeks thereafter stallage charges will be refunded, in full, by a credit adjustment to the next monthly invoice.
32. Where the absence is in excess of 8 weeks, the licence to trade will be suspended, and will be re-instated on production of a medical certificate confirming the stallholder is fit to trade. At least 7 days notice of the intention to return to trade must be provided. If an absence is in excess of 3 months the Council may consider the termination of the licence to trade.
33. Each permanent stallholder is allowed up to four booked absences per financial year, commencing 1st April, free of stallage charges provided that:
 - (i) the absences are actually taken and the stall is left vacant.
 - (ii) at least one week's notice is given, in writing, to Market staff.

- (iii) the stall holder has traded on the Market as a permanent stallholder since 1st April of that year and they trade for the full 12 month period.

Payment of charges

- 34. Stall charges on the market can only be paid by direct debit, debit/credit card or cheque. Payment by cash will not be accepted.
- 35. Permanent stallholders will be issued with an annual invoice to cover the trading period 1st April to 31st March, or any part thereof. This invoice will set out the breakdown of charges due for each relevant stall location
- 36. Stall charges and all other charges levied to permanent stallholders are payable in advance and are due on or before the first day of the trading month, and must be paid as per terms of the annual invoice.
- 37. Casual stallholders' stall charges are payable on the day of trading to the Market staff. Payment may be made by credit/debit card or cheque. Payment in cash will not be accepted.
- 38. It is the responsibility of stallholders to ensure that they make payment to the Market staff in accordance with the regulations. Payment can be made on non-market days by credit/debit card by telephoning 01695 585037 or via the Council's website (www.westlincs.gov.uk)
- 39. The Council reserves the right to amend its charges from time to time, and will inform stallholders of any changes to its charges see Appendix 3 with at least 14 days notice.
- 40. Non-payment, or persistent late payment of stall charges may lead to disciplinary action being taken against a stallholder, which may include suspension from trading, or termination of licence to trade.

Goods to be sold

- 41. A permanent stallholder may sell or display for sale only goods authorised by his/her licence. For casual stallholders only those goods authorised by the Daily Licence may be sold.
- 42. Any requests for changes of goods must be made in writing, by the stallholder, to the Market staff and be subsequently approved in writing before such changes may take place. Changes in goods will not be permitted where it would result in too many of the same or similar goods being sold or if the same or similar goods are sold by another stallholder whose stall is in close proximity.
- 43. Stallholders must endeavour to keep the stall or space well stocked with goods throughout the full trading day and the stall must be fitted with display equipment appropriate for the products being sold.
- 44. Point of sale material should be tasteful and proportional to the products on display. The Market staff can request inappropriate displays to be removed at their discretion.

Access and parking of vehicles

45. All vehicles requiring access to Aughton Street must enter from Park Road and leave via Moor Street unless otherwise permitted by the Police. All vehicles requiring access to Moor Street and Church Street must enter via Church Street and leave via Moor Street.
46. A clear route through Church Street and Moor Street shall be maintained at all times, and, as far as practical, an unobstructed route shall be maintained in Aughton Street. Stallholders should ensure, when manoeuvring and reversing their vehicles, that it is safe and appropriate to do so.
47. Vehicles must be loaded/unloaded immediately and the serving of customers shall not be allowed during this period. When stationary all vehicles must have their engines switched off.
48. Access for emergency services must be maintained at all times on the market.
49. All vehicles must be removed from the market as soon as possible after unloading, and no later than 10.00am. No vehicle may return to the market before 30 minutes prior to the end of the market unless authorised by prior arrangement with the Market staff, see Appendix 4 for trading times.
50. Traders may park their vehicles on the Council car park at Park Pool, provided that they display a permit in the windscreen of their vehicle, obtainable from the Market staff and purchase and display a days parking ticket at the rate payable on The Stiles car park. Failure to display the permit and the parking ticket may result in a Penalty Charge Notice being issued for which a fine may be payable.
51. A limited number of parking spaces are also available on the car park at the rear of the Post Office. Food stallholders requiring regular access to vehicles during the day for stall re-stocking purposes will be given priority to park on this car park. Stallholders permitted to use the car park will be issued with a permit by market staff, which must be clearly displayed on the relevant vehicle. Market staff will advise the area allocated for stallholders vehicles and failure to display the permit or parking in any other area may result in a Penalty Charge Notice being issued for which a fine may be payable.

Conduct of the stallholder

52. The stallholder shall at all times conduct his/her trading in an honest, civil and businesslike manner, without causing nuisance, obstruction or interference in any way with the general public or with the trading of any other stallholder or retailer, and in compliance with instructions given by the Market staff or the emergency services.
53. Stallholders shall not permit the sale of any item from the 'Prohibited Goods' list. This list, which is reviewed periodically is available for inspection at the Market Office see Appendix 5.
54. Stallholders shall not permit the sale of any item to a person under the age of 18 years which should only be sold to a person over the age of 18 see Appendix 5.

55. Stallholders shall refrain from "pitching" or "loud selling" without the prior written consent of the Market staff.
56. Stallholders shall not conduct an auction.
57. Stallholders shall not place their goods on any vacant stall(s) unless they have paid the appropriate charge for the additional space used, unless given the express permission of the Market staff. Stallholders shall not cause or permit any dogs, cats or other animals (whether domestic or otherwise) to enter any stall or any part of the Market except for an assistance dog for visual or other impairments, unless written permission has been granted by the Market staff.
58. Stallholders shall not broadcast nor permit the broadcasting of any music or sound by any mechanical or electrical means that is deemed by the Market staff to be a nuisance or annoyance to other stallholders.
59. Stallholders shall not bring onto the Markets any dangerous or inflammable liquid or substance without the prior written consent of the Market staff.
60. All stallholders must comply with all statutory and other legal requirements, both civil and criminal, in particular those relating to consumer goods and services, traffic regulations and employment of children.
61. Any damage to stalls must be reported to the Market staff as soon as practicable, and in any event prior to the end of the day's trading. Any damage caused as a result of mis-use by the stallholder will be made good by the Council and the costs will be recharged to the Stallholder.
62. All stallholders are responsible for the conduct of their employees and assistants in relation to these regulations. Failure by a stallholder to deal with notified contraventions of the regulations by his/her staff will result in disciplinary action being taken against the stallholder.
63. All stallholders shall take all reasonable steps to ensure the safety of members of the public, their employees, assistants and other stallholders.
64. All stallholders and all attending the market shall observe and comply with the instructions and requirements of Market staff or authorised staff of the Council in securing the proper management of the market.
65. Smoking is not permitted in any of the Market stalls or offices.

Hours of opening

66. The markets shall be open for trading during the prescribed times, detailed in paragraph 2 and Appendix 4. Where permitted by the Market staff, stalls may open before, but no later than, the prescribed opening times.
67. All stallholders shall keep their allocated stall or space open for the sale of goods during the hours of opening.
68. The Council reserves the right to amend the opening hours, close or alter the layout of any market or close and stop the sales from any stall or space at any time without being liable for any loss sustained by the stallholder, directly or

indirectly, if it is in the best interest of the market or the general public with appropriate notice or at the instruction of the emergency services.

Adverse weather

69. In adverse weather conditions the Markets Staff or an authorised Council officer may make the decision to abandon the market. The decision to cancel a market will be taken in the interests of safety, not only to stallholders, but also to customers and visitor to the market. No fees will be charged for that trading day and an adjustment will be made to the next available invoice. Stallholders who abandon the market based on their own decision will be liable to pay full market charges for that day, unless the Council subsequently cancels the Market on that day.

Encroachment (building out)

70. No stall or space shall be altered or extended in any way without the written consent of the Council.
71. The granting of consent by the Market staff for Stallholders to place goods, other items or structures beyond the curtilage of the stall(s) is at sole discretion of the Market staff and any space used will be charged for, details of which are available in the Market Office see Appendix 3.
72. Goods and equipment shall not be displayed or deposited beyond the boundary of the stall or space and stallholders must conduct business from within the perimeter of that stall or space. The Council reserves the right to remove goods displayed or deposited beyond the boundary of the stall or space, which, in the opinion of the Market staff, are causing a nuisance, obstruction or hazard. The goods shall be either placed within the boundary of the stall or space or removed to storage, in the case of perishable goods the Council reserves the right to dispose of these.
73. Goods and equipment must not be placed on or hung from the stall roof, or from supports or other fixtures unless written permission has been granted by the Council.
74. No stallholder shall erect any canopy or awning other than the one approved, in writing, by the Market staff. Any canopy or awning approved by the Council, or any sheet used to cover a stall must be in a colour approved by the Council. All clips used to secure sheeting must be suitable for the purpose.

Disciplinary procedure

75. Disciplinary action may be taken against stallholders for contravention of these regulations, which could result in the stallholders being suspended from the market and, ultimately, have his/her licence terminated for their allocated stall or space. Full details of the disciplinary procedure are contained in Appendix 7 attached to these regulations.

Cleaning and disposal of refuse

76. All stallholders must keep the stall or space and its immediate surroundings in a clean, tidy and safe condition throughout the day.

77. Each stallholder is responsible for the cleaning and removal of all waste, packaging, spillages and litter from in and around their stall at the end of each trading day, with the stall and immediate surrounding area left completely clear of such materials upon departure from the Market.
78. Traders' refuse must not be deposited in public litterbins. A container is available adjacent to the Market Way car park for the disposal of stallholders' refuse. All stallholders are responsible for ensuring that their refuse is taken on a regular basis to this container. Should the container be full it is each stallholder's responsibility to ensure that refuse is fully removed from the market area at the end of the trading day.
79. All waste materials removed from Ormskirk Market must be disposed of in accordance with all relevant sections of legislative and regulatory requirements in relation to disposal of commercial waste.
80. Stallholders must not sweep refuse into, nor leave any item within or upon, the common aisles, ramps, corridors, roads or pavements of the Market.
81. Stallholders shall not do anything, which might cause the blockage of any sinks, pipes and / or drains. Any breach of this regulation will result in stallholders being held responsible for all consequential losses.
82. Food stallholders shall comply with all specific requirements and legislation relating to the storage and disposal of waste and the cleaning of premises.

Damage

83. The driving of nails or screws into stall boards or other fittings, and the use or attachment of anything likely to cause damage to stall boards or other fittings is strictly prohibited.
84. The cost of repairing or making good any damage caused by the stallholder, to stalls or fittings or other market property, shall be charged to the stallholder.

Signage

85. The name of the stallholder shall be displayed in legible writing on a board of adequate size in a conspicuous position while the stall or space is occupied.
86. The use of any additional signage (including A-boards), other than within the stall boundary, is prohibited except with permission, in writing, from the Market Staff.

Fixtures and fittings

87. No alterations are to be made to any part of the stall without the prior written approval of the Market Staff.
88. Traders must not move or alter the position of any stalls previously set up by Council staff. If, for any reason, there is a requirement to move a stall, then arrangements must be made with Market who will, if deemed necessary, authorise and make any arrangements.

Electricity and heating

89. Electricity supply points are located at certain points within the market area. All stallholders are responsible for ensuring that any electrical goods or equipment they provide for connection to the supply or for use on the stall or space, satisfies relevant legislation and the relevant certificates shall be provided to the Market staff as appropriate.
90. No heating apparatus shall be used unless prior approval has been obtained in writing from the Council.

Public liability indemnity

91. All stallholders shall maintain an insurance policy with a reputable insurer, to a minimum of £5 million cover against third party and public liability. The stallholder shall provide evidence of the insurance cover, to the Market staff on demand.
92. Stallholders who suffer loss or damage however caused, shall have no claim whatsoever against the Council, unless negligence of the Council's employees or agents or otherwise is proven.
93. Stallholders shall indemnify and keep indemnified the Council against all actions, proceedings, damages, claims, costs, expenses, losses, outgoings, liabilities of whatever nature arising out of, or in connection with, their negligence, or their use of stalls, or their use of any other part of the Markets, or arising from the breach by stallholders of any of these regulations.
94. It is the responsibility of stallholders to insure stock, fixtures, fittings and any other items against damage or loss howsoever caused.

Termination of occupancy of a stall

95. A stallholder wishing to terminate the occupancy of a stall must do so by giving Market staff a minimum of one month's notice in writing.
96. A stallholder's occupancy of a stall may be determined at any time by the Council giving the stallholder three months' notice in writing, such notice to be served on the stallholder personally or by sending the same to the last known address of the stallholder.

Misconduct and disciplinary action

97. The Council reserves the right to suspend or terminate a stallholder's occupancy of a stall forthwith, in accordance with the disciplinary procedures detailed at Appendix 7 if a stallholder, his/her nominated manager, approved in writing by the Council fails to comply with, or observe, any of these Regulations or the Market Byelaws or Licence Conditions. The disciplinary procedures also provides for the giving of verbal warnings, written warnings and final warnings.
98. Any stallholder whose occupancy of a stall is suspended, or terminated, shall have a right of appeal to the Council by giving notice, in writing, to the appropriate Manager in charge of the Market within seven days of the decision to suspend, or terminate, specifying the grounds of the appeal.

99. Any licenced stallholder whose charges are in arrears of more than two consecutive months will be deemed automatically to have terminated their agreement and the stall or space will be re-allocated, and appropriate action will be taken to recover any outstanding arrears.
100. Failure to attend and trade on the Market for a period of two consecutive weeks without prior notification to the Market staff or good reason being given shall result in the immediate withdrawal of the licence to trade without further notice.
101. Costs incurred by the Council in remedying breaches of any of these regulations may be recharged to the stallholder responsible for the breach. This includes, but not exclusively, the administration of any warning notices, arrears summons, suspension or termination letters. The charges of which can be viewed on the Council Web site or may obtained from Market staff see Appendix 3.
102. Misconduct under the disciplinary procedure – shown at Appendix 7 may result in immediate suspension or termination of the licence to trade.

Application of market regulations

103. These regulations shall apply to all stallholders on the Market.
104. Acceptance of a licence to trade on a permanent or daily basis is deemed as acceptance of the Market Regulations.
105. These regulations come into force on 1st April 2011 and supersede all previous market regulations.
106. The Council reserve the right to alter these regulations, together with all accompanying policies and procedures, which are available for inspection at the Market Office. 28 days notice will be given of any changes to the regulations.

Glossary of terms

“The Council” means West Lancashire Borough Council.

“The Market” means the market held in the town centre of Ormskirk

“Market Area” means the streets within Ormskirk designated by the Council for use of the Market

“Market staff” means the Council’s duly authorised representatives.

“Stall” means any structure, fixture, fitting, place or space provided by the Council within the Market Area which is designated or used or intended to be used for the sale of goods or services. A stall includes any mobile unit, trailer or adapted vehicle not provided by the Council, but approved and authorised by the Council for use within the Market Area.

“Permanent Stallholder” is a person who has been granted a licence to sell or display goods from a stall on a permanent basis.

“Casual trader” is a person who has been granted a licence to sell or display goods from a stall on a daily basis.

“Prohibited goods” means the list of goods that are not permitted to be sold on the Market.

“Nominated Manager” means a person employed by and under the direction of the Stallholder to operate the Stall, in his absence, on his behalf, and who has been approved by the Council to do so.

“Assistant” means a person employed by and acting under the directions of a Permanent or Casual Stallholder.

“Cover” means a sheet of canvas or other material, in a colour approved by the Council used to cover or enclose the stall.

“Refuse” includes any waste material.

“Commodities” means any goods, wares or merchandise for sale at a stall.

“Charge” means stall or space fee or rent.

“Market Days” are those days falling on Thursday and Saturday, excluding Bank Holidays or on other days designated from time to time by the Council.

“Stallholder” means any person licensed by the Borough Council under these regulations or otherwise permitted to use a stall within the Market Area by the Market staff.

“Goods” include provisions, commodities and articles of whatsoever nature brought on to the Market Area for the purposes of sale or display.

“Vehicle” includes any car, motor cycle, van, truck, lorry, cart, handcart, wheelbarrow or trailer used or designed for conveying goods to from and within the Market Area.

Where the masculine form has been used this includes the feminine form where appropriate.

Where the singular form has been used this includes the plural form where appropriate.

How to become a stallholder

Trading as a casual stallholder

Anybody wishing to trade on Ormskirk Market must be registered with the Council.

A registration form can be obtained from the Market staff, requested by telephoning 01695 570 125 or completed on line on the Council website. – www.westlancs.gov.uk

Completed forms (except those sent via the Council website) can be taken to the Market office or posted to the Council offices.

Receipt of the registration form will be acknowledged, and if possible an indication given of the availability of market stalls.

If a stall is not immediately available the details of the registration will be held, in receipt order, until a vacancy arises.

When a stall is available, an invitation to trade on a casual basis will be made and an application form will be sent. The application form must be fully completed and taken to the Market office together with:

- A current Public Liability Insurance policy (which must provide cover up to a minimum of £5 million)
- Proof of your current address (e.g. utility bill, bank statement – which must be less than six months old)
- One current form of photographic identity, (e.g. driving licence or passport)
- A recent passport sized photograph

A Licence to trade on a casual daily basis will only be issued when all the appropriate information has been completed and the specified documentation provided. A copy of the Regulations will also be provided

Two copies of the Licence will be issued which must be signed by the Stallholder, and one of which must be returned to the Market staff as acknowledgement of receipt of the licence and a copy and acceptance of the Regulations.

Any changes to the details provided must be notified immediately to the Market staff in writing.

If a manager is to be appointed he / she must also complete a registration form together with:

- Two original and current forms of the manager's identity and address, (e.g. drivers licence, passport, recent utility bill, bank statement)
- One current form of photographic identity, (e.g. driving licence or passport)
- A current passport sized photograph

In normal circumstances a stallholder will be expected to trade on a casual basis for a minimum of 2 months, before being offered a permanent licence.

The Council reserves the right not to offer a stall to the Casual Stallholder registered for the longest period on a permanent basis if it is not in the interest of Market to do so

If a Casual Stallholder is offered a Stall on a permanent basis and refuses the offer, the Licence to Trade on a daily basis may be rescinded and the Stallholder moved to the bottom of the waiting list or removed from it.

Trading as a permanent stallholder

When a suitable stall is available it will be offered to a Casual Stallholder, who has been registered with the Council for the longest period, on a permanent basis. If the offer is refused it will be offered to the next most suitable and eligible Casual Stallholder until the stall is allocated.

A Permanent Trading Licence, renewable on an annual basis will be issued, together with a copy of the Regulations. Two copies of the Licence will be issued which must be signed by the Stallholder, and one of which must be returned to the Market staff as acknowledgement of receipt of the licence and a copy and acceptance of the Regulations.

The Council also reserves the right not to offer a Stall on a permanent basis if it is not in the interest of Market.

Permanent Stallholders must give 4 week's notice in writing of the intention to cease trading on Ormskirk Market.

Charges

Charges are displayed in the Market Office or can be inspected upon request from the market staff, they are also available for viewing on the Council's website

Charges are subject to review and 28 days notice will be given to stall holders?? of any changes to them.

Charges are payable in advance on the first day of the trading month, except for Casual Traders who must pay at the start of each day's trading.

Failure to pay charges will result in disciplinary action being taken, which could result in suspension of trading or termination of the Licence to trade as a stallholder, with appropriate action being taken to recover any outstanding charges.

Hours of trading and access to the market

The market is open for trading on Thursdays and Saturdays (except bank holidays) throughout the year. The times of operation are from 8.00am - 4.30pm March to October (inclusive) and 8.00am - 4.00pm November to February (inclusive).

For the purpose of loading goods onto the stall vehicles may only be brought onto the market from 7am and should be removed as soon as possible, but in any event must be removed by 10.00am.

Vehicles may only be brought onto the Market to remove goods from the stalls from 4.00pm March to October (inclusive) and 3.30pm November to February (inclusive). All stalls must be cleared, and vehicles removed by 5.30pm to allow stalls to be taken down and removed.

Care must be taken when loading or unloading goods from stalls and when bringing on, or removing vehicles from the Market.

Prohibited goods and under age sales

The Council will not permit the sale of any illegal, dangerous, or inappropriate products on Ormskirk market. The following is a list of products / product groups, prohibited for sale on Ormskirk market.

The list is meant to be indicative only and not an exhaustive list. If a stallholder is unsure of the status of any items, which they are proposing to sell, then they should seek further advice from the Market staff, Trading Standards or obtain legal advice.

List of Prohibited Goods

- Guns, replica guns, ornamental swords and knives (except kitchen knives and cutlery)
- Crossbows
- Laser pens
- Novelty lighters without a child-proof mechanism
- Live animals
- Fireworks
- Counterfeit goods
- Illegally copied videos, CD's, DVD's, MP3 disks and computer games
- Drugs, drug related products or items promoting the taking of drugs
- Inappropriate or offensive products as deemed by the Council.
- Any items that are offensive, indecent, obscene or pornographic or that could bring the Council into disrepute
- The Council reserves the right to amend the above list of products or product groups at any time.

The Council reserves the right to amend the above list of products or product groups at any time.

It is illegal for age restricted goods to be sold to those who are below the specified age limit even if they claim they are for an adult.

It is the responsibility of all Stallholders, whether permanent or casual to comply with any legislation regarding the sale of goods, with particular regard to the selling of goods to anybody under the age of 18, or appearing to be under the age of 18, unless acceptable proof of age is provided.

Disciplinary action, including immediate suspension and / or termination of licence to trade, will be taken against any Stallholder selling goods which are prohibited, selling age restricted goods to anybody below the specified age limit, or selling illegal goods. In addition the matter may be notified to the Police and/or Trading Standards.

Absences

Sickness

Any permanent licensed stallholder who is absent from the Market due to ill health must produce a medical certificate for absences in excess of one calendar week

In the case of absence through sickness of any period in excess of two weeks, subject to the production of medical certificates (originals, not photocopies, must be provided) an allowance of half stallage charges for the first two weeks of absence will be allowed. Stallage charges for any continuous period thereafter will be refunded by adjustment to the next month's invoice, provided that sufficient notice has been given, otherwise the adjustment will be made to the next invoice.

Where the absence is in excess of a total of 8 weeks, the licence to trade will be suspended, and will be re-instated on production of a medical certificate confirming the stallholder is fit to trade. At least 7 days notice of the intention to return to trade must be provided. If an absence is in excess of 3 months the Council may consider the termination of the licence to trade.

Other absences

Each permanent stallholder is allowed up to four booked absences per financial year, commencing 1st April, free of stallage charges provided that:

- (i) the absences are actually taken and the stall is left vacant.
- (ii) at least one week's notice is given, in writing, to Market staff.
- (iii) the stall holder has traded on the Market as a permanent stallholder since 1st April of that year and they trade for the full 12 month period.

Refund of the market rent will be made for any booked absence by adjusting the payment to the next month's invoice, provided that sufficient notice has been given, otherwise the adjustment will be made to the next invoice.

Un-notified absence

Any stallholder absent from the Market without notifying the Market staff (with the exception of urgent reasons) will be charged full stall and space charges for the period of absence.

Any stallholder absent from the Market (with the exception of urgent reasons) for a period exceeding two weeks will be deemed to have terminated their own license and the stall will be liable to be allocated to another Stallholder.

Disciplinary Procedures

In terms of stallholders' conduct, attendance and performance, the Market Regulations, Market Byelaws and the Disciplinary Procedures aim to ensure that:

- all stallholders are aware of the expectations placed upon them.
- whenever possible, disagreements and the need for disciplinary action is avoided.
- all disciplinary matters throughout the Market are dealt with fairly and consistently
- a framework for dealing with the procedural issues fairly and consistently
- the market provides a suitable environment for customers using or visiting the market.

The stages of the disciplinary procedures are as follows:

Stage 1

Initial non-compliance with licence conditions, Market Regulations and Market Byelaws (e.g. encroachment, servicing times, unauthorised addition to trade user clause).

Action taken - Verbal Warning

Stage 2

Failure to comply with a verbal warning and/or a serious offence within the licence conditions, Market Regulations and Market Byelaws (e.g. repeat of types of non-compliance as Stage 1 and/or initial more serious case of such non-compliance such as blocking of public aisles).

Action taken - Written Warning.

Stage 3

Failure to comply with a written warning and/or a more serious offence within the licence conditions, Market Regulations and Market Byelaws (e.g. repetition of non-compliance following previous warnings and/or initial more serious cases such as use of obscene language to the general public, late or non-payment of stallage charges).

Action taken - Final Written Warning which may include suspension from trading.

Stage 4

Failure to comply with a final written warning and/or a very serious offence within the licence conditions, Market Regulations and Market Byelaws (e.g. consistent repetition of non-compliance following previous warnings and/or initial very serious case such as threat of assault on any person in the Market, selling goods listed on the Prohibited List or selling age-restricted products to an underage person).

Action taken - Suspension from trading and / or termination of Licence to trade

Stage 5

Repeat of a very serious offence within the licence conditions, Market Regulations and Market Byelaws following suspension or continuation of successive offences or an extreme case (such as actual physical attack on any person in the Market)

indicating the need for termination of the licence or any failure to pay stallage charges as required by the Market Regulations (including a failure to comply with final written warning given in respect of late payment of stallage charges).

Action taken - termination of Licence to trade

Disciplinary action will be taken at the Council's absolute discretion. It should be noted that in relation to certain offences the above procedure may not necessarily commence at Stage 1 nor will each stage necessarily be followed in numerical order (e.g. in appropriate cases disciplinary action may escalate from Stage 3 to Stage 5).

In addition, the examples of offences given in Stages 1-5 are meant to be indicative only and are not intended to be an exhaustive list.

A record of any disciplinary action taken will be held on file for a minimum period of 2 years.

Appeals

Any appeal against disciplinary action must be lodged, in writing, with the Council within 7 days of the disciplinary action being taken.

Appeals will be dealt with at the level appropriate to the stage/severity of disciplinary action that has been taken.

Stage 1	No appeal allowed
Stages 2 and 3	Written appeal to the relevant Manager (or equivalent) in charge of the Market operation. The stallholder shall be notified in writing of the decision of the relevant Manager as soon as practicable after the decision is reached.
Stage 4	Written or personal appeal to the Licensing Appeals Sub Committee. The stallholder shall be notified in writing of the decision of the Licensing Appeals Sub Committee as soon as practicable after the decision is reached.
Stage 5	Written or personal appeal to the Licensing Appeals Sub Committee. The stallholder shall be notified in writing of the decision of the Licensing Appeals Sub Committee as soon as practicable after the decision is reached.

Where a personal hearing is convened a representative may accompany the trader.

Disciplinary action will be taken at the absolute discretion of the Council. It should be noted that in relation to certain offences the above procedure may not necessarily commence at Stage 1 nor will each stage necessarily be followed in numerical order (e.g. in appropriate cases disciplinary action may escalate from Stage 3 to Stage 5).

In addition, the examples of offences and actions given in Stages 1-5 are for illustrative purposes only rather than a determination of what may or may happen in any particular case. The examples are not intended to be an exhaustive list.



AGENDA ITEM: 6(3)

CABINET: 15 June 2010

Report of: Assistant Chief Executive

Relevant Portfolio Holders: Councillors I Grant and Mrs. Hopley

**Contact for further information: Mrs S Griffiths (Extn. 5017)
(E-mail: susan.griffiths@westlancs.gov.uk)**

SUBJECT: OLDER PEOPLE'S CHAMPION GRANTS

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the range of grants to be made from the Older People's Champion Grants budget.

2.0 RECOMMENDATIONS

- 2.1 That the grants scheme for older peoples champion be revised in order to expand the range of grants from £50 - £500 (previously £250 - £500) to be made from this funding stream.
- 2.2 That the call in procedure is not appropriate for this item as this matter is one where action is required to implement without delay the arrangements previously agreed by the Council.

3.0 BACKGROUND

- 3.1 In September 2009 Councillor Mrs Blake was appointed as this Council's first Older People's Champion. Her role is to assist the Leader and Portfolio Holder for Housing by advising on service issues which support and encourage active, independent and healthy lives for older people and to raise the profile of older people and their needs in the development of policy across all areas of the Council.
- 3.2 Councillor Mrs Blake also acts as a spokesperson to promote positive aspects of the Council's work with older people and encourage older people to play a fuller role in shaping the policies of the Council and in designing its services. She will

work to promote positive images of older people and forge and maintain links locally with older people's networks.

4.0 CURRENT POSITION

- 4.1 An opportunity arose for the creation of a grants scheme to be operated in consultation with the Older People's Champion for a three year period in the sum of £2,000 per annum. A scheme was subsequently approved at Council on 24 February 2010 which provided for the making of grants in the range of £250-500.
- 4.2 An application form has been designed and a set of criteria for the making of grants formulated and, in line with the Council's decision, the scheme is now ready to operate.

5.0 ISSUES

- 5.1 Councillor Mrs. Blake has recently indicated that she wishes to make smaller grants from around £50 onwards from this fund in order to that more older people's groups are able to apply and possibly benefit from this fund.
- 5.2 In order to enable this to happen, agreement is sought as to the widening of the range of size of grants that may be made.

6.0 PROPOSALS

- 6.1 That the range of grants from this grants stream be widened to £50 - £500

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 This approach will allow the Council to more actively focus resources to benefit older people.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 There are no additional resource requirements arising from the proposals.

9.0 RISK ASSESSMENT

- 9.1 This approach will allow the Council to focus on key areas of delivery and improve our ability to maximise available resources from external sources to be applied to older people's services.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices: None



Cabinet: 15 June 2010

Corporate Overview & Scrutiny

Committee: 24 June 2010

Report of: Assistant Chief Executive

Relevant Portfolio Holder: Councillor D Westley

**Contact for further information: Alison Grimes (Extn. 5409)
(E-mail: alison.grimes@westlancs.gov.uk)**

SUBJECT: QUARTERLY PERFORMANCE INDICATORS – Q4 2009/10

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To present quarterly performance monitoring data for the quarter ended 31 March 2010.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the overall good performance shown by the performance indicator data for the quarter ended 31 March 2010 be noted.

2.2 That call-in is not appropriate as this report is to be considered by the Corporate Overview & Scrutiny Committee.

3.0 RECOMMENDATION TO CORPORATE OVERVIEW & SCRUTINY COMMITTEE

3.1 That the overall good performance shown by the performance indicator data for the quarter ended 31 March 2010 be noted.

4.0 CURRENT POSITION

4.1 Members are referred to Appendix A of this report that provides performance monitoring data for a number of key indicators for Q4 2009/10.

4.2 Performance is good with 21 out of the 32 indicators on target and/or showing an improvement on performance in the same quarter in 2008/09. Members attention is drawn in particular to the good performance on *BV9: council tax collected* and

BV66a: rent collection and recovery – a very good achievement in the current economic climate.

- 4.3 Action has already been taken through the implementation of improvement plans for those indicators where performance either falls short of the targets by 5% or more or does not improve on the previous year's Q3 results.
- 4.4 There were no improvement plans requested for Q3.
- 4.5 Improvement plans triggered by Q4 performance have been developed for:
- **NI 157b:** Processing of planning applications: Minor applications
 - **NI 157c:** Processing of planning applications: Other applications
 - **WL07a:** No. complaints dog fouling/strays
 - **WL01:** missed bins collected per 100,000
 - **BV212:** Average time taken to re-let local authority housing.

These are attached as appendices to this report. Summary comments for these indicators are included in Appendix A.

- 4.6 Although the purpose of this report is to comment on quarterly information, a comment on the draft annual performance is also given in Appendix A. The icon refers to the quarter result. Information on the Council's annual performance will be published as usual in the Corporate Performance Plan.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 The information set out in this report aims to help the Council to improve service performance and is consistent with the Sustainable Community Strategy aim of providing good quality services that are easily accessible to all.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are no financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

- 7.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report. Monitoring and managing performance information data helps the authority to ensure it is achieving its corporate priorities and key objectives and reduces the risk of not doing so.

8.0 CONCLUSIONS

- 8.1 The performance indicator data appended to this report details the council's current performance against a number of key performance indicators.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

- Appendix A – Quarterly Performance Indicators for Q4, January-March 2009/10.
- Appendix B1 – NI157b and c: processing of minor and other planning applications
- Appendix B2 – WL07a: No. of complaints re: stray dogs or fouling
- Appendix B3 – WL01: No. bins missed per 100,000 collections
- Appendix B4 – BV212: Average time taken to re-let local authority housing.

Quarterly Cabinet KPI Report

Key

- ✓ = Performance on target for the quarter
- 😊 = Performance improved on same quarter last year (or 100%)
- 🔔 = Action Plan required: performance not improved on same quarter last year and is 5% or more short of the target
- 🔔 = Action Plan previously agreed: performance not improved on last year's quarter and is 5% or more short of the target
- = None of the above



Responsible OUs ACE Division - Kim Webber

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
BV8 % invoices paid on time	95.92%	96.69%	98.03%	98.09%	95.08%	92.24%	97.44%	97.86%	96.72%	98.00%	Annual performance of 97.15% narrowly missed 98% target	😊
BV9 % of Council Tax collected	98.15%	30.63%	58.55%	86.75%	98.39%	30.93%	58.72%	87.30%	98.02%	98.3%	Annual performance of 98.02% narrowly missed 98.3% target	▪
BV12 Working Days Lost Due to Sickness Absence (days)	2.88	2.27	2.18	3.79	2.93	3.04	2.57	2.51	2.56	2.02	<p>New management through LCC shared services will focus on fully utilising sickness absence policy to reduce these figures.</p> <p>Figure provides a 'snapshot' of sickness from data available at the time of reports being run to meet committee cycles. Final figures to be confirmed at year end.</p> <p>Current indication of annual performance of 10.7 misses 8.08 target but bettered 09/10 result of 11.16.</p>	😊

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
NI 181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (days)	13.02	12.79	13.79	13.19	4.28	16.02	16.42	7.49	6.91	15.00	Q4 traditionally provides a quicker time due to across the board changes being processed in one go. Annual performance of 10.22 bettered target of 15.0.	✓
WL19b(ii) % Direct Dial calls answered within 10 seconds	75.01	76.97	75.64	75.64	77.10	75.63	74.96	60.20	74.10	80.00	Improvement plan now adopted. Annual performance of 69.77% against target of 80%. Office moves and staff changes have affected performance during 2009/10.	😊
WL85a Website: no. visits	285,000	367,950	233,849	220,732	199,677	234,227	299,020	322,795	373,590		Comparator Information – no target	
WL85aa Website: number of unique visitors	77,623	85,148	92,720	79,123	91,677	100,331	119,008	113,291	132,649	93,750	Annual performance of 465,279 bettered target of 375,000.	✓😊
WL85b Website: use of online forms	1,699	1,848	2,173	2,212	1,931	1,602	1,538	1,505	1,855	2,500	Further promotion of online services is proposed in the Access to Services Communications Plan 2010/11. Improvement to the website and online services is included in the Website Improvement Plan 2010/11. Annual performance of 6,500 against target of 10,000, reflecting the cessation of the prize draw in 2009/10.	🔔
WL85c Website: no. online payments	1,646	2,898	3,467	3,336	2,887	3,818	3,943	3,814	2,911	3,750	Q4 figures are generally lower than the first three quarters because council tax payments are made over 10 months. Annual performance of 14,486 against target of 15,000, bettered performance in the previous year.	😊

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL90 % of Contact Centre calls answered	90.7%	77.0%	86.8%	93.7%	92.8%	91.7%	91.9%	94.2%	91.9%	85.0%	Targeting resources around busy periods and staff flexibility has proven to work successfully in terms of answering calls. Annual performance of 92.4% bettered target of 85%.	✓
WL92 % of cases (telephone calls) to the Contact Centre solved at first point of contact	61.8	57.9	65.7	59.0	64.2	60.6	63.5	64.7	68.0	65.0	Outturn fundamentally depends on the nature of calls received regarding service areas. Annual performance of 64.3% against target of 65%, bettered previous year's performance.	✓😊
WL108 Average waiting time for callers to the contact centre (seconds)		86.00	54.00	31.00	36.00	39.00	49.00	40.00	48.00	50.00	Annual performance of 44 bettered target of 50.	✓

Responsible OUs Community Services Division - Dave Tilleray

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL07a No. complaints fouling/strays	85	78	66	71	83	80	53	42	102	62.5	Analysis of results suggest that single localised areas of fouling have generated several complaints throughout the year. Annual performance of 277 against target of 250.	🔔
WL07b Dog fouling per km	1.33	N/A	1.11	2.00	1.56	N/A	1.11	0.15	0.67	2.38	Hard work of Officers has helped deliver a result considerably below the annual target. Annual performance of 0.64 bettered target of 2.38.	✓😊

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL08 Number of Crime Incidents per 1,000 population	14.75	15.27	14.62	14.70	15.30	17.30	14.88	14.01	14.20	16.25	Annual performance of 60.45 bettered target of 65.	✓ 😊
WL18 Use of leisure and cultural facilities (swims and visits)	313,657	314,250	314,004	261,915	331,685	325,082	329,877	282,198	324,057	325,000	Closure of Gallery and cancellation of some events due to bad weather affected Q4 figure. Annual performance of 1,261,214 against target of 1,300,000 bettered previous year's performance.	■

Responsible OUs Housing & Property Services Division - Bob Livermore

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
BV66a % Rent collection & arrears recovery (Cumulative)	98.66%	97.75%		98.28%	98.15%	98.75%	98.15%	98.73%	98.48%	98.20%	Annual performance of 98.72% bettered target of 98.2%.	✓ 😊
BV212 Average time taken to re-let local authority housing.	38.46	22.90	60.96	22.42	22.69	29.34	37.89	41.65	39.21	30.00	Annual performance of 37 against target of 30. A single property that was vacant for a significant period was let during the year. This had a disproportionate negative effect on overall relet times. If this is removed from the figures annual performance is an average of 32.8 days.	🔔
NI 155 Number of affordable homes delivered (gross)		0	0	0	13	0	12	6	14	16	The Q4 units are Aveling Drive in Banks. Annual performance of 32 bettered target of 16.	✓ 😊

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL111 % Housing Repairs Completed in Timescale		94.28%	91.03%	89.82%	94.58%	82.79%	89.64%	90.18%	90.18%	94.50%	An IT data transfer problem that results in under-reporting of completed repairs has been identified. Work is underway to rectify the problem. A manual review of the figures suggest that the result should be higher. Annual performance of 88.01% against target of 94.5%.	■

Responsible OUs Street Scene Division - Graham Concannon





PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
NI 192 Percentage of household waste sent for reuse, recycling and composting		47.11%	47.60%	40.15%	45.48%	48.22%	45.54%	41.10%	45.59%	50.00%	Traditionally Q1 and Q2 provide the highest composting figures indicating that the annual target is an ambitious one. Q4 data supplied by external source which has now ceased trading. Quarter/annual figure will therefore be in part an estimate.	☺
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter			2.33%	2.50%	7.67%		5.17%	3.83%	3%	15.00%	Survey is carried out three times each year, there is no data for Q1. Annual performance of 4% bettered target of 15%	✓☺

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus			5.26%	8.87%	11.09%		7.72%	10.00%	9.26%	24.00%	Survey is carried out three times each year. There is no data for Q1. Annual performance of 9% bettered target of 24%	✓ 😊
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti			.00%	.67%	0.00%		0.00%	2.33%	0.5%	4.00%	Survey is carried out three times each year. There is no data for Q1. Annual performance 0.95% bettered target of 4%	✓
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting			0.33%	0.00%	0.17%		0.00%	0.33%	0.00%	2.00%	Survey is carried out three times each year. There is no data for Q1. Annual performance of 0.11% bettered target of 2%	✓ 😊
WL01 No. bins missed per 100,000 collections	69.31	64.20	72.01	37.96	57.50	48.80	67.50	51.60	78.15	60.00	Figure reflects extreme weather conditions encountered early in the quarter. Annual performance of 61.54 against target of 60	🔔
WL06 Average time taken to remove fly tips (days)	1.06	1.06	1.15	1.09	1.04	1.20	1.16	1.10	1.08	1.00	Improvement has continued and is approximately 35 minutes outside of target time. Annual performance of 1.15 missed target of 1.0	🔔

Responsible OUs Legal, Democracy & Financial Management Division - Gill Rowe

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL101b Average time taken to carry out standard searches		6.71	6.84	6.48	6.35	6.63	5.91	5.61	6.47	7.50	Annual performance of 6.18 bettered target of 7.5.	✓

Responsible OUs **Planning - John Harrison**

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
NI 157a Processing of planning applications: Major applications	78.57%	44.44%	42.86%	44.44%	80.00%	50.00%	50.00%	33.33%	50.00%	70.00%	*Combination of two unfilled posts, staff sickness and bad weather conditions preventing site visits have had a detrimental impact on service delivery. In addition, the low number of Major Applications that the Council determines - typically between 3 and 5 per quarter - makes it inevitable that performance fluctuates through the year. Annual performance of 47.83% against target of 70%.	
NI 157b Processing of planning applications: Minor applications	61.82%	59.21%	87.14%	69.33%	88.00%	75.41%	87.10%	78.85%	54.10%	80.00%	Combination of two unfilled posts, staff sickness and bad weather conditions that prevented site visits have had a detrimental impact on service delivery. Annual performance of 73.7% against target of 80%.	
NI 157c Processing of planning applications: Other applications	87.20%	87.31%	92.06%	91.58%	92.95%	92.86%	92.99%	94.08%	83.45%	90.00%	Combination of two unfilled posts, staff sickness and bad weather conditions that prevented site visits have had a detrimental impact on service delivery. Annual performance 91.15% bettered target of 90%.	
WL24 % Building regulations applications determined within 5 weeks	62.91%	58.96%	52.17%	64.22%	60.00%	58.96%	61.06%	65.67%	74.42%	62.00%	Comprising 85 decisions, with 64 decisions made within 5 weeks of submission. Annual performance of 64.24% bettered target of 62%.	

PI Code & Short Name	Q4 2007/08	Q1 2008/09	Q2 2008/09	Q3 2008/09	Q4 2008/09	Q1 2009/10	Q2 2009/10	Q3 2009/10	Q4 2009/10	Current Target	Comments ¹	Quarter icon ²
	Value	Value	Value	Value	Value	Value	Value	Value	Value			
WL88 % Planning decisions delegated to officers	91.60%	91.14%	93.15%	85.87%	94.19%	92.28%	94.22%	93.30%	92.28%	90.00%	Annual performance of 93.01% bettered target of 90%.	✓

** no improvement plan developed as statistical validity of PI over a quarter is recognised and management of operational issues ongoing*

¹Annual performance estimates. Final performance information for 2009/10 will be published in the Corporate Performance Plan in summer 2010.

² Icon refers to quarter result not annual performance.

PERFORMANCE IMPROVEMENT PLAN	
Indicator	NI 157b Processing of planning applications: Minor applications NI 157c Processing of planning applications: Other applications
Reasons for not meeting target	
Combination of two unfilled posts, staff sickness and bad weather conditions that prevented site visits have had a detrimental impact on service delivery	
Brief Description of Proposed Remedial Action	
<ul style="list-style-type: none"> - vacant posts to be filled (appointment made in respect of the team leader. Senior post has been agreed and is being progressed) - introduction of revised performance monitoring regime 	
Resource Implications	Nil
Priority	High
Future Targets	
Planning application performance targets to be reduced to fall in line with National Targets until vacant posts filled.	
<ul style="list-style-type: none"> - NI 157a 60% - NI 157b 65% - NI 157c 80% 	
Action Plan	
Tasks to be undertaken	Completion Date
Fill vacant posts	July 2010
introduction of revised performance monitoring regime	Completed

PERFORMANCE IMPROVEMENT ACTION PLAN	
Indicator	No. of complaints re: stray dogs or fouling (WL 7a)
Reasons for requiring action plan While the number of stray dog and fouling complaints has risen above target in the 4 th quarter of 2009/10, the overall total of complaints throughout 2009/10 is only slightly above target. However, the annual average for WL07b (Dog fouling per km) is significantly below the target of 2.38 at 0.82. This would suggest that single localised areas of fouling have generated several complaints throughout the year.	
Brief Description of Proposed Action The control of dog fouling remains a challenge. Whilst complaints have not shown a downward trend in 2009/10, the hard work of Officers has yielded some overall positive results. WL07b (Dog fouling per Km) is considerably below the annual target and WL07a (complaints of stray dogs or fouling) is marginally above the annual target. Therefore the 1 st and 2 nd quarters of 2010/11 will be closely analysed to assess if there are any trends that can assist Officers to reduce the number of complaints.	
Resource Implications None.	
Priority High.	
Future Targets No revision to quarterly target at present. If trend continues, targets will be re-examined.	
Action Plan	
Tasks to be undertaken	Completion Date
Close examination of complaints throughout 1 st & 2 nd quarters of 2010/11 to determine trends.	September 2010

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL01 : missed bins per 100,000 collections
<p>Reasons for not meeting target The performance of the fourth quarter exceeded target by 18 properties per 100,000, which resulted in the yearly goal of 60 properties failing by 1.5 (61.5) properties. The cause is thought to be due to the extreme weather conditions encountered early in the quarter.</p>	
<p>Brief Description of Proposed Remedial Action Continue to monitor weekly performance.</p>	
<p>Resource Implications None</p>	
<p>Priority Medium</p>	
<p>Future Targets Continue with existing performance target of 60 missed collections per 100,000 properties.</p>	
Action Plan	
Tasks to be undertaken	Completion Date

PERFORMANCE IMPROVEMENT PLAN	
Indicator	BV212 Average time taken to re-let local authority housing
Reasons for not meeting target	
<p>Performance has been adversely affected due mainly to a number of long-term, unpopular, sheltered housing vacancies, which have now been successfully re-let. Whilst the allocation of long-term vacant properties has the positive impact of providing someone with a home and increasing rental income for the Council, they do adversely effect performance for this indicator.</p> <p>To put this into context, if we look at the years performance for “Normal” voids (where we do not have issues with demand) the average turn around time from the tenancy termination date to the date keys are given to the new tenant is 18.2 days.</p>	
Brief Description of Proposed Remedial Action	
<p>Performance is monitored monthly and appropriate action taken where required. The planned introduction of a new Housing Management Information System will enable individual parts of the relet process to be monitored separately and therefore any problems highlighted sooner. Monthly void review meetings with contractors will ensure issues addressed earlier. Liaison with utility companies aims to prevent properties standing empty whilst awaiting new meters or reconnection of supply. Low demand sheltered properties will continue to be marketed through the use of open days etc.</p>	
Resource Implications	
<p>There are no resource implications in relation to this improvement plan however, it is worth noting that the budget for the repair of empty properties can impact on performance in this area. During periods of high void numbers it may be necessary to curtail expenditure and this can have a detrimental effect on performance. For 2010-11 a contingency has been identified from the capital budget to ensure that where empty properties need to be rewired or have new heating systems etc the cost does not prohibit a quick relet.</p>	
Priority	
Medium	
Future Targets	
No revision to quarterly target at present.	
Action Plan	
Tasks to be undertaken	Completion Date
Meetings with contractors	Monthly/Ongoing

Continued monitoring of performance

Monthly



Report of: Assistant Chief Executive and Executive Manager Community Services

Relevant Portfolio Holders: Councillors D Westley and A Fowler

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SUBJECT: ORGANISATIONAL RE-ENGINEERING – ENVIRONMENTAL HEALTH MANAGEMENT REPORT

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To consider the findings and recommendations for savings and service improvements contained within the attached Organisational Re-engineering (OR) Environmental Health Management Report

2.0 RECOMMENDATIONS

2.1 That the findings and recommendations for service improvements contained within the attached report are noted and agreed.

2.2 That Members note that £24,000 will be invested into the integration of the Customer Relations Management system (CRM) with the Environmental Health M3PP system, to be funded from savings generated as a result of the OR review.

2.3 That the Assistant Chief Executive, and the Executive Manager Community Services, be given delegated authority to implement the recommendations contained in paragraph 6.1 of the report attached as appendix 1.

3.0 BACKGROUND

- 3.1 The OR process aims to secure significant savings for the Council, which is particularly important in the current economic climate. However, Members will also be aware that the philosophy of OR centres on the improvement of service delivery in order to make the Council's services more efficient and thereby more convenient and accessible to its customers.
- 3.2 This is the sixth OR project the authority has undertaken, having completed similar exercises within Council Tax, Travel Concessions, Property Services, Street Scene and the corporate implementation of Electronic Document Management (EDM).

4.0 CURRENT POSITION

- 4.1 The Environmental Health review was completed in August 2009. The report attached provides comprehensive details of the findings and recommendations for service improvements. The Executive Summary provides Members with a quick and useful reference point of the review.
- 4.2 Throughout the review staff have been fundamental in providing feedback, undertaking research, participating in workshops and have played a vital role in contributing to the suggestions for improvement.
- 4.3 The final draft of the report has now been completed and discussions held between relevant Chief Officers and Portfolio Holders. It was agreed by the Project Board to put the implementation on hold until this year (other than those proposals which relate to Organisational Downsizing (OD)) due to the level of sustainable change the Division could effectively manage, particularly in relation to OD and the office move to Stanley Depot during December 2009.
- 4.4 The project has identified substantial cash savings of around £69,300 in the first full year of implementation (2011/12) and approximately £103,600 in subsequent years (£82,100 of which was consistent with the OD recommendations, together with a further £21,500 identified on top through OR).
- 4.5 The review has also recommended a number of service improvements which will provide a faster, more convenient and efficient service for customers – including the introduction of an appointment system for licensing customers and taking payment / booking appointments for pest control treatments at the first point of contact. The introduction of EDM and full integration between the front office CRM and the back office Environmental Health system will also create organisational efficiencies and speed up processes and workflow, principally by avoiding duplication.
- 4.6 A detailed implementation timetable is included in Section 6.2 of the appended report. The timetable contains two distinct phases, each representing a practical approach for delivering the proposed service improvements within a realistic timescale, whilst taking account of the limited resources within Environmental Health, Customer Services and ICT.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 A summary of the probable savings and efficiencies to be gained, with effect from April 2011, together with a detailed breakdown of the ICT investment required is outlined in Section 7.0 of the attached report.
- 5.2 In addition to those posts removed under OD, the report recommends that a further full time equivalent should be transferred to Front office to deal with the transfer of workload in respect of the front end of Environmental Health services, together with the introduction of an appointments system for Taxi Licensing customers. This will result in a further efficiency saving of approximately £20,000 per annum.
- 5.3 Furthermore, and as a result of implementing full system integration, an additional full time equivalent will be permanently removed from the establishment, resulting in year on year saving of £14,000 (after taking into account integration costs). It is likely that this recommendation will generate a further efficiency saving of around £37,000 per year through fundamentally reducing the 'interruption factor' for Environmental Health staff.
- 5.4 All current HR policies will be fully observed in respect of the staffing changes. However, there are no redundancy implications as the post to be deleted is currently being covered by temporary overtime arrangements.

6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 6.1 OR is now formally recognised as an essential element of the Council's key corporate objective of providing the best possible services at the lowest possible price and will help generate further savings for the authority, whilst simultaneously driving up quality and accessibility of services for the citizens and businesses of West Lancashire. The ability to be able to achieve this is becoming fundamentally important due to the challenging economic climate, together with escalating customer expectations within an environment where the best possible value for money needs to be provided for local tax payers.

7.0 RISK ASSESSMENT

- 7.1 A summary of the key risks associated with the recommendations is contained within the appendix of the attached report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Appendix 1: Environmental Health Management Report September 2009 (updated May 2010)

STRICTLY PRIVATE & CONFIDENTIAL

Assistant Chief Executives Division

Organisational Re-engineering

Environmental Health

Management Report

September 2009

(updated May 2010)

Executive Summary

1.1 Introduction

This management report details the findings and recommendations for organisational savings and service improvements associated with the Environmental Health (EH) Organisational Re-Engineering (OR) project.

The content and subsequent recommendations have been arrived at independently to the authority's Organisational Downsizing (OD) initiative, although it should be noted that a number of the recommendations contained within the OD report in respect of Environmental Health that were submitted to Council on 15th July 2009 were informed by the research and findings undertaken as part of the OR review. It should also be noted that due to committee timetables and the need to press ahead with corporate OD, a number of the recommendations and subsequent savings made will be realised within the current financial year.

1.2 Background

This is the sixth OR project the authority has undertaken, having previously completed similar exercises within the areas of Council Tax; Travel Concessions; Property Services; Street Scene; and the corporate implementation of EDM.

The continued roll out of OR across the authority has achieved improvements in service delivery; secured savings and efficiencies and has made services more accessible to customers, whether it be via the website, the Contact Centre or at the two CSP's.

Prior to Organisational Re-engineering taking place there were 17 services delivered via the front office environment. This figure now stands at 111 and in addition, the total cash savings identified amount to approximately £1.2 million, together with efficiency savings of over £400,000. The delivery and implementation of the associated recommendations within each project has resulted in the extremely effective management of fundamental change with no staff redundancies occurring. It has also significantly improved the customer experience, whilst simultaneously providing greater job enrichment for both front and back office staff.

The recommendations of the last OR report were to now fully embrace the roll out of EDM throughout the authority, in order to create a paperless organisation whereby each section and division are part of the same corporate information management system. This will also be seen as paving the way for West Lancashire to fully embrace a central records management system which will deliver even greater efficiencies in an environment which now dictates that value for money, together with continuous streamlining becomes the order of the day.

This OR project was broken down into four general areas as outlined below:-

- ✿ Public Protection & Licensing

- ✿ Environmental Health's Central Admin. Team
- ✿ Commercial Safety
- ✿ Environmental Protection

1.3 Summary Outcome(s)

The following section provides an outline summary of the main recommendations that are further discussed within Section 6 of this report, together with a general summary of the more salient points and outcomes of the project:-

✿ Public Protection & Licensing

As this service area has a large amount of customer contact, particularly in respect of a number of less complicated services, there is scope to further improve accessibility to citizens. This can be achieved by implementing corporate EDM and transferring the first contact element of the Taxi Licensing and Pest Control service to front office.

Licensing

As the vast amount of processes within the Licensing section are paper-based, (which also requires a large amount of storage space), the introduction of EDM will deliver great improvements in terms of efficiency and space saving. The introduction of an appointment system for Taxi Drivers, to be managed by Customer Services, will also achieve further savings and efficiencies.

As a result of the above, the collective workload will reduce by around 1.0 FTE, the section can be restructured creating a net saving of around £9,000 per annum. This will be achieved by removing the post of a Senior Licensing Officer (i.e. an initial cash saving of £34,000 created fundamentally by the introduction of EDM) and then reinvesting £25,000 of this into a more junior post within the team so that, for example more work can be dedicated to other areas such as governance and enforcement.

Pest Control

Research undertaken as part of the OR project evidences that whilst there are peaks and troughs in terms of service demands for Pest Control in any given year, there is scope to remove the current temporary seasonal resource. It should be noted however, that this reduction assumes that the two full-time remaining staff have minimal sickness and continue to be flexible with their annual leave arrangements. However, there is no current evidence to suggest that this won't be the case. The report therefore further recommends the removal of the seasonal pest control resource which will secure a further saving of approximately £15,500 per annum.

✿ Environmental Health's Central Admin. Team

The migration of the front end of the Licensing and Pest Control services to Customer Services (including the transfer of 1.0 FTE from the Admin team into front office), will facilitate the introduction of an appointments system for Taxi

Licensing customers, as well as enabling Customer Services to book all appointments and take payments in respect of Pest Control services.

The transfer of resource from back office will also enable Customer Services to deal with the vast majority of initial complaints, service requests and provide general information/advice regarding many Environmental Health issues and will also free up valuable Officer time to concentrate on the more complex areas of the Environmental Health service. This change will deliver an efficiency saving of approximately £20,000 per annum.

In addition, the full integration between the front office CRM system and the back office Environmental Health system will achieve a further cash saving amounting to a minimum of £20,000 year on year after an initial up front investment of around £24,000 required to fund the integration costs. This new and innovative way of working will also provide for a quicker and slicker service for the customer; will eliminate 'double handling' of information, whilst minimising potential errors in data entry. It is likely that this recommendation will also generate a further efficiency saving of £37,000 year on year through fundamentally reducing the interruption factor for staff within Commercial Safety and Environmental Protection.

 **Commercial Safety**

As a result of relaxing targets/inspections within this area, a saving of 0.5 FTE or around £20,000 per annum can be made. The justification for this reduction is due directly as a result of research into other local authorities' targets and PI's (particularly within the area of Food Safety), which indicate that current levels of 100% are inappropriate in the present climate and that they could reduce to more reasonable targets for inspections of around 90% in line with the actual performance of other similar local authorities.

 **Environmental Protection**

Similarly, a reduction in the number of inspections undertaken relating to areas of contaminated land and transferring the residual workload to elsewhere within the team will generate a saving of just over £37,600 per year. This can be achieved as capital funding from Central Government in respect of preliminary investigative work within this area is no longer available, meaning that proactive inspections can therefore not be fiscally sustained.

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1.4 Savings

The following table provides a summary of the cash and efficiency savings that will be generated within the first year i.e. 2011/12 as a result of implementing those recommendations detailed within Section 6 of this report.

Section	Full Year OR Cash savings (£)	Full Year EDM cash savings (£)	Full Year OR Efficiency (£)
Public Protection & Licensing*	15,500	34,000	
Central Admin**	20,000	7,500	20,000
Commercial Safety*	20,000		15,000
Environmental Protection*	37,600		22,000
Sub Total	93,100	41,500	57,000
Cost of Reinvestment	49,000 ⁽¹⁾	16,300 ⁽²⁾	
Total cash saving	44,100	25,200	
Total efficiency saving			57,000
Grand totals 2011/12	£69,300 Cash		£57,000 Efficiency
Annual savings from 2012/13	£103,600⁽³⁾ Cash		£57,000 Efficiency

*Consistent with OD – decisions made by Council in July 2009

**Additional savings identified under OR

- (1) This amount is required to fund an administrative post within Licensing (£25,000) and also includes funding for system integration amounting to £24,000 within the first year followed by an annual license fee of £4,000
- (2) This amount is required to implement EDM within EH and includes an estimate for the cost of system integration with M3PP – the back office ICT system
- (3) The additional £34,300 differential between this and the initial 2011/12 year is due to the need to fund the one-off costs of system integration/implementation

NB, Members and officers will recall that the indicative cash and efficiency savings predicted within the EDM final report in respect of the Environmental Health project were £65,000 (before re-investment) and £22,000 respectively. In addition, there will be further organisational savings generated as a result of undertaking a similar project concurrently within Private Sector Housing, although the savings and efficiencies generated here will be tabled within a separate report.

2.0 Management Report – Environmental Health OR

2.1 Introduction

The following detail outlines the work that was undertaken jointly by staff within Environmental Health, Customer Services, ICT and Internal Audit as a means of securing savings and efficiencies; increasing customer accessibility and further improving service delivery i.e. the three key drivers to Organisational Re-engineering. The outcomes and overall success of the project gives testimony to the hard work; creativity; professionalism; and dedication of all those involved in examining further ways of delivering an Environmental Health service that provides even better value for money for the citizens of West Lancashire.

Again it should be noted that the outcomes of this project have been arrived at independently of the authority's OD exercise. Nevertheless the work undertaken within the OR project has added further evidence and justification to those relevant recommendations made under OD.

2.2 Background

The Environmental Health service delivers a professional, high profile service to the residents and businesses of West Lancashire, much of which can be deemed as a responsive service.

The project commenced in December 2008 and initial scoping work took place with the authority's EDM software provider, Northgate, in order to give staff within Environmental Health an insight and understanding of its capability. Subsequently, it was agreed by the Project Team that the implementation of 'Northgate EDM' would take place only once the new ways of working have been introduced i.e. so as not to waste time and effort in reflecting processes that had yet to be re-engineered.

2.3 Approach to the review

The OR model was rigorously applied to the project. Accordingly a Project Board was set up in order to oversee the work and a Project Initiation Document (PID), was prepared as contained within the following section, which confirmed that the following elements of work would be reviewed:-

- ✿ An examination of current processes and procedures
- ✿ The collation of workload volumes, numbers of processes and IT data
- ✿ The mapping of current/revised processes (the 'as is' and 'to be' stages)
- ✿ Interviews/workshops with managers and staff who deliver the service
- ✿ Research/Liaison/site visits to other local authorities
- ✿ An analysis of how best to introduce EDM into the various parts of the service

3.0 Methodology

STAGE	TASKS	Responsibility
Programme Design Stage 01	Create PID Create Plan Create risks and issues logs	LA LA LA
As Is Stage 02	Identify Processes major and critical Data Collection Draw up a matrix identifying processes and maps needed Collect metrics Process map agreed processes Validate maps against current activity	Project Team/User Representatives
To Be Stage 03	Identify processes to be; reviewed, changed, transferred, retained, automated by; Extensive consultation with staff, suppliers and stakeholders Site Visits Volumetric Analysis Constraints – such as IT considerations Discussion & exploration Clarify and agree new ways of working Re map processes Reassess new metrics Design new structures Design new working practices Agree Findings	SW/CI/Project Team
Final Reporting Stage 04	Produce Final Report and Recommendations Agree decision route Gain political approval Identify Implementation Manager Re-cast budgets Change staffing structures Produce Report Produce Transition Plan	Project Board/Project Team
Implementation Stage 05	Implement Changes	Implementation Manager

4.0 Information & data collection

4.1 Processes & procedures

As Environmental Health covers such a wide range of services and due to the challenging timescales involved, it was important for the OR team to focus on those processes and procedures which involved a high volume of customer contact. In order to identify these specific areas the OR team met with the three Service Managers and the Admin Team Leader to discuss which processes to target more intensely during the review.

As a result of these one-to-one discussions, complaints and service requests relating to the three different work areas i.e. Public Protection & Licensing; Environmental Protection; and Commercial Safety were mapped from end to end and therefore this exercise also included the role that the Central Admin team plays.

In addition, data relating to the time spent and numbers of those processes deemed to be high volume service requests was also collated in order to ascertain an overall perspective on the time expended within these activities.

As a means of collecting and recording this information, and in order to gain a detailed understanding of the service as a whole, the OR team utilised the skills and knowledge of back office staff to:-

- ✿ Map all processes
- ✿ Carry out detailed timings exercises
- ✿ Interrogate 'back office' systems in order to extrapolate data regarding volumes

In addition to the above research the team also:-

- ✿ Facilitated several 'large function analysis' workshops in respect of the three service areas as well as the Central Admin team
- ✿ Held a number of 'critical questioning' sessions with key officers
- ✿ Analysed details and information contained within Revenue and Expenditure budgets, Staffing Structures, Service Action plans and Work Programmes.
- ✿ Undertook further research with Service Managers in order to decipher what processes were mandatory and which were discretionary and to generally gain a more detailed understanding of the service(s) altogether.
- ✿ Undertook site visits to other local authorities as well as other desk research in respect of various disciplines within the Environmental Health service

4.2 Research, consultation & findings

4.2.1 Service delivery

The Environmental Health Section is predominantly concerned with protecting the public health of the residents and employees in West Lancashire and the work can be broken down into the following areas:

Public Protection & Licensing

The role of the Public Protection and Licensing Service is diverse and impacts on many aspects of the community. The section is divided into 4 distinct service areas:

- i. The administration, issue and control of Licences relating to Private Hire Vehicles, Hackney Carriages, Premises, Personal use, House to House, Street Collections etc.
- ii. Responding to requests for services in relation to controlled pests within domestic and commercial premises.
- iii. Responding to complaints from members of the public regarding dog fouling, stray dogs and dangerous dogs, together with routine patrols of the district to control incidences of stray dogs and dog fouling.
- iv. The administering, issuing and controlling of licenses to ensure satisfactory standards within animal welfare establishments.

Commercial Safety

The role of the Commercial Safety Section is to protect the health, safety & welfare of those people living and working in West Lancashire and to safeguard others, principally members of the public, who may be exposed to food safety or health and safety risks from activities in West Lancashire.

Environmental Protection

The key aim of the service is to reduce pollution and improve public health and the local environment within West Lancashire, for both residents and visitors, by responding to complaints and working pro-actively with customers. As such the team monitors, advises, educates and where necessary enforces relevant legislation.

Central Admin. Team

The Central Admin Team provides a supporting role to the three service areas above with the exception of Licensing.

4.2.2 Staff workshops

OR recognises the fundamental importance that staff play in both delivering and improving front line services and this project again takes account of and pays tribute to the input, help and guidance that officers have provided to the Project Team, despite having heavy workloads and targets/other priorities to meet.

Due to the great importance of staff involvement and consultation in times of change, several detailed workshops were facilitated by the OR team whereby all four sections within the Environmental Health division took part in separate discussions, not only in order to help build an accurate picture of the particular service area, but also to provide all interested parties with an opportunity to help further shape any future/potential changes and improvements within their relevant service areas.

The notes from these workshops are located as background documents as listed within Section 10.3 of this report.

4.2.3 Key Task Analysis

In addition to process mapping and workshops and in order to ensure the team had built up a full picture of all tasks and processes within Environmental Health, the OR team undertook a further exercise which involved the three Managers from Public Protection & Licensing, Commercial Safety and Environmental Protection. The purpose of this exercise was to identify key tasks which were deemed as either statutory or non-statutory. The team then went on to further analyse the non-statutory tasks as a means of determining whether any savings/efficiencies could be achieved within specific areas, for example inspections, visits etc.

As with previous projects the OR team has always examined other large functions of service delivery within the section(s) for example, through workshops and one-to-one discussions in order to identify any potential for further savings and/or efficiencies. The following provides a summary of such areas/functions within the respective sections.

● Pest Control

There is no explicit legal duty to provide a pest control service. The Environmental Health division does however deliver an efficient and effective service throughout the year and currently also funds a seasonal post in order to maintain service delivery in times of high demand. However, research shows that whilst there are peaks and troughs in terms of service demands, there is scope to permanently remove the current temporary seasonal resource. It should be noted however, that this reduction assumes that the two full-time remaining staff have minimal sickness and continue to be flexible with their annual leave arrangements, although there is no evidence to suggest that this won't be the case.

● Environmental Protection

In terms of the number of inspections undertaken in relation to contaminated land, this area of work has also been scrutinised and is due to substantially decrease in respect of the proactive work that has previously been undertaken. It is therefore envisaged that by the end of this calendar year, the workload will have reduced substantially, (mainly as a result of a vast reduction in central government funding), whereby the current resource within the Environmental Protection team administering this service can also be revisited

accordingly and the permanent post deleted. Any residual workload can then be redistributed to other personnel within the team.

● Commercial Safety

As a further example, the number of inspections undertaken in relation to Commercial Safety and the subsequent performance currently in place, reveals that in almost every area of work 100% targets have been achieved. There is, however, recognition within the current climate that these targets and expectations cannot be sustained and that accordingly a lower target of around 90% would be both acceptable and fit for purpose. This will enable a reduction in resource amounting to 0.5 FTE to be saved.

4.2.4 Pest Control & Licensing at Wirral MBC

● Pest Control

Wirral MBC took the opportunity to re-engineer Pest Control in an aim to both streamline the service and to make it more accessible to customers. They have a Customer Relationship Management (CRM) system in place within the front office environment, which is fully integrated with M3PP (i.e. the same IT system currently utilised within Environmental Health at West Lancashire).

In order to deliver a more efficient and effective service, Wirral decided to transfer the front end of the service to the corporate Customer Services team who deal with both payments for the service and the booking of appointments through the CRM, which then automatically updates the back office system without the need for double handling. This successful regime has been in place since February 2008 which also allows for staff within Customer Services to book slots on an am/pm basis, by area, as well as being able to arrange appointments for re-visits.

● Taxi Licensing

Again the main thrust for the authority to re-examine the Licensing service was with a view to delivering it from within a front office environment, together with introducing a 'lean thinking' approach.

The Customer Services Team provides an appointments service together with general advice for new applicants. They have a supply of application packs which they hand out to new applicants and also briefly explain the process and the documents and evidence that is required.

Microsoft Outlook is used within front office to book appointments. Customer Service staff adhere to guidance provided by the back office in terms of length of time for each appointment. The Licensing section provides procedures regarding which processes can have appointments made and also specify any areas that require further liaison with them. All members of the Licensing team and CS staff can access the calendar and make appointments.

Wirral's Licensing Manager's comments can be summarised as follows:-

- Officers are able to manage their workloads far more efficiently
- The changes led to a saving of 1.0 FTE

- ✿ The authority's aim is to deal with taxi licence customers once only
- ✿ After some initial teething problems all stakeholders have reported an improved service
- ✿ Resource saving reinvested into other areas of work, especially enforcement
- ✿ The team can manage when only one member of staff is in the office and Customer Services are excellent at re-arranging appointments when required
- ✿ 'It's a brilliant way of managing the service'

4.2.5 EDM at Wyre Forest

Around two and half years ago senior management at Wyre Forest decided to move towards a 'paperless' organisation. Similar to the drive at West Lancashire the authority wanted to store all of its documentation electronically from a corporate perspective in order to maximise efficiency within the organisation. The decision to visit Wyre Forest came about as a result of the fact that they utilise the same back office ICT system (M3PP) as well as the same EDM software. Accordingly staff from within Environmental Health, Customer Services and ICT held on-site discussions with colleagues from the authority.

The lead service manager confirmed that the council's longer term approach, as now fully supported by senior management and elected Members, is to now introduce a corporate records management system so that they can share information across the authority and indeed with other partners and stakeholders. It also makes responses to data protection and freedom of information requests more efficient and effective.

Clearly this also ensures that the authority delivers a consistent service across all areas, which also provides flexibility in times of change, for example when co-ordinating and developing whole scale organisational restructuring.

However, the lessons learned from visiting Wyre Forest centred around the need to more effectively educate and train staff sufficiently enough for them to be confident in using the EDM system and its associated capabilities, including levels of integration. It was the firm belief of all West Lancs. BC officers that the system in place was not being utilised to its full potential, which did however add further value to the visit. For example it was gleaned that levels of integration between back/front office systems were not fully exploited. There were also inconsistencies between officers and sections in terms of how well the system was used, for example some staff used the application to its full extent, whilst others hardly use EDM at all.

5.0 Key findings

5.1 Electronic Document Management

The driving force behind the introduction of EDM around 6 years ago at West Lancashire was to create efficiencies, improve service delivery and secure more efficient ways of working within the organisation from a corporate perspective. Where EDM has been

implemented in the authority savings have been significant i.e. within Council Tax, savings of 18% of staffing costs were achieved.

Whilst staff within Environmental Health are currently using the M3PP scanning module to copy documents (with the exception of the Licensing Team who currently use a paper based system), Northgate EDM has built a corporate foundation across the authority, ensuring organisational wide ownership of information, together with a consistent approach to system support via colleagues within ICT, together with the software provider themselves. It is within this system that all documents can be stored effectively, promoting the future records administration capability to hold, manage and maintain one central filing repository. As well as the advantages of continuing to implement a corporate EDM system and the subsequent potential to introduce workflow, the other significant advantage that Northgate has when compared to the scanning module which is M3PP, is the opportunity to further promote citizen accessibility, together with the quality of service received by the customer from both an efficiency and effectiveness point of view.

As mentioned above, the Licensing team are working from a traditional paper based system and it is here that maximum efficiency will be secured by fundamentally automating the current paper based processes.

Although Cabinet approval has already resolved to roll out Northgate EDM throughout the authority, as a reminder, the financial/practical benefits which can be achieved from the implementation of this software, especially from a corporate perspective can be summarised as follows:-

- The introduction of more efficient working practices, for example through streamlining workflow, together with reducing the amount of time spent on the administrative function and generally better managing information and document retrieval as a whole
- Many authorities are now moving towards a single central repository for all council documents. As well as freeing up space on shared drives, EDM is also the best solution for ensuring compliancy with local government legislation such as FOI requests and Data Protection Act activities, particularly in the light of the proposed introduction of an extremely strict regime for personal penalties. EDM automatically applies retention and disposal policies to ensure management of the full lifecycle of records.
- The ability to save office space due to documents being electronically stored instead of having to retain hard copies (for example based upon a local ratio of £9.50 per sq ft)
- Clearly, EDM will also result in a reduction in 'preventable' contact in that officers will be able to process requests for information and services far quicker than current practice allows. Preventable contact will also be driven down to a minimal level as EDM provides for the ability to have multiple users viewing the same document(s) at any one time, thus negating the need for example to ring customers back in the event of not being able to locate a file
- Financial savings produced in not having to spend as much money on postage, photocopying and the courier service, particularly in light of the proposed move to Stanley Depot.

- Performance and productivity – The advantages that EDM yields here centre around the increased ability for staff to be better able to deal with business processes in a more efficient and effective way
- Quality of service – As well as ensuring that service requests can be dealt with more quickly, EDM also provides for all customer information to be captured at source and held in one central location, so as to help ensure that documentation is not misplaced and can therefore be easily tracked to any officer dealing with that case at any given time.
- Customer and staff satisfaction – Clearly, the improvements referred to above serve to directly improve customer satisfaction levels as errors are minimised and citizen enquiries are dealt with more promptly. EDM also enables automated monitoring arrangements to be put in place so as to ensure that the council's corporate targets such as responding to letters is measured/monitored and can be continually improved.
- Flexible working – As the technology underpinning EDM enables staff to access and retrieve information from almost anywhere and at any time, there is clearly the scope to introduce more flexible working arrangements, for example home and/or remote working.
- Business continuity – Put quite simply there are fewer risks associated with the electronic storage of files and documents, whereby back up files are also retained in the event of an emergency or a disaster recovery situation. This approach is currently recognised within the Council's corporate Business Continuity arrangements in relation to the appropriate sections.
- The Environment – There are a number of key environmental benefits and sustainability implications associated with the rollout of EDM, for example relating to the vast reduction in the need to photocopy; the transportation and distribution of documentation throughout the organisation/across the district; the reduction in the amount of stationery required; and the potential to reduce 'preventable' contact from the citizen.

Clearly however, the implementation of EDM will require some further investment in order for example, to provide integration between M3PP to ensure that processes are streamlined and maximum efficiencies are achieved and also to contribute to the consultancy days (with Northgate) to be expended as per the final EDM report September 2009 and this is expected to cost in the region of £16,300. (See table at Section 7).

5.2 Changes to staffing levels as a result of new working practices

5.2.1 Workloads within Admin – pre transfer

The following table(s) represent(s) an 'as is' summary of the processes undertaken by the Admin Team, together with an assessment of the hours required (including basic work content, contingency and recovery from fatigue), to complete the associated annualised

work. This information was gleaned by shadowing staff within the Admin team; as well as these officers completing timesheets over a three week period, together with utilising the content(s) of the section's work programme:-

Process	Hours to complete
Complaints/Service Requests	1620
Computer updates	619
Pest Control	1164
Inspections and Sampling	420
St Scene	477
Searches	39
Accidents/Infectious Diseases	271
Typing	157
Phone Calls	648
Customer Satisfaction/QA	263
Notices	234
Post	538
Miscellaneous	243
Total	6693
FTE's	4.4

As can be seen from the above table the total workload of the processes equates to 6693 hours, i.e. the equivalent of 4.4 FTE's which represents the current establishment of the Admin Team and therefore provides an accurate baseline to work from. This is also depicted below in terms of the Team Leader and her team:-

Officer	FTE's	Contract Hours	Annual Leave	Sickness	Bank Holidays	Net Hours
Team Leader*	0.8	1498	155	49	69	1225
Admin Team	3.6	6656	694	216	306	5440
Total	4.4	8154	849	265	375	6665

*80% of ATL charged to Admin, 20% P.A. to EM - Community Services

1 FTE = 1531 hours (nett)

Overtime worked by Admin Team equates to approximately 358 hours p.a.

5.2.2 Improvements to service delivery

The work to be transferred into front office has been recommended as a result of staff workshops; following site visits to Wirral and Wyre Forest; together with previous experience of 'back to front office shift' of processes.

Under the new arrangements customers will report complaints and service requests relating to all Environmental Health enquiries to front office, including via e-mail and website communication. This information will then be collated into a Service Request Form within the CRM system and transferred electronically into the back office system (M3PP) where the job will be created in real time.

General advice/information regarding the various Environmental Health services will also be provided at first point of contact and Customer Services will therefore act as a filter for all enquiries. Furthermore, it is envisaged that in certain scenarios Front Office will be able to deal with certain requests effectively enough so as to negate the need for the customer to speak/interact with the back office at all, for example as a result of customers deciding not to pursue a complaint in a formal manner once further advice has been given.

The proposals also mean that customers would only have one point of contact in order to have a wide variety of Environmental services (as well as a further 113 corporate services) addressed upon their initial contact. Currently, the process has inbuilt inefficiencies concerning the need to double, or in certain cases, triple handle a citizen's query relating to the collation and passage of information to the back office.

In addition, further research undertaken reveals that errors relating to data entry occur which then affects the accuracy of information recorded within the back office M3PP system. This change to Customer Services becoming responsible for this process also addresses some concerns relating to initial suggestions through OR of higher graded staff becoming responsible for data entry within the back office (i.e. all EHO/EHA's). This shift of responsibility also plays to one of the authority's core strengths of a Customer Advisor's role, together with the inbuilt infrastructure of the section, in its ability to deal with high volumes of accurate data entry upon the CRM system in real time.

Further subsequent research was undertaken in order to fully understand the processes regarding the inputting and updating of M3PP. Staff are constantly interrupted by phone calls from Customer Services and often take messages for other officers within their own team. In many cases the officers find themselves calling customers back in order to gather more information. There is clear evidence which suggests that the interference caused by staff receiving direct calls from the public unrelated to the case that they are working on at the time of the call is significant. At the very least calls cause additional work whereby the existing case is set aside, the new case (call driven) is reviewed and post call the pre existing case resumes. Catching up with previously entered details and thought patterns causes much more work than a direct uninterrupted run from beginning to end.

Utilising CRM to collate all the relevant information at the first point of contact will free up officer time to concentrate on other areas of work for example, visits, inspections and quality control i.e. the core element of their work. This will ultimately reduce the back office workloads through fundamentally reducing the interruption factor. At the very least this is estimated at 10% of current staffing levels leading to an efficiency saving of a minimum of £37,000 (*Reference: Dr T. Jackson, Loughborough University: 2003*). Clearly,

this will lead to more efficient ways of working from both the customer and officer perspective, as well as reducing the number of interactions necessary to speak with the customer.

These changes require a full level of system integration, however, this will fully automate the end-to-end process and will deliver maximum savings year on year once implemented, as well as significantly improving the Customer experience. Clearly, the successful transfer of processes must be achieved with the full co-operation of both the Environmental Health and Customer Services teams, and as supported by personnel within ICT (although the comments within Section 6.2 regarding available resources following Organisational Downsizing should also be noted). Whilst it is inevitable that there will, on occasion, still be the requirement to transfer some of the more complex queries to back office, the levels to which this occurs will need to be closely monitored (post migration) to ensure that the resource transferred remains appropriate for the predetermined shift of workload.

The following table summarises the workload hours proposed to be retained within the Admin team; those to be transferred to Front Office; the amount of workload eliminated; and finally the subsequent FTE equivalent in respect of each process following implementation of the report recommendations. For further clarification, the table confirms the status quo in respect of updates to M3PP following inspections by EHO'/EHA's and Technical staff.

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Process	Retained in Admin team	Transferred to Customer Services	Workload eliminated	FTE equivalent
Complaints/service requests	-	275	1345	1.1
System updates	619	-	-	-
Pest Control	208	374	582	0.6
Inspections & sampling	420	-	-	0.3
Street Scene	-	81	396	-
Searches	39	-	-	-
Accidents/infectious diseases	271	-	-	-
Typing	157	-	-	-
Telephone calls	83	557	-	0.4
Customer satisfaction/QA	208	-	-	-
Notices	234	-	-	-
Post	441	-	-	-
Miscellaneous	243	-	-	-
Total	2923	1287	2323	-
FTE's	2.0	0.8	1.6	2.4*

* This figure when added to the workload to be retained within the Admin team i.e. the 2.0 FTE's balances back to the current resource levels of 4.4 currently on the establishment.

As illustrated within the table, the subsequent workload that remains within the Admin team amounts to 2.0 FTE's. However, it is proposed that out of the current establishment of 4.4FTE's only:-

- 1.0 FTE should be transferred to Front Office as per the above table i.e. the 0.8 resource plus a further 0.2 FTE (the latter resource representing the calculated workload to deliver the new appointments system in respect of Taxi licensing customers). However, for practical reasons it is recommended that this additional 0.2 FTE resource will be transferred as part of the 1.0 FTE identified from within the Admin team, and
- 1.0 FTE to be permanently removed from the establishment as a result of transferring inputting to Customer Services and implementing full system integration. All current HR policies to be fully observed in respect of this change for example regarding redeployment opportunities etc.

Clearly, as a consequence of these changes there will be some additional capacity, amounting to approximately 0.4 FTE remaining within the Admin team, which may subsequently be used to help resource, for example, EDM implementation; continuous improvement; quality control; or any other projects deemed appropriate by the Divisional Manager.

5.2.3 Current Workloads – Licensing Team

The following table(s) represent(s) an 'as is' summary of the processes undertaken by the Licensing Team, together with an assessment of the hours required (including basic work content, contingency and recovery from fatigue), to complete the associated annualised work. Whilst not all processes were included in the mapping exercise it is estimated that at least 80% of the workload has been accounted for broken down as follows:-

Processes	Total Hours
Taxi Licences	1269
Personal & Premises	436
Other Licences	212
Total workload mapped processes	1917 (approx. 1.25 FTE's)

Source: Licensing Team timesheets and 2008/09 work programme

During the timings exercise no Operators Licences were issued or renewed. However, there are currently only 14 Operators Licences registered.

The tasks within the following table are not included within the above calculations and fundamentally represents the remaining 20% of the workload undertaken:-

Process	Annual Volumes
Visits	85
Complaints	100
Inspections/Enforcement	183

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The following table identifies the total staffing input hours of the Licensing Team:-

Staff Nos.	F.T.E's	Contract Hours	Annual Leave	Sickness	Bank Holidays	Net Hours
Senior Licensing Officer*	2	3064	388	122	172	3062
Licensing Officer	1	1532	194	61	86	1531
Licensing Assistant	1	1567	158	61	86	1531
Totals	4	6163	740	244	344	6124

* 0.2 FTE not filled

5.2.4 Workloads within Licensing Team – post EDM/re-engineering

As referred to previously within this report, the current arrangements and processes within the Licensing team are delivered fundamentally via a paper-based system. The introduction of EDM will create efficiencies through automation; document retrieval and workflow and this, together with the implementation of the Appointments system for Taxi Drivers will fundamentally allow for a restructuring of the team to take place resulting in an overall reduction in 1.0 FTE.

The introduction of an appointments system will therefore have a number of advantages in terms of improving service delivery and achieving savings/efficiencies. The team currently issues and renews licences on a customer 'drop in' basis which leads to inefficiency within the section and can also lead to some irate customers whom have to wait in reception, sometimes for long periods of time. The team are constantly interrupted by visitors which makes planning and organising workloads very difficult. Introducing an appointment system for taxi drivers will enable the team to plan and manage their workloads more effectively, whilst at the same time avoiding queues of customers in reception. It will also provide the opportunity to administer appointments and deal with initial queries from a number of locations, for example the two CSP's and possible Stanley Depot, as well as for longer periods during the day thus further improving accessibility for the customer.

It is also worth noting at this point (and as contained within Section 9 – Continuous Improvement) that once the Appointments system in respect of Taxi Licence customers has been proven to work, a further review of processes and procedures regarding the possibility to transfer more of the workload to front office should be undertaken (i.e. in respect of all Customer appointments). For example, to include taking payments; receipt and verification of documentation; scanning of all licence applications and supporting documentation within both CSP's. This being a similar model to that experienced and proven to work extremely well at Wirral MBC.

6.0 Project recommendations & implementation

6.1 Recommendations

This section provides a summary of the tangible changes and recommendations that have been arrived at as a consequence of implementing corporate EDM and re-engineering the Environmental Health service. It does not therefore provide a comprehensive list of savings and efficiencies achieved, instead these are fully detailed within the table in Section 7

Divisional Recommendations

1. Implement the corporate EDM system within all sections of Environmental Health

Public Protection & Licensing

2. Undertake a restructure of the Licensing section with a view to removing 1.0 FTE Licensing Officer post and re-invest part of these savings to recruit a more junior administrative post, creating a cash saving estimated at £9,000 including on costs.
3. Introduce an Appointments system in respect of Taxi Licence customers to be administered by Customer Services.
4. Remove the part-time seasonal resource currently undertaking Pest Control duties over the summer period equating to a cash saving of approximately £15,500 including on costs.

Central Admin team

5. Transfer 1.0 FTE to Customer Services to deliver the front end of the Pest Control service and introduce a new appointments system in respect of Taxi Licensing customers. This transferred resource will also deal with the front end enquiries and complaints concerning all Environmental Health issues, thereby freeing up valuable officer time to concentrate on the more complex areas of the Environmental Health Service. This will deliver an efficiency saving of £20,000.
6. Remove 1.0 FTE from the establishment and re-invest this funding into system integration, whereby service requests will be processed electronically and transferred directly to the back office personnel by fully automating/integrating the process, thus avoiding double/treble handling of information. This will result in further cash saving of around £20,000 year on year after an initial up front investment of around £24,000.

Commercial Safety

7. Reduce the performance/targets regarding inspections and generate a cash saving of £20,000 including on costs as a result of reducing the establishment by 0.5 FTE.

Environmental Protection

8. Reduce the performance/targets regarding inspections of contaminated land and generate a subsequent cash saving of £37,600 including on costs by reducing the associated resource by 1.0 FTE.

6.2 Implementation

Implementation of the recommendations contains two distinct stages each representing a practical approach for delivering the proposed service improvements within a realistic timescale, whilst taking account of the limited resources available from within Environmental Health, Customer Services and ICT.

The quality and achievability of this plan rests with those participating in the management of the transfer, together with the front/back office staff whom will assume day-to-day responsibility for delivering the practical changes. For clarification, those managing the changes are also those responsible for delivering the service and therefore the overall responsibility will remain within the Environmental Health division, requiring major input from Customer Services and ICT.

The timetable has been produced following the implementation of the corporate organisational downsizing recommendations, as this has had a real and direct impact upon the resource availability and associated timescales required to deliver a significant number of the recommendations contained within this report.

It is proposed, therefore, that the approach to implementing the changes and improvements follow the outline transition plan as detailed within Appendix 2 of this report.

7.0 The Financial impact

Based on full year's savings, the following table provides a detailed summary of the likely cashable savings and efficiencies to be gained commencing in April 2011 and realised in subsequent years. However, it should also be noted that a number of the savings, particularly for example, including reductions to staffing levels are likely to come to fruition before 2011/12 meaning that those savings tabled below provide the minimum levels identified under OR, due to the fact that part-year savings will inevitably accrue:-

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	Savings/investment (£) (1 ST full year implementation – 2011/12)	Efficiency (£) (1 st full year implementation – 2011/12)	Savings/investment (£) (Subsequent years)	Efficiency (£) (Subsequent years)
Savings				
Public Protection & Licensing				
Pest Control – Removal Seasonal Pest Control Officer (Nett of income)*	15,500		15,500	
Commercial Safety				
Remove 0.5 FTE EHO*	20,000	15,000	20,000	15,000
Environmental Protection				
Remove 1 FTE EHO*	37,600	22,000	37,600	22,000
Central Admin Team				
Front office transfer		20,000		20,000
Removal 1.0 FTE **	20,000		20,000	
Savings Sub Total	93,100	57,000	93,100	57,000
EDM Savings				
Licensing Team – Removal 1 FTE *	34,000		34,000	
Central Admin Team - postal duties **	1,400		1,400	
Storage space/filing ** (Note 1)	2,200		2,200	
Postage, telephone, photocopying **	3,900		3,900	
EDM Savings Sub Total	41,500		41,500	
TOTAL SAVINGS –	134,600	57,000	134,600	57,000
Cost of Re-Investment				
CRM/M3PP integration (note 2)	24,000		4,000	
EDM Costs				
M3PP integration (note 3)	6,000		2,000	
Implementation 23 days @ £895 per day = £20,585 split between EH/PSH (note 3)	10,300			
Recruitment of Licensing Assistant* (note 4)	25,000		25,000	
Total cost of re-investment	71,300		37,000	
NET SAVINGS	69,300	57,000	103,600	57,000

* Consistent with OD – decisions made by Council in July 2009

** Additional cash savings identified under OR.

(1) Figures relating to space saving have be calculated based on £9.50 per sq. ft. (the actual running costs for Westec House)

(2) To be funded from year 1 savings

(3) Members have previously approved an investment of £89,000 to implement EDM within Environmental Health/Housing funded from IEG monies and reserves/balances (ref: EDM/OR Management Cabinet Report 16.09.08)

(4) Re-investment of EDM savings to achieve service improvements within the Licensing Section

As with previous OR reviews all HR policies and procedures will be strictly adhered to, especially for example should there be any potential redundancy and/or redeployment issues. However, as previously documented, OR provides fantastic potential to manage these kinds of organisational change properly and effectively. It affords the opportunity to liaise with staff and all stakeholders including Trades Unions in this respect, whilst offering the time and flexibility to deal with any related human resource issues, instead of dealing with immediate change.

Clearly, the decisions and outcomes resulting from the authority's Organisational Downsizing exercise will need to be taken full account of so as to ensure that a corporate approach to changes in staffing arrangements are secured in a consistent and corporate manner.

8.0 Risk management

A copy of the Risk Assessment can be found at Appendix 1

9.0 Continuous improvement

As with other re-engineering projects, any ideas and/or other areas that warrant further exploration as informed during the course of the OR process are recorded within the final report in order to examine these initiatives/suggestions in the future. Accordingly, these have been summarised below:-

Divisional Suggestions

- Re-examine the results of full front/back office integration in order to assess workloads of staff within the back office whom currently undertake a high volume of repetitive work processes etc.
- Undertake a VFM study to consider investment into mobile working for all external/visiting officers including EHO's; EHA's Technical staff; and Pest Control Officers
- Introduce 'job-swaps' both within the division and between Environmental Health staff/staff within Customer Services in order to broaden knowledge; promote better understanding; and further build collaborative working

Public Protection & Licensing

- Once the Taxi appointments system has been proven to work, a further review of processes and procedures should be undertaken in order to examine the potential to transfer more of the workload to front office relating to all Licensing customers. For example, to include payments; receipt; verification and scanning of all associated documentation..

- Consider the provision of a holding facility for stray dog's onsite at Stanley depot to avoid regular unnecessary trips to Leigh – cost/benefit analysis needed to justify any subsequent investment

Commercial Safety

- Initial desk research undertaken with several neighbouring local authorities seems to indicate that none of these organisations have a post specifically dedicated to Health Education & Promotion. Instead it would appear that this kind of role is absorbed into Environmental Health Officer's substantive duties and delivered in partnership with other stakeholders such as local PCT's. It is therefore recommended that this resource be re-examined at an appropriate time, with the potential to redefine the current duties into a higher priority area.

10.0 Appendices & background documents

10.1 Appendices

Appendix 1 – Risk Assessment document

10.2 Background documents

The following background documents have been relied on to a material extent in preparing this report:-

10.3 Summary notes from workshops

Admin Team	02.04.09
Public Protection & Licensing	09.04.09
Environmental Protection	20.04.09
Commercial Safety	24.04.09

10.4 Summary notes from site visits

Wirral Metropolitan Borough Council	04.03.09
Wyre Forest Borough Council	01.07.09

10.5 Staff meetings

Service Managers Meeting	14.11.08
Scoping Exercise– ATL/Admin Team	02.12.08
Scoping Exercise – Licensing Team	04.12.08
Scoping Exercise – Commercial Safety Manager	08.12.08
Scoping Exercise – Environmental Protection Manager	11.12.08
Project Team Meeting	11.12.08
Project Board Meeting	15.12.08
Project Team Meeting	11.02.09
Update Meeting	25.02.09
Licensing Team – Timings Proforma	03.03.09
Update Meeting	10.03.09
Workshop preparation	12.03.09
Project Team Meeting	20.03.09
Project Board Meeting	24.03.09
Pre workshop meeting - Admin	01.04.09
Pre workshop meeting – PP& L	08.04.09
Pre workshop meeting – Commercial Safety	16.04.09
Pre workshop meeting – Environmental Protection	23.04.09
Executive Manager – Interim Report	30.04.09

10.6 Research into other Best Practice

Process Mapping & Analysis	16.03.09
Public Sector Forums – EDRM and Information Management	26.03.09

10.7 Consultation with Service Managers – Key Tasks Analysis

Environmental Protection	18.02.09
Commercial Safety	23.02.09

Public Protection & Licensing	27.02.09
Environmental Protection – Additional Information	04.03.09
Commercial Safety - Additional Information	09.03.09
Public Protection & Licensing - Additional Information	09.03.09

10.8 Process Mapping

Dog Fouling Complaints	13.01.09
Stray Dog Complaints	13.01.09
Dangerous Dog Complaints	13.01.09
Pest Control – Service Requests	15.01.09
Pest Control – Daily Run	15.01.09
Pest Control – Post visit	15.01.09
Customer Satisfaction Surveys	15.01.09
Searches	15.01.09
Notices	15.01.09
Fixed Penalty Notices	15.01.09
Accidents	15.01.09
Infectious Diseases	15.01.09
Post Opening	15.01.09
Noise Pollution Complaint	26.02.09
Blocked Drain Complaint	26.02.09
Air Pollution Complaint	26.02.09
Domestic Refuse, Litter & Fly Tipping	26.02.09
Food Hygiene Premises Complaints	26.02.09
Food Complaints	26.02.09
Health & Safety – Requests/Complaints	26.02.09
Vehicle Licence– New	16.12.08
Vehicle Licence - Renewal	16.12.08
Drivers - New	16.12.08

Drivers - Renewal	16.12.08
Street Collections	22.12.08
House to House Collections	22.12.08
Street Traders - New	22.12.08
Street Traders - Renewal	09.01.09
TEN's	14.01.09
Personal Licence - New	22.12.08
Personal Licence – Change of Details	22.12.08
Premises Licence - New	16.01.09
Premises Licence - Renewal	16.01.09
Premises Licence - Variation	16.01.09
Premises - Reviews	16.01.09
Premises Licence – Variation of DPS/Premises Licence Holder	16.01.09
Premises Licence – Notification of Gaming Machine Permit	16.01.09
Premises Licence – Notification of Interest	16.01.09
Non Commercial Lottery Licence	26.02.09
Post Opening	26.02.09

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## Risk Assessment

## Appendix 1

The purpose of the Risk Assessment is to identify any potential risks which could impact upon the successful and continued rollout of EDM across the authority.

Risk Matrix (Example Risk Appetite)

|            |   |        |     |    |   |
|------------|---|--------|-----|----|---|
| Likelihood | A |        |     |    |   |
|            | B |        |     |    |   |
|            | C |        |     |    |   |
|            | D |        |     |    |   |
|            | E |        |     |    |   |
|            | F |        |     |    |   |
|            |   | IV     | III | II | I |
|            |   | Impact |     |    |   |

Likelihood:

A = Very High (1 year);

B= High (5 years);

C= Significant (10 years);

D= Low (25 years);

E= Very Low (50 years);

F= Negligible (100 years)

Impact:

I. = Catastrophic

II. = Critical

III. = Marginal

IV. = Negligible

| # | Risk Scenarios                                                                                                                                              | Lik | Imp | Score |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-------|
| 1 | Shortfall in staff resources within Customer Services, ICT and within Environmental Health to deliver the implementation plan                               | A   | II  |       |
| 2 | The impact of the corporate downsizing exercise may lead to further changes, particularly regarding staffing/resources within the teams within the division | B   | II  |       |
| 3 | Sections may experience an initial dip in performance whilst both implementation and associated training takes place                                        | C   | II  |       |
| 4 | Staff may resist change and build barriers to it, leading to a temporary dip in performance and potential low morale                                        | D   | II  |       |
| 5 | Impact of change on staff and structures post project implementation                                                                                        | C   | II  |       |

### Mitigation Action Plan

Ideally Mitigation Action Plans (MAP) should be put in place for all risks, but if necessary the focus should be around those risks in the higher amber and red zone. The purpose of a MAP is to try and reduce the likelihood and or impact of a risk coming through.

| Risk Number | Current Risk Score | Target Risk Score | Preventative action & controls                                                                                                                                                                                                                                                                                    |
|-------------|--------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1           | All                | CII               | Full support and agreement by Project Board and Implementation Team to commit resources as necessary to implementation plan.<br>Regular progress reports via Implementation Team to ensure individual tasks within the plan are delivered on time, any issues to be raised with Divisional Manager/Project Board. |
| 2           | BII                | DII               | Ensure that full and open communication takes place between the Implementation Team and Divisional Manager throughout the implementation.<br>HR policies regarding changes to personnel fully adhered to.                                                                                                         |
| 3           | CII                | DI                | Ensure that implementation plan is co-ordinated fully with resource capability and that all stakeholders are fully apprised of any potential drop in performance/output levels as and when necessary                                                                                                              |
| 4           | DII                | DIII              | Intense project management from Implementation Team to help ensure communication and understanding is maximised.                                                                                                                                                                                                  |
| 5           | CII                | DIII              | Full and open consultation and communication with all stakeholders including staff, Unions and HR. Ensure that regular communication takes place between all parties during the implementation                                                                                                                    |







**AGENDA ITEM: 6(6)**

**CABINET: 15 June 2010**

**EXECUTIVE OVERVIEW AND  
SCRUTINY COMMITTEE:  
1 July 2010**

**COUNCIL: 21 July 2010**

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**Report of: Assistant Chief Executive**

**Relevant Portfolio Holders: Councillors I Grant and D Westley**

**Contact for further information: Ms C McNamara (Extn. 5380)**  
(E-mail: [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk))/  
**Ms Alison Grimes (Extn. 5409)**  
(Email: [Alison.grimes@westlancs.gov.uk](mailto:Alison.grimes@westlancs.gov.uk))

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**SUBJECT: CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS  
2010/11**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

- 1.1 To seek views on the scope, content and strategic focus of the draft Corporate Performance Plan 2010/11, contained as Appendix A to this report.
- 1.2 To provide an update on the progress that has been made towards achieving the Corporate Priorities in 2009/10.
- 1.3 To report the outturns for 2009/10 and targets for the next three years that are contained in Appendix B to this report.
- 1.4 To seek approval for the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators to be adopted as the Council's performance management framework and strategic plan for 2010/11.

**2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the contents of Appendices A and B to this report be noted.
- 2.2 That the progress that has been made towards achieving the Corporate Priorities in 2009/10 should be noted.
- 2.3 That subject to any amendments agreed by Cabinet and the views of the Executive Overview and Scrutiny Committee, the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators (Appendices A and B) be

recommended to Council for adoption as the Council's performance management framework and strategic plan for 2010/11.

- 2.4 That call-in is not appropriate for this item as it is being referred by the Cabinet to the next meeting of the relevant Overview and Scrutiny Committee.

### **RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

- 2.5 That the contents of Appendices A and B to this report be noted.
- 2.6 That the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators (Appendices A and B) be recommended to Council for adoption as the Council's performance management framework and strategic plan for 2010/11.

### **RECOMMENDATION TO COUNCIL**

- 2.7 That the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators (Appendices A and B) be adopted as the Council's performance management framework and strategic plan for 2010/11.

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## **3.0 BACKGROUND**

- 3.1 In April 2009, the Audit Commission published the requirements of the new Comprehensive Area Assessment framework. As part of the new framework, the Audit Commission looks for local authorities to demonstrate that their priorities are based on robust evidence of need and reflect the views of the community. Strong performance management frameworks that deliver outcomes for communities and self-awareness of where gaps lie that need to be addressed are examined. The Audit Commission stresses that self-evaluation must be meaningful and not for PR purposes. The Corporate Performance Plan provides an important source of evidence to demonstrate this Council's strong strategic and performance management processes. In 2009, the Council was judged to be performing well, having received a score of 3 out of 4 for the Managing Performance element of the CAA Organisational Assessment.
- 3.2 Whilst there is no longer a requirement to produce a 'Best Value Performance Plan', there is a need to publish performance against a national suite of indicators before 30<sup>th</sup> June. This will be achieved through the publication of the Corporate Performance Plan as the information is contained within the appendix.

## **4.0 CURRENT POSITION**

- 4.1 To place the Corporate Priorities in context and demonstrate the Council's commitment to reflecting the views of its residents, each section qualifies information that has influenced the development of the priorities and supports them as the strategic focus for the Council.
- 4.2 Progress against the key actions and targets contained within last year's CPP is also detailed. This is intended not only to demonstrate the impact of these actions and the positive outcomes that they have delivered for local people, but



also to ensure a focus on the key issues in the approach to performance planning and management.

4.3 Similarly, a selection of key indicators are reported. The complete suite of performance information is contained as an appendix. This is to ensure that standards of overall service provision are monitored and maintained, whilst focussing on a few key strategic issues to be addressed against each priority.

4.4 Members will note the move to indicate performance levels using the traffic light system, which is automatically generated by the Covalent performance management system. This uses more of the capability of the purchased system, is used by other authorities, eliminates the time consuming process of manual input of 'local' icons and removes the potential of human error when assigning these icons.

## **5.0 PROPOSALS**

5.1 That the draft Corporate Performance Plan 2010/11 and Performance Information be approved and adopted by Council.

## **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

6.1 The corporate and strategic planning process is aligned to ensure that the Council's own strategies and plans complement and contribute wherever appropriate to achieving the aims of the Sustainable Community Strategy.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 Financial and resource implications associated with this report are dealt with as part of the budget setting process. The Council's corporate and strategic planning process and the financial planning and budget-setting process are aligned.

## **8.0 RISK ASSESSMENT**

8.1 The Corporate Performance Plan 2010/11 mitigates against the risk of not achieving the Corporate Priorities as it details the work to be undertaken in 2010/11 in pursuit of these aims.

8.2 The risks of not completing the actions identified in the Corporate Performance Plan are minimised as they have been considered as part of the budget setting process.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

## **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

## **Appendices**

Appendix A: Draft Corporate Performance Plan 2010/11

Appendix B: Suite of Performance Indicators

# WEST LANCASHIRE BOROUGH COUNCIL CORPORATE PERFORMANCE PLAN 2010/11



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# Foreword by the Leader of the Council and the Chief Executive

We are pleased to present West Lancashire Borough Council's Corporate Performance Plan. The report looks back at what was achieved during the 2009/10 financial year and forward to what we plan to deliver over 2010/11. It sets out our priorities, which we will take forward having listened to the views of local people, businesses and partner organisations. The work of the Council is guided by our vision: ***'Putting services first -building a Borough second to none'***.



A handwritten signature in black ink, appearing to read 'Ian Grant'.

Cllr. Ian Grant  
Leader of the Council

Performance has continued to be strong over the last 12 months, particularly as it is set against a backdrop of rapidly diminishing resources. Despite receiving the minimum settlement from the Government this year, we have frozen Council Tax at 2009/10 levels. The major challenge for the Council over the next 12 months will be to ensure that we can continue to keep costs to a minimum in the long-term. We will continue to explore efficiency initiatives to provide value for money - delivering high quality services that are most important to West Lancashire.



A handwritten signature in black ink, appearing to read 'William J Taylor'.

William J Taylor  
Chief Executive

# Our Vision

Putting SERVICES FIRST -  
building a Borough second to  
none



*Our aim is to make the best  
use of resources to deliver  
the best possible services.*

# Our 6 Priorities:

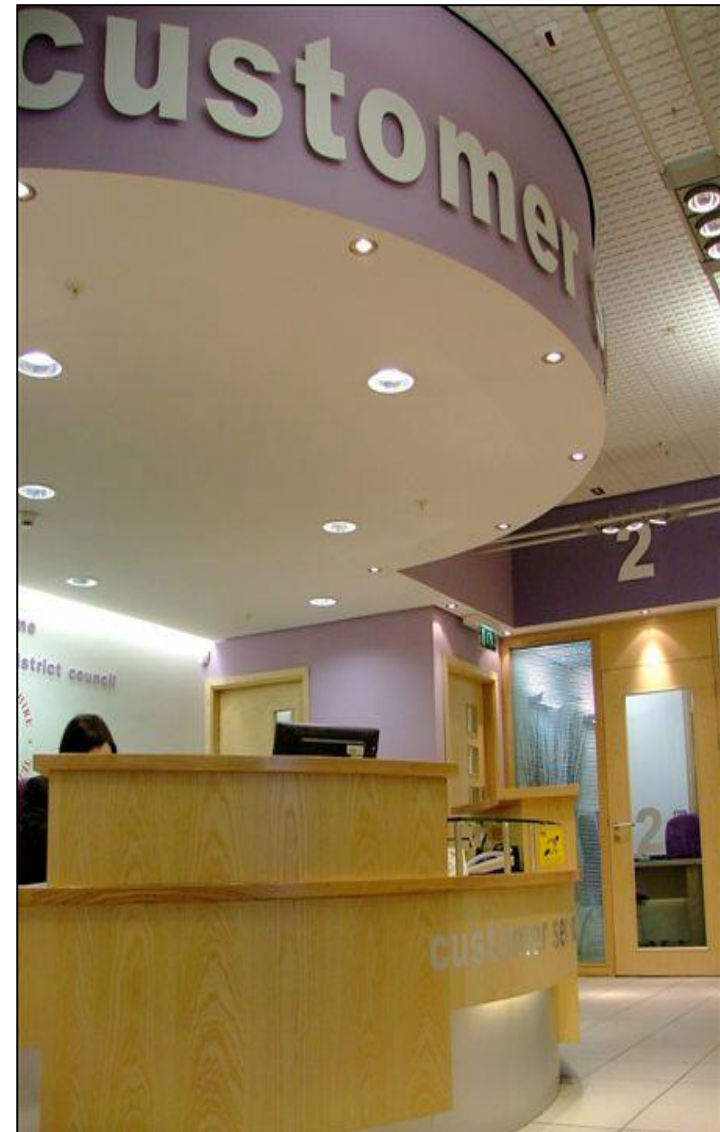
- ▶ Delivering cost effective services that are accessible to all
- ▶ Protecting and improving the environment and keeping our streets clean and tidy
- ▶ Combating crime and the fear of crime
- ▶ Working to create opportunities for and retain good quality jobs in particular for local people
- ▶ Improving housing and striving to achieve affordable housing that is available for local people
- ▶ Providing opportunities for leisure and culture that together with other council services contribute to healthier communities.



# Our Values

We will deliver this by continuing to be an innovative organisation which:

- ▶ Puts residents and frontline services first
- ▶ Ensures local services offer the best possible value including embracing partnership as a way of securing greater value for money
- ▶ Provides leadership by listening to, informing and consulting local people
- ▶ Is open and accountable in the way we make decisions
- ▶ Promotes equality of opportunity and values the diversity of our communities
- ▶ Values and develops our employees





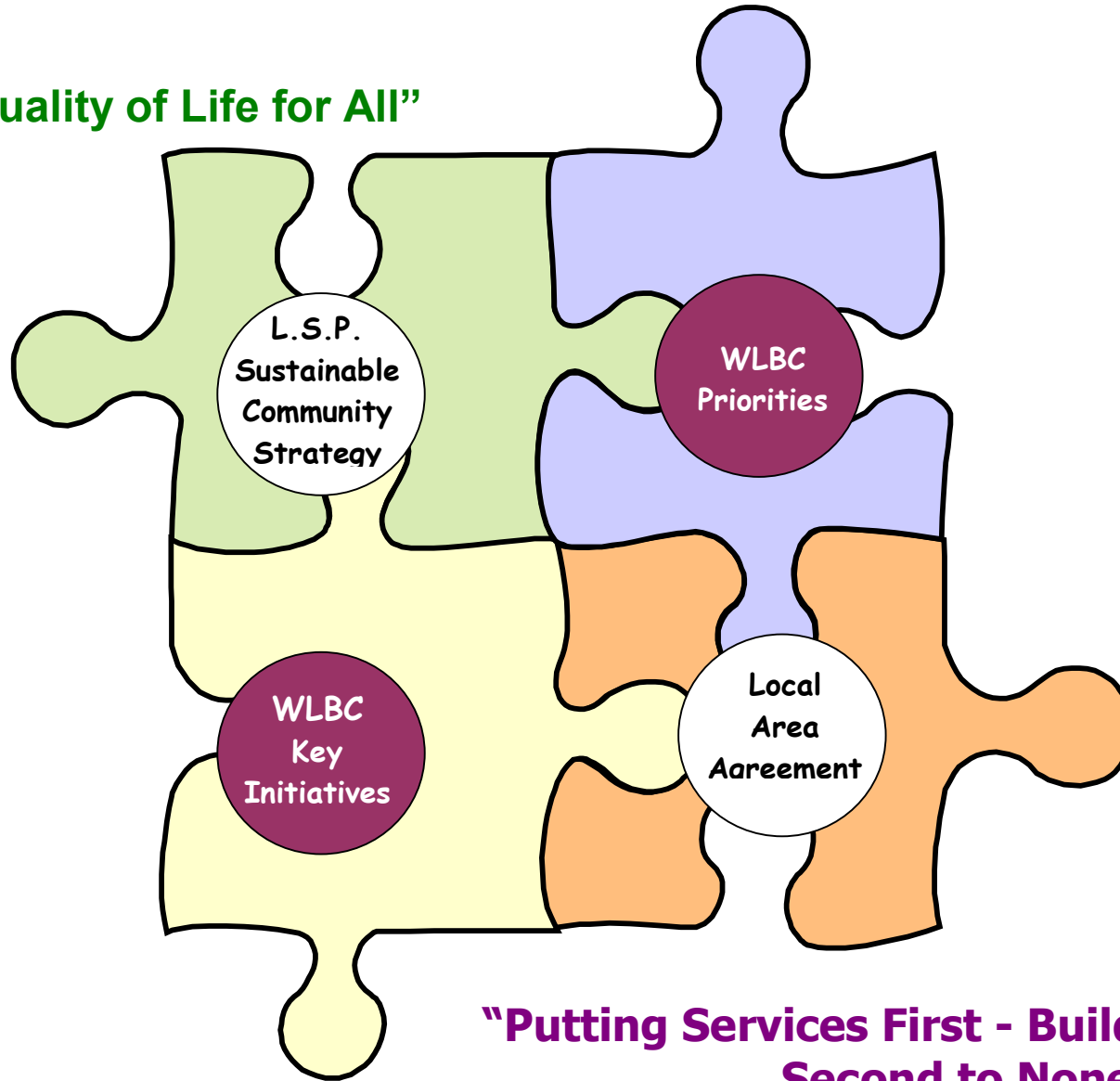
## Our Priorities and the Sustainable Community Strategy

With a vision of *'Improving the Quality of Life for All'*, West Lancashire Local Strategic Partnership (LSP) has developed the 'Sustainable Community Strategy' (SCS), setting out the issues facing the area and its plans to improve the quality of life in West Lancashire. The LSP consists of all the key public organisations delivering local services, including the Borough and County Councils, Police and health agencies as well as the voluntary sector and business community. As a Council, we have aligned our own strategic aims to those of the SCS. Executive Cabinet Members play key roles in the LSP, further ensuring that the work of the Council and the work of the LSP are complementary. The Borough Council is also a partner in the Lancashire-wide Strategic Partnership, which has agreed a set of priorities for the County. The work of the LSP is geared towards delivering both the aims of the SCS and the 'Lancashire Local Area Agreement'. These strategies fit together to shape the work of all the agencies involved and the Council is at the heart of the drive to engage and deliver for our communities.



*LSP Vision*

**“Improving Quality of Life for All”**



**“Putting Services First - Building a Borough  
Second to None”**

*WLBC Vision*

# Leading Our Services - Portfolio Holders

Some Councillors have special areas of responsibility - these positions are known as Portfolios. Together with the Leader of the Council, the Portfolio Holders make up the Cabinet, which is the Executive Body determining particular areas of policy.

**Corporate &  
Strategic  
Issues**

**Councillor  
Ian Grant  
Leader**

**Community  
Leadership &  
Engagement  
External Liaison**



**Customer &  
Media Relations**

# Leading Our Services - Portfolio Holders:

**Councillor  
Iain  
Ashcroft**



**Human  
Resources  
and  
Partnership**

**Councillor  
Adrian  
Owens  
Deputy  
Leader**



**Regeneration  
and  
Estates**

**Councillor  
Andrew  
Fowler**



**Community  
Services  
and Health**

**Councillor  
Martin  
Forshaw**



**Planning and  
Transportation**

**Councillor  
Paul  
Greenall**



**Street Scene  
Management**

**Councillor Val  
Hopley**



**Housing**

**Councillor  
David  
Westley**



**Finance &  
Performance  
Management**

# Delivering Cost Effective Services that are Accessible to All

## Why is this a Priority?

- Providing efficient, effective and accessible services has been at the heart of our priorities since 2002.
- The 2008 Place Survey showed a stronger sense that the Council provides value for money amongst West Lancashire residents (39.2%), than regionally and nationally (32.1% and 33.2% respectively);
- Satisfaction with the way the Council runs things is also considerably higher in West Lancashire (51.4%) than regionally (43%) or nationally (45.4%);
- However, delivering cost effective services remains a priority for residents. 95.8% of respondents to a People's Panel Survey felt that it was 'very' or 'fairly' important;
- The Autumn 2009 People's Panel Survey showed that 67.5% of respondents felt that services should be reduced slightly to keep Council Tax increases to a minimum.
- The Council is committed to keeping Council Tax rises as affordable as possible whilst providing the best possible public services.
- To achieve this, providing highest quality services at the most affordable prices to all people in West Lancashire remains a priority for this Council in 2010/11.

## Did You Know?

- Council Tax paid to the Borough Council has been frozen with no increase in 2010/11 as we aim to help our customers through the recession.
- Responding to our customers' views, the Council has also frozen fees for car parking, bulky collections, pest control and many other services in 2010/11.
- The Council has been proactive in responding to, and preparing for, further cuts in public funding. We have completed a £1.75 million package of efficiency savings including a 10% reduction in the workforce.
- Nevertheless, services are more accessible than ever as:
  - 111 services can now be provided through the front office;
  - Over 92% of telephone calls are answered through our Contact Centre;
  - The number of unique visitors to the Council's website increased by more than 33% in 2009/10;
  - The number of online payments made in 2008/9 increased by 15%; and
  - Ours was judged to be the 9<sup>th</sup> best District Council website in the country by SOCITM.

# Delivering Cost Effective Services that are Accessible to All

## Our Key Objectives

In 2010/11, we aim to:

- Continually improve the efficiency and effectiveness of services, achieve annual savings and control and minimise levels of Council Tax and housing rents;
- Seek to enhance the satisfaction of residents with the overall service provided by the Council; and
- Reduce staff sickness.



## Our Key Initiatives

We will work towards achieving our goals in 2010/11 by:

- Pursuing a range of efficiency and cost cutting measures; and
- Improving the quality of residents' experience, whether they click, call or come in.

# Protecting and Improving the Environment and Keeping Our Streets Clean and Tidy

## Why is this a Priority?

- ◆ Protecting and improving our environment has remained a long-term goal for the Council since 2001;
- ◆ In 2008/9, 74% of respondents to the Place Survey were satisfied with the cleanliness of their streets;
- ◆ Clean streets was the third most important factor in terms of making somewhere a good place to live;
- ◆ However, more residents felt that spending levels should be maintained on street cleaning than any other service area. Collection of household waste and materials for recycling was seen by residents to be the second most important service into which we should retain investment levels (Peoples Panel Survey 16);
- ◆ Our People's Panel survey taken early in 2009 showed that 98.4% of residents felt that protecting the environment and keeping our streets clean and tidy was a 'very' or 'fairly' important - more than any other priority.

## Did You Know?

- ◆ Smashing our targets for environmental cleanliness for the 2<sup>nd</sup> year running, means low levels of litter, detritus, graffiti and fly-posting on our streets;
- ◆ Our streets are more hygienic too as incidents of dog fouling have been significantly reduced;
- ◆ Results of the 2008 Place Survey showed that on average, significantly fewer residents (29%) felt that litter or rubbish lying around was a problem, than in the North West (40.6%) or England (36.7%).
- ◆ More residents were also satisfied with how well we are keeping public land clear of litter and refuse.
- ◆ We are working in partnership with LCC to build a £3.5m new waste transfer station at the Robert Hodge Centre, which will deliver further service improvements for residents and cost efficiencies.
- ◆ Our 'Let's Talk Rubbish' roadshows are helping to teach children the importance of being clean, green and tidy.
- ◆ We are partners in the Lancashire Climate Change Strategy 2009-2020.

# Protecting and Improving the Environment and Keeping our Streets Clean and Tidy

## Our Key Targets

In 2010/11, we aim to:

- Continue to increase the proportion of waste that is sent for recycling/composting;
- Decrease the proportion of land with significant deposits of litter (13%) and detritus (20%) by March 2011; and
- Maintain public satisfaction with street cleanliness.



## Our Key Initiatives

We will work towards achieving our goals in 2010/11 by:

- Review service delivery across waste and recycling, looking for improved working methods and ways of increasing productivity while driving down fuel usage; and
- Look to roll out Alternate Weekly Collection across the Radburn designed estates of Skelmersdale.



# Combating Crime and the Fear of Crime

## Why is this a Priority?

- ♦ Combating crime and the fear of crime has remained one of the Council's key long-term aims since 2001;
- ♦ This issue has been a key concern for the people of West Lancashire for a number of years and the 2008 Place Survey showed that over 67% of residents felt that the level of crime was important in making somewhere a good place to live - significantly higher than any other factor.
- ♦ The Autumn 2009 People's Panel Survey showed more residents felt Council spending on community safety (including CCTV and tackling anti-social behaviour) should increase, than any other service;
- ♦ The same survey showed strong support for the Council's approach to anti-social behaviour, that a significant number of residents felt that investing in community safety improves quality of life and that despite relatively low levels of crime, fear of crime caused concern to some people;
- ♦ Working with partners to combat crime and the fear of crime therefore remains a priority for this Council.

## Did You Know?

- ♦ Improvements in crime rates have been achieved, particularly in serious acquisitive crime, (-14%), all vehicle crime (-21.6%) and anti-social behaviour. Overall crime has fallen by 1%. As well as making West Lancashire even safer, this means that we are on track to achieve our LAA target in 2011/12.
- ♦ Our Community Safety Partnership, of which the Council is the lead agency, has successfully bid for £380k of LSP Performance Reward Grant monies. This will be used to secure the future sustainability of CCTV provision, including looking at opportunities provided by new technologies;
- ♦ The Council and partner agencies including the Police, Fire and Rescue and advice services got together with the community to facilitate a number of targeted "Your Community Matters" events across Skelmersdale, in order to make them safe, clean and green.
- ♦ According to the Autumn 2009 People's Panel Survey, more people than ever feel that West Lancashire is a safe and secure place to live (83.2%).

# Combating Crime and the Fear of Crime

## Our Key Targets

In 2010/11, our aim is to:

- Assist in the Police and their partners in sustaining the number of crime incidents per 1,000 population below the regional average; and
- Assist the Police and their partners in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live.



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Delivering the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies;
- Continuing to tackle domestic violence through our partnership strategy with other organisations and agencies; and
- Working on a countywide footprint to monitor the effectiveness and coverage of current CCTV provision in tackling crime, including reviewing the possibility of next generation technology.

# Working to Create Opportunities For & Retain Good Quality Jobs in Particular for Local People

## Why is this a Priority?

- ◆ A thriving economy is crucial to well-being. High levels of unemployment impact upon the wealth of residents and also on other issues such as health and crime.
- ◆ The Council recognises the important and potentially significant role that it can play in working with partners to minimise the effects of the global and national economic situation locally.
- ◆ The percentage of the working population in West Lancashire claiming Job Seekers Allowance in March 2010 was 4.1%, which is the same as the national average, but higher than that for Lancashire (3.2%).
- ◆ Results of the 2008 Place Survey showed that more West Lancashire residents (22.1%) felt that job prospects needed improving, than was the average for the North West (21%) and England (19.3%).
- ◆ Our residents agree that working to create and retain good quality jobs for local people should be a focus of our work, as 93.3% of respondents to a 2009 People's Panel Survey felt that it is a 'very' or 'fairly' important priority.
- ◆ This has increased significantly from 89% in 2005, which is a reflection of the focus that the Council must place on working to create opportunities for and retain good quality jobs, in particular for local people.

## Did You Know?

- ◆ The Council has achieved much success in supporting local businesses including:
- ◆ Through the Inspire Project (created in 2005), we have provided £820,787 grant assistance to 78 companies across West Lancashire, helped to create 388 jobs, safeguard 1,158 jobs, create 11 new businesses and created 44,700 sq.m of additional or improved commercial floor space;
- ◆ Assisting two large local employers (TraC of Skelmersdale and TRM Packaging of Burscough) to obtain grants and funding to move to larger premises. This has both created more jobs and ensured that the businesses have remained in the Borough.
- ◆ The Council has achieved its target and unemployment is now in line with the national average.
- ◆ We continue to plan for the future and all residents have been given the opportunity to share their views on what West Lancashire should look like by 2027. Leaflets, the website and local public meetings have informed residents and encouraged people to have their say on the new homes, jobs and services that are needed. These views will be used by the Council to inform our Local Development Framework.

# Working to Create Opportunities for & Retain Good Quality Jobs in Particular for Local People.

## Our Key Targets

In 2010/11, we aim to:

- Help to reduce unemployment to below the national average;
- Assist in the creation of a range of new employment opportunities; and
- Assist in the provision of skills for the local workforce.



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Continuing the implementation of 'Vision for Skelmersdale' plan;
- Pursuing a Multi-Area Agreement to support and develop our local economy;
- Continuing to work with other neighbouring authorities outside the Lancashire cluster; Continuing to support rural businesses through the Lancashire West Local Action Group (LAG) to help develop our rural economy; and
- Helping to implement the Local Strategic Partnership's Employment and Skills Action Plan by working with the Employment and Skills Thematic Group.



# Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People

## Why is this a Priority?

- ◆ More people in West Lancashire feel that affordable housing is important in terms of making somewhere a good place to live (36%) than on average in the North West (34.6%) and England (33.3%), according to the 2008 Place Survey;
- ◆ The same survey showed that more people in West Lancashire feel that affordable housing needs to be improved (22.7%) than on average in the North West (18.3%) and England (21.8%);
- ◆ The availability of affordable housing is crucial to the local economy in terms of attracting people to live in the Borough and encouraging those already here to remain.
- ◆ This goal is shared with the Local Strategic Partnership and the LAA. The Council recognises the significant role it can play in leading the LSP in its work to achieve this aim and has tailored work in this area to meet the objectives contained within the Sustainable Community Strategy and the LAA.

## Did You Know?

- ◆ The Council has made significant improvements to its housing stock and is on track to achieve the Decent Homes standard by December 2010.
- ◆ Further investment is planned this year to improve the energy efficiency of Council housing stock, which will benefit not only the environment, but also our tenants' pockets!
- ◆ Following a review of the available housing land, and changes in national policy, the Council has decided it is time to update the approach in West Lancashire and has sought the views of local people and developers about which villages the new policy should apply to, and what the proportions and thresholds for affordable housing should be.
- ◆ We have conducted an extensive Housing Needs Survey of residents to determine both the volume and type of housing required by local people to either rent or buy, depending on their financial means. The results of the Survey will be used by the Council to inform future housing policies.

# Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People

## Our Key Targets

In 2010/11, we aim to:

- Attain the Decent Homes Standard by December 2010; and
- Assist in increasing the number of affordable homes delivered.



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Delivering Year 8 of the Capital Investment Programme;
- Delivering the Affordable Housing Strategy in partnership with others; and
- Delivering the Private Sector Housing Strategy in partnership with others.

# Providing Opportunities for Leisure and Culture that, together with other Council Services, Contribute to Healthier Communities

## Why is this a Priority?

- ◆ Improving quality of life for all is the overall strategic vision and aim for the LSP. Improving health and well-being is at the core of this strategy. The Council recognises that the most significant contribution that it can make to this partnership goal is in the provision of opportunities for leisure and culture.
- ◆ Whilst fewer residents on average felt that sports and leisure facilities (9.9%) and parks and open spaces (22.6%) were important in terms of making somewhere a good place to live, a higher proportion felt that these services needed improving (17.6%/14.8%) than was the average regionally and nationally.
- ◆ Despite significant investment and improvement to our leisure facilities over recent years, satisfaction also remains relatively low at 41.6% for sports and leisure facilities and 57.1% for parks and open spaces.
- ◆ The Council must therefore continue to prioritise providing opportunities for leisure and culture in order both to meet customer expectations and assist the LSP in achieving its overarching strategic aim.

## Did You Know?

- ◆ This year, the West Lancashire Community Leisure Trust celebrated its 5th anniversary. During these four years substantial investment has been made to improve facilities and services, at a reduced cost to the Council.
- ◆ As part of the Council's continuing policy to enhance leisure facilities, investments have been made to improve:
  - ◆ Coronation Park, Skelmersdale;
  - ◆ A play area at Manor Road Park, Burscough;
  - ◆ Halsall Lane/Cottage Lane Park;
  - ◆ Enhancements to Richmond Park, Bursough; and
  - ◆ Allotments, including new fencing at the Tower Hill site.
- ◆ MEND (Mind, Exercise, Nutrition, Do it) has been so successful in helping overweight children to lead healthier, happier lives, West Lancashire Community Leisure Trust is running the programme again this year.
- ◆ Thanks to our Leisure Trust arrangement, further investment has been made to improve the gym facilities at Burscough Sports Centre and Nye Bevan Pool.

# Providing Opportunities for Leisure and Culture that, together with other Council Services, Contribute to Healthier Communities

## Our Key Targets

In 2010/11, our aim is to:

- Maximise opportunities to contribute to the health of the community through partnership including working especially with the Primary Care Trust;
- Improve satisfaction with sports and leisure facilities working in partnership with SERCO and the Leisure Trust;
- Improve satisfaction with parks and open spaces; and
- Increase the number and proportion of playgrounds meeting our local policy.

## Our Key Initiatives

We hope to achieve this in 2010/11 by:

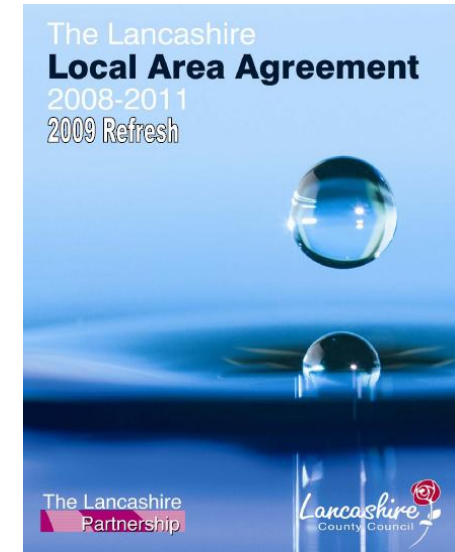
- Helping to implement the Local Strategic Partnership's Health Inequalities Strategy through the Health and Wellbeing Thematic Group;
- Continuing to work in partnership, through the West Lancashire Community Leisure Trust, to provide leisure centres; and
- Continuing the investment in and refurbishment of our formal parks.





# The Local Area Agreement

- ▶ A local area agreement (LAA) is a three-year agreement between a local area and central government. The LAA describes how local priorities will be met by delivering local solutions. It also contributes to national priorities set out by the Government.
- ▶ In Lancashire, the LAA is negotiated between the Lancashire-wide Strategic Partnership and the regional Government Office (GONW). The Lancashire Strategic Partnership has produced a Lancashire-wide Sustainable Community Strategy, entitled 'Ambition Lancashire'.
- ▶ The Borough Council is a partner in the Lancashire-wide Strategic Partnership.
- ▶ In addition to our own targets to drive our performance over the next 1 to 3 years we have agreed to support and contribute to a number of the 35 targets and indicators under the LAA.
- ▶ Our own priority setting and action planning processes are geared towards achieving the targets of the LAA, as are those of our own West Lancashire Local Strategic Partnership.



## Further Information

The following table, which is available on our website, shows our performance information in more detail: ( [www.westlancs.gov.uk](http://www.westlancs.gov.uk) )

 Performance against all our Targets and Indicators for 2009/10

The information provided in this document and those above is produced in accordance with the Council's Data Quality Strategy (DQS).

The DQS is designed to produce accurate, valid, reliable, timely, relevant and complete data that is 'right first time' and can be used to support corporate governance and achieve our vision of **'putting services first and building a Borough second to none'**

If you would like any more information about the Council's performance and priorities, or would like a copy of this document in an alternative format, please contact the Partnership & Performance Unit, WLBC, 52 Derby Street, Ormskirk, L39 2DF. Alternatively, please call 01695 577177, or email [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk).

## PERFORMANCE – KEY INITIATIVES 2009/10

| Priority/Target                                                                                                                                                          | 2009/10 Performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Delivering Cost effective services that delight the customer and are accessible to all</b>                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Pursue a range of efficiency and cost-cutting measures, including a managed reduction in staffing levels                                                                 | The Council's Organisational Downsizing initiative has generated savings of £1.75m by reducing staff numbers by 57 full time equivalent posts while minimising the impact on front line services                                                                                                                                                                                                                                                                                                                                                                                    |
| Investigate a range of shared service initiatives with other Councils and partners in the public and private sector                                                      | The new Human Resources Partnership Arrangement with the County Council will enable an effective HR service to be delivered and will save £90,000 per annum                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Commence to deliver the Customer Relations and Access Strategy, including the development of integrated approaches to service access with public sector partners         | A revised strategy is to be produced which will reflect the new sub-divisional structure and will provide a more streamlined approach to customer access and communications.<br>The integrated customer services point feasibility project has been postponed pending further details emerging about Skelmersdale Vision. However progress towards this aim has been achieved through joint working with the County Council in their face to face project, whereby a County staff resource will be co-located in the Council's Customer Service Point in Skelmersdale initially.    |
| Improve the quality and accessibility of accommodation which customers use. Including the provision of new Council offices within a package of mixed development by 2011 | The project negotiations with an adjoining landowner have proved more protracted than envisaged. Therefore, any new accommodation will only have a target opening date of 2012. Any new offices will contain high quality service areas for the public.<br>Recent staff relocations have involved upgrading buildings including areas the public use.                                                                                                                                                                                                                               |
| Deliver a rolling programme of Value for Money and Organisational re-Engineering reviews of the Council's services                                                       | Environmental Health and Private Sector Housing Review was completed October 2009. A further area for review is currently being considered.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Further improve accountability and transparency of work undertaken in partnership with other bodies                                                                      | All minutes of LSP Forum and Executive are published as soon as possible after they have been approved.<br>Forum and Executive Group minutes are also included in quarterly Members Updates.<br>All minutes of Thematic Group meetings are published on the website upon receipt of them from Thematic Group Support Officers.                                                                                                                                                                                                                                                      |
| <b>Protecting and Improving Street Scene and the Environment</b>                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Review service delivery across waste and recycling, looking for improved working methods and ways of increasing productivity while driving down fuel usage               | Following the commissioning of the new transfer facility at our Skelmersdale depot, waste and recycling collection services will be reviewed and the potential options to change the collection criteria of material (dry recycle) will be fully explored. It is expected that this work will be carried out throughout 2010/11, with collection changes being introduced from October 2010 onwards. It is expected that these changes will result in reduced travel distance and collection downtime as the tipping location for our refuse and recycling vehicles will be onsite. |

| Priority/Target                                                                                           | 2009/10 Performance                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Combating Crime and the Fear of Crime</b>                                                              |                                                                                                                                         |
| To deliver the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies |                                                                                                                                         |
| To deliver the Domestic Violence Strategy in partnership with other organisations and agencies            |                                                                                                                                         |
| <b>Working to Create and Retain Good Quality Jobs for Local People</b>                                    |                                                                                                                                         |
| Commence implementation of 'Vision for Skelmersdale' plan;                                                | Work has commenced on site on the construction of the new Skelmersdale College buildings which formed an integral part of the "Vision". |
| Deliver Year 6 of the Investing in Business Programme.                                                    |                                                                                                                                         |
| <b>Improving Housing and Ensuring that there is Affordable Housing Available for Local People</b>         |                                                                                                                                         |
| Deliver the Affordable Housing Strategy in partnership with others;                                       |                                                                                                                                         |
| Deliver the Private Sector Housing Strategy in partnership with others.                                   |                                                                                                                                         |

| <b>Providing Opportunities for Leisure and Culture</b>                                     |  |
|--------------------------------------------------------------------------------------------|--|
| Continue the refurbishment of our formal parks                                             |  |
| Deliver the "Recipe 4 Health" Award Scheme for local food businesses;                      |  |
| Help develop and implement the Local Strategic Partnership's Health Inequalities Strategy. |  |

# PERFORMANCE – PRIORITIES & KEY TARGETS 2009/10








| Priority/Target                                                                                                                                 | 2009/10 Performance                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Delivering cost-effective services that are accessible to all</b>                                                                            |                                                                                                                                                                          |
| Further improve the efficiency and effectiveness of services                                                                                    | A programme of efficiency improvements has been delivered in the year, together with a range of improvements to services.                                                |
| Achieve year-on-year affordable Council Tax rises, in line with inflation, and with targeted investment in key corporate priorities             | Band D Council Tax frozen at 2009/10 level. Over the last 9 years the cumulative increase in council tax has been the lowest in Lancashire and half the national average |
| Achieve an improvement in the satisfaction of residents with the overall service provided by the Council (as measured through the Place survey) | To be measured in 2010 Place Survey                                                                                                                                      |
| Reduce staff sickness                                                                                                                           | 10.7 days, down from 11.6 in previous year.                                                                                                                              |
| Seek to achieve annual cash savings in line with government targets;                                                                            | National PI is only finalised in July, but the Council is on course to achieve 3% cashable revenue efficiency savings                                                    |
| Increase the proportion of people who transact business with the Council via the website;                                                       | 15% increase – website rated amongst 10 best District sites nationally                                                                                                   |











| Priority/Target                                                                                                                      | 2009/10 Performance                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| To maximise the level of income due to the authority.                                                                                | The Council tax collection rate was 98.02% and the Rent collection rate 98.48%, both of which are above target |
| <b>Protecting and Improving Street Scene and the Environment</b>                                                                     |                                                                                                                |
| To increase recycling/composting to 50% by March 2010                                                                                | 45%                                                                                                            |
| To decrease the proportion of land with significant deposits of litter and detritus                                                  | 4% (litter)<br>9% (detritus)                                                                                   |
| To increase public satisfaction with street cleanliness                                                                              | To be measured in 2010 Place Survey                                                                            |
| <b>Combating Crime and the Fear of Crime</b>                                                                                         |                                                                                                                |
| To assist in sustaining the number of crime incidents per 1,000 population below the regional average                                |                                                                                                                |
| To assist in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live                 | To be measured in 2010 Place Survey                                                                            |
| <b>Working to Create and retain Good Quality Jobs for Local People</b>                                                               |                                                                                                                |
| Help to reduce unemployment to below the national average                                                                            | 4.1% (equal to national average)                                                                               |
| To assist in the creation of new jobs                                                                                                |                                                                                                                |
| To assist in the provision of skills for the local workforce                                                                         |                                                                                                                |
| <b>Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People</b>                               |                                                                                                                |
| Reduce the proportion of non-decent Council homes from 14.97% as at 1 <sup>st</sup> April 2006, to Zero by December 2010             |                                                                                                                |
| To assist in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live                 | To be measured in 2010 Place Survey                                                                            |
| <b>Providing Opportunities for Leisure and Culture that Together with Other Council Services Contribute to Healthier Communities</b> |                                                                                                                |
| Increase satisfaction with sports and leisure facilities                                                                             | To be measured in 2010 Place Survey                                                                            |
| Increase satisfaction with parks and open spaces                                                                                     | To be measured in 2010 Place Survey                                                                            |
| Increase the number and proportion of playgrounds meeting our local policy                                                           | 29.41%                                                                                                         |
| Carry out a food hygiene inspection at all food businesses due to be inspected.                                                      |                                                                                                                |





## APPENDIX B: PERFORMANCE INFORMATION 2009/10

| Icon key                                                                          |                                       |
|-----------------------------------------------------------------------------------|---------------------------------------|
|   | On target (within 0.01%) or exceeded  |
|   | Off target (within 5%)                |
|   | Off target (by 5% or more)            |
|   | Contextual data only. No target.      |
|  | Performance improved on previous year |
|  | Performance declined on previous year |
|  | No change                             |

| PI Code & Short Name                                        | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon                                                                    | Long Term Trend Arrow                                                                 | Latest Notes                                           |
|-------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------|
|                                                             | 2008/09 Result | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                                                                                       |                                                                                       |                                                        |
| BV3 % satisfaction with overall LA service                  | 51.4%          | N/A                  | N/A                  | 45.4 ‡                   | *                       | *              | 51.4%                | *              | 51.4%          | N/A                                                                                   | N/A                                                                                   | Place Survey indicator. Next Place Survey autumn 2010. |
| BV8 % invoices paid on time                                 | 96.86%         | N/A                  | N/A                  | N/A                      | 97.15%                  | 98.00%         | 98.00%               | 98.00%         | 98.00%         |    |    | West Lancs local indicator.                            |
| BV9 % of Council Tax collected                              | 98.39%         | N/A                  | N/A                  | N/A                      | 98.02%                  | 98.30%         | 98.1%                | 98.1%          | 98.1%          |    |    | West Lancs local indicator.                            |
| BV12 Working Days Lost Due to Sickness Absence              | 11.16          | N/A                  | N/A                  | N/A                      | 10.70                   | 8.08           | 8.08 †               | 8.08 †         | 8.08 †         |    |    | West Lancs local indicator.                            |
| BV66a % Rent collection & arrears recovery (Cumulative)     | 98.15%         | N/A                  | N/A                  | N/A                      | 98.72%                  | 98.20%         | 98.5%                | 98.75%         | 98.85%         |   |   | West Lancs local indicator.                            |
| BV89 Satisfaction with cleanliness of streets               | 59.2%          | N/A                  | N/A                  | 56.9 ‡                   | *                       | *              | 59.2%                | *              | 59.2%          | N/A                                                                                   | N/A                                                                                   | Place Survey indicator. Next Place Survey autumn 2010. |
| BV119a % satisfied with sports/leisure facilities           | 41.6%          | N/A                  | N/A                  | 46.2 ‡                   | *                       | *              | 41.6%                | *              | 41.6%          | N/A                                                                                   | N/A                                                                                   | Place Survey indicator. Next Place Survey autumn 2010. |
| BV119e % satisfied with parks and open spaces               | 57.1%          | N/A                  | N/A                  | 68.5 ‡                   | *                       | *              | 57.1%                | *              | 57.1%          | N/A                                                                                   | N/A                                                                                   | Place survey indicator. Next Place Survey autumn 2010. |
| BV212 Average time taken to re-let local authority housing. | 32.50          | N/A                  | N/A                  | N/A                      | 37.00                   | 30.00          | 30                   | 28             | 26             |  |  | West Lancs local indicator.                            |





Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; A The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; B No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; C Not a district level indicator. Proposed deletion from WLBC Suite.

| PI Code & Short Name                                                                                                     | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                          | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                                                                                 |
| LAA Loc01 No. of new homes granted planning permission per year (Local LAA Indicator)                                    | Ns             | N/A                  | N/A                  | N/A                      | 41                      | 300 (600)      | 300 (900)            | #              | #              |                    | Ns                    | Local LAA indicator. 900 cumulative over 3 years to 2010/11: 300 per year.                                                                      |
| LAA Loc02 No. of new homes constructed (Local LAA Indicator)                                                             | 130 (185)      | N/A                  | N/A                  | N/A                      | 109 (239)               | 58 (243)       | 57 (300)             | #              | #              |                    |                       | Local LAA indicator. 300 cumulative over 3 years to 2010/11: 185 / 243 / 300. (cumulative result/target)                                        |
| NI 1 % of people who believe people from different backgrounds get on well together in their local area                  | 83.6%          | 75.0%                | 82.4%                | 79.7%                    | *                       | *              | 85.0%                | *              | #              | N/A                | N/A                   | Next Place Survey autumn 2010. LAA indicator.                                                                                                   |
| NI 2 % of people who feel that they belong to their neighbourhood                                                        | 67.3%          | 57.7%                | 66.1%                | 61.8%                    | *                       | *              | 67.3%                | *              | 67.3%          | N/A                | N/A                   | This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup> |
| NI 3 Civic participation in the local area                                                                               | 11.8%          | 12%                  | 15.9%                | 13.8%                    | *                       | *              | 11.8%                | *              | 11.8%          | N/A                | N/A                   | This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup> |
| NI 4 % of people who feel they can influence decisions in their locality (Was QoL 23)                                    | 27.3%          | 26.0%                | 30.8%                | 28.1%                    | *                       | *              | 29.4%                | *              | #              | N/A                | N/A                   | Next Place Survey autumn 2010. LAA indicator.                                                                                                   |
| NI 5 Overall/general satisfaction with local area                                                                        | 82.5%          | 79.2%                | 87.4%                | 83.9%                    | *                       | *              | 82.5%                | *              | 82.5%          | N/A                | N/A                   | Next Place Survey autumn 2010.                                                                                                                  |
| NI 6 Participation in regular volunteering                                                                               | 23.7%          | 21.8%                | 28.1%                | 24.2%                    | *                       | *              | 24.5%                | *              | #              | N/A                | N/A                   | Next Place Survey autumn 2010. LAA indicator.                                                                                                   |
| NI 12 Refused & deferred Houses in Multiple Occupation licence applications leading to immigration enforcement activity. | N/A            | N/A                  | N/A                  | N/A                      | N/A                     | N/A            | N/A                  | N/A            | N/A            | N/A                | N/A                   | This PI was deleted at National Level and never introduced. Proposed removal from WLBC suite for 2010/11.                                       |

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

| PI Code & Short Name                                                                                               | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                    | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                                                                                 |
| NI 14 Avoidable contact: the proportion of customer contact that is of low or no value to the customer             | 21.75%         | 27.38%               | 11.70%               | 20.20%                   | 25.92%                  | 25.00%         | 23.00%               | 23.00%         | 23.00%         |                    |                       | This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .                                |
| NI 17 Perceptions of anti-social behaviour                                                                         | 17.2%          | 18.2%                | 11.4%                | 14.9%                    | *                       | *              | 17.2%                | *              | 17.2%          | N/A                | N/A                   | Next Place Survey autumn 2010.                                                                                                                  |
| NI 21 Dealing with local concerns about anti-social behaviour and crime issues by the local council and police     | 30.3%          | 24.0%                | 29.2%                | 26.6%                    | *                       | *              | 30.3%                | *              | 30.3%          | N/A                | N/A                   | Next Place Survey autumn 2010.                                                                                                                  |
| NI 22 Perceptions of parents taking responsibility for the behaviour of their children in the area                 | 37.3%          | 26.8%                | 35.35%               | 31.2%                    | *                       | *              | 37.3%                | *              | 37.3%          | N/A                | N/A                   | Next Place Survey autumn 2010.                                                                                                                  |
| NI 23 Perceptions that people in the area do not treat one another with respect and consideration                  | 23.8%          | 33%                  | 21.9%                | 26.3%                    | *                       | *              | 23.8%                | *              | 23.8%          | N/A                | N/A                   | This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup> |
| NI 27 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police | 28.9%          | 22.4%                | 26.55%               | 24.4%                    | *                       | *              | 28.9%                | *              | 28.9%          | N/A                | N/A                   | Next Place Survey autumn 2010.                                                                                                                  |
| NI 35 Building resilience to violent extremism                                                                     | 1              | N/A                  | N/A                  | N/A                      | 2                       | 2              | 4                    | #              | #              |                    |                       |                                                                                                                                                 |
| NI 37 Awareness of civil protection arrangements in the local area                                                 | 13.2%          | 13.3%                | 18.3%                | 15.0%                    | *                       | *              | 13.2%                | *              | 13.2%          | N/A                | N/A                   | This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup> |

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| PI Code & Short Name                                                                                | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon                                                                    | Long Term Trend Arrow                                                                 | Latest Notes                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                     | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                                                                                       |                                                                                       |                                                                                                                                                                                      |
| NI 41 Perceptions of drunk or rowdy behaviour as a problem                                          | 21.5%          | 30.8%                | 21.25%               | 25.6%                    | *                       | *              | 21.5%                | *              | 21.5%          | N/A                                                                                   | N/A                                                                                   | Next Place Survey autumn 2010.                                                                                                                                                       |
| NI 42 Perceptions of drug use or drug dealing as a problem                                          | 26.8%          | 20.3%                | 30.9%                | 25.5%                    | *                       | *              | 26.8%                | *              | 26.8%          | N/A                                                                                   | N/A                                                                                   | Next Place Survey autumn 2010.                                                                                                                                                       |
| NI 119 Self-reported measure of people's overall health and wellbeing                               | 75.7%          | 74.7%                | 80.1%                | 77.6%                    | *                       | *              | 77.5%                | *              | #              | N/A                                                                                   | N/A                                                                                   | Next Place Survey autumn 2010. LAA indicator.                                                                                                                                        |
| NI 137 Healthy life expectancy at age 65                                                            | N/A            | N/A                  | N/A                  | 14.16                    | N/A                     | N/A            | 14.46                | N/A            | N/A            | N/A                                                                                   | N/A                                                                                   | Next Census 2011. LAA indicator. Baseline 12.6 from Census 2001.                                                                                                                     |
| NI 138 Satisfaction of people over 65 with both home and neighbourhood                              | 86.2%          | 84.2%                | 89.4%                | 86.9%                    | *                       | *              | 86.2%                | *              | 86.2%          | N/A                                                                                   | N/A                                                                                   | Next Place Survey autumn 2010.                                                                                                                                                       |
| NI 139 The extent to which older people receive the support they need to live independently at home | 27.5%          | 28.0%                | 33.9%                | 30.6%                    | *                       | *              | 33.6%                | *              | #              | N/A                                                                                   | N/A                                                                                   | Next Place Survey autumn 2010. LAA indicator.                                                                                                                                        |
| NI 140 Fair treatment by local services                                                             | 74.1%          | 71.8%                | 78.5%                | 75.4%                    | *                       | *              | 74.1%                | *              | 74.1%          | N/A                                                                                   | N/A                                                                                   | This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>                                      |
| NI 151 Overall Employment rate (working-age)                                                        | 78.4%          | N/A                  | N/A                  | N/A                      | 73.3%                   | 78.4%          | tbc                  | tbc            | tbc            |  |  | Lag in information released on NOMIS means 2009/10 figure relates to performance as at September 2009                                                                                |
| NI 152 Working age people on out of work benefits                                                   | 12.3%          | N/A                  | N/A                  | N/A                      | 14.2%                   | 12.2%          | 12.2%                | #              | #              |  |  | LAA local indicator. Lag in information means 2009/10 result is the average figure during the twelve month period ending August 2009 which is the most recent information available. |







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| PI Code & Short Name                                                            | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                      |
|---------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                 | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                                                                                   |
| NI 153 Working age people claiming out of work benefits in the worst performing | 28.3%          | N/A                  | N/A                  | N/A                      | 28.1%                   | 28.1%          | 28.1%                | #              | #              |                    |                       | LAA indicator. 2009/10 result taken from August 2009 which is the most recent information available. Target above LAA target of 24.5 for 2010/11. |
| NI 154 Net additional homes provided                                            | 130            | N/A                  | N/A                  | N/A                      | 109                     | 300            | tbc                  | tbc            | tbc            |                    |                       |                                                                                                                                                   |
| NI 155 Number of affordable homes delivered (gross)                             | 13             | N/A                  | N/A                  | N/A                      | 32                      | 16             | 22                   | #              | #              |                    |                       | LAA indicator                                                                                                                                     |
| NI 156 Number of households living in temporary accommodation                   | 4              | N/A                  | N/A                  | N/A                      | 4                       | 1              | 1                    | #              | #              |                    |                       | Local LAA indicator.                                                                                                                              |
| NI 157a Processing of planning applications: Major applications                 | 52.27%         | 60.00%               | 90.45%               | 75.00%                   | 47.83%                  | 70.00%         | 70.00%               | 70.00%         | 70.00%         |                    |                       |                                                                                                                                                   |
| NI 157b Processing of planning applications: Minor applications                 | 75.68%         | 71.15%               | 86.15%               | 78.48%                   | 73.73%                  | 80.00%         | 80.00%               | 80.00%         | 80.00%         |                    |                       |                                                                                                                                                   |
| NI 157c Processing of planning applications: Other applications                 | 90.89%         | 82.97%               | 93.68%               | 88.82%                   | 91.15%                  | 90.00%         | 90.00%               | 90.00%         | 90.00%         |                    |                       |                                                                                                                                                   |
| NI 158 % non-decent council homes                                               | 2.8%           | N/A                  | N/A                  | N/A                      | tbc                     | 5.0%           | 0%                   | 0%             | 0%             | N/A                | N/A                   | An external company calculate the performance of non-decent homes. This figure is expected in June 2010.                                          |
| NI 159 Supply of ready to develop housing sites                                 | 105.3%         | N/A                  | N/A                  | N/A                      | 100.8%                  | 100.0%         | 100.0%               | 100.0%         | 100.0%         |                    |                       |                                                                                                                                                   |
| NI 160 Local authority tenants' satisfaction with landlord services             | 71.00%         | N/A                  | N/A                  | N/A                      | N/A                     | N/A            | 80.00%               | N/A            | 85%            | N/A                | N/A                   | Bi-ennial STATUS survey. Next survey due 2010/11.                                                                                                 |

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection unless they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

| PI Code & Short Name                                                                                                                                      | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                          | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|--------------------------|----------------------|----------------|----------------|--------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                           | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10           | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                                                                                                                                                                                                                                              |
| NI 163 Proportion of population aged 19-64 for males and 19-59 for females qualified to at least Level 2 or higher                                        | 69.3%          | N/A                  | N/A                  | N/A                      | tbc                     | 76.2%                    | 78.1%                | #              | #              | N/A                | N/A                   | Single tier and county level reporting. Latest county figure available from 2008 only. LAA indicator.                                                                                                                                                                                                        |
| NI 170 Previously developed land that has been vacant or derelict for more than 5 years                                                                   | 3.39%          | N/A                  | N/A                  | N/A                      | 3.39%                   | 5.00%                    | 5.00%                | 5.00%          | 5.00%          |                    |                       | This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .                                                                                                                                                                                             |
| NI 179 Value for money – total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008-09 financial year | 682.0          | 484.0                | 1155.8               | 730.0                    | Figure available July   | 1416 (Oct 2009 forecast) | N/A                  | N/A            | N/A            | N/A                | N/A                   | NI reported in two stages. October (half year) figure is a forecast for financial year end and used as target. July figure is the actual outturn. Target for 10/11 to be set October 2010.                                                                                                                   |
| NI 180 The number of changes of circumstances which affect customers' HB/CTB entitlement within the year.                                                 | 1046.6         | N/A                  | N/A                  | N/A                      | 1160                    | 823                      | N/A                  | N/A            | N/A            |                    |                       | Figure reported is last figure available from website and supplied by DWP. There have been problems with data management at a national level and the data is no longer available to report. This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> . |
| NI 181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (days)                                                      | 7.40           | N/A                  | N/A                  | N/A                      | 10.22                   | 15.00                    | 12.00                | 12.00          | 12.00          |                    |                       | Changes resulting in bulk processing favourably impacted on 08/09 and 09/10 results.                                                                                                                                                                                                                         |
| NI 182 Satisfaction of business with local authority regulation services                                                                                  | 83.51%         | N/A                  | N/A                  | N/A                      | tbc                     | 84.00%                   | tbc                  | tbc            | tbc            | N/A                | N/A                   | Survey completed. Result due end June.                                                                                                                                                                                                                                                                       |
| NI 184 Food establishments in the area which are broadly compliant with food hygiene law                                                                  | 82%            | N/A                  | N/A                  | N/A                      | 84%                     | 83%                      | tbc                  | tbc            | tbc            |                    |                       | This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .                                                                                                                                                                                             |

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| PI Code & Short Name                                                                                                                                            | 2008/09 Result      | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon                                                                    | Long Term Trend Arrow                                                                 | Latest Notes                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                 | 2008/09             | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                                                                                       |                                                                                       |                                                                                                                                                                                             |
| NI 185 % annual CO2 reduction from local authority operations                                                                                                   | Baseline 4655305 kg | N/A                  | N/A                  | N/A                      | tbc                     | 2.5%           | 2.5%                 | 2.5%           | 2.5%           | N/A                                                                                   | N/A                                                                                   | Targets reflect reduction on baseline figure and follow WLBC climate change strategy - a 25% reduction by 2020. Result published by DEFRA and not yet available. Figure expected June 2010. |
| NI 186 % Per capita reduction in CO2 emissions in the LA area                                                                                                   | Baseline 2005 7.97t | N/A                  | N/A                  | N/A                      | tbc                     | 9.75%          | 12.50%               | #              | #              | N/A                                                                                   | N/A                                                                                   | Targets are % reduction on 2005 baseline. LAA indicator. Result published by DEFRA. 2008/9 figure due September 2010, and 2009/10 figure September 2012.                                    |
| NI 187(i) Tackling fuel poverty – % of people receiving income based benefits living in homes with a low energy efficiency rating: (i) Low energy efficiency    | 7.99%               | 14.31%               | 7.47%                | 10.71%                   | 7.52%                   | 7.66%          | 7.33%                | #              | #              |    |  | LAA indicator.                                                                                                                                                                              |
| NI 187(ii) Tackling fuel poverty – % of people receiving income based benefits living in homes with a low energy efficiency rating: (ii) High energy efficiency | 37.63%              | 22.23%               | 34.74%               | 29.31%                   | 39.67%                  | 38.69%         | 39.75%               | #              | #              |  |  | LAA indicator.                                                                                                                                                                              |
| NI 188 Planning to Adapt to Climate Change                                                                                                                      | 1                   | 0                    | 1                    | 0                        | 2                       | 2              | 3                    | #              | #              |  |  | LAA indicator.                                                                                                                                                                              |
| NI 189 Flood and coastal erosion risk management                                                                                                                | 100%                | 100%                 | 100%                 | 100%                     | tbc                     | 99%            | 100%                 | 100%           | 100%           | N/A                                                                                   | N/A                                                                                   | Result published by DEFRA. 2009/10 figure due July 2010.                                                                                                                                    |
| NI 190 Achievement in meeting standards for the control system for animal health.                                                                               | Ns                  | N/A                  | N/A                  | N/A                      | Ns                      | Ns             | N/A                  | N/A            | N/A            | Ns                                                                                    | Ns                                                                                    | Single tier and county level reporting. Not relevant to WLBC. <sup>C</sup>                                                                                                                  |

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

|                                                                                                                           | 2008/09 Result                          | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                |                    |                       |                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PI Code & Short Name                                                                                                      | 2008/09                                 | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                                                                |
| NI 191 Residual household waste per household                                                                             | 503.62                                  | 579.75               | 485.25               | 529.5                    | 501.24                  | 505.79         | 500                  | 499            | 497            |                    |                       |                                                                                                                                                                                             |
| NI 192 Percentage of household waste sent for reuse, recycling and composting                                             | 45.19%                                  | 32.22%               | 45.12%               | 38.32%                   | 44.74%                  | 50.00%         | 50%                  | 52%            | 54%            |                    |                       | LAA indicator.<br>No district target set by LAA. Overall Lancashire target of 44% for 2010/11.                                                                                              |
| NI 194 Air quality – % reduction in NOx and primary PM10 emissions through local authority's estate and operations        | Baseline NOx: 13,229 kg<br>PM10: 414 kg | N/A                  | N/A                  | N/A                      | tbc                     | 2.5%           | 2.5%                 | 2.5%           | 2.5%           | N/A                | N/A                   | Targets reflect reduction on baseline figure and follow WLBC climate change strategy - a 25% reduction by 2020. Result published by DEFRA and not yet available. Figure expected June 2010. |
| NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter      | 4.17%                                   | 6.00%                | 2.00%                | 4.00%                    | 4.00%                   | 15.00%         | 4.00%                | 3.00%          | 3.00%          |                    |                       | LAA indicator.<br>WLBC target above LAA target of 13% for 2010/11.                                                                                                                          |
| NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus    | 8.47%                                   | 14.25%               | 5.00%                | 10.00%                   | 9.00%                   | 24.00%         | 7.00%                | 7.00%          | 6.00%          |                    |                       | LAA indicator.<br>WLBC target above LAA target of 20% for 2010/11.                                                                                                                          |
| NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti    | .22%                                    | 2.00%                | .00%                 | 1.00%                    | .95%                    | 4.00%          | 1.00%                | 1.00%          | 1.00%          |                    |                       | LAA indicator.<br>WLBC target above LAA target of 4% for 2010/11.                                                                                                                           |
| NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting | 0.17%                                   | 0.25%                | 0.00%                | 0.00%                    | 0.11%                   | 2.00%          | 1.00%                | 1.00%          | 1.00%          |                    |                       | LAA indicator.<br>WLBC target above LAA target of 2% for 2010/11.                                                                                                                           |
| NI 196 Improved street and environmental cleanliness – fly tipping                                                        | 1                                       | 3                    | 2                    | 2                        | tbc                     | 1              | 1                    | 1              | 1              | N/A                | N/A                   | DEFRA provide figure. Results expected August 2010.                                                                                                                                         |

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.



| PI Code & Short Name                                                                                                                   | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|-----------------------------------------------------------------------------------------------|
|                                                                                                                                        | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                               |
| NI 197 Improved Local Biodiversity – proportion of Local Sites where positive conservation management has been or is being implemented | 16%            | N/A                  | N/A                  | N/A                      | 21%                     | 21%            | 24%                  | #              | #              |                    |                       | LAA indicator. County level data only.                                                        |
| II 199 Children and young people's satisfaction with parks and play areas                                                              | 44.6%          | N/A                  | N/A                  | 54.1 <sup>†</sup>        | 51.5%                   | Ns             | N/A                  | N/A            | N/A            | Ns                 |                       | Single tier and county level reporting. County figure reported. Tellus4 survey <sup>C</sup> . |
| VL01 No. bins missed per 100,000 collections                                                                                           | 57.92          | N/A                  | N/A                  | N/A                      | 61.54                   | 60.00          | 60                   | 55             | 50             |                    |                       |                                                                                               |
| VL06 Average time taken to remove fly tips (days)                                                                                      | 1.08           | N/A                  | N/A                  | N/A                      | 1.15                    | 1.00           | 1                    | 1              | 1              |                    |                       |                                                                                               |
| VL07a No. complaints fouling/strays                                                                                                    | 298            | N/A                  | N/A                  | N/A                      | 277                     | 250            | 260                  | 260            | 260            |                    |                       |                                                                                               |
| VL07b Dog fouling per km                                                                                                               | 1.56           | N/A                  | N/A                  | N/A                      | 0.64                    | 2.38           | 2.1                  | 1.9            | 1.7            |                    |                       |                                                                                               |
| WL08 Number of Crime Incidents per 1,000 population                                                                                    | 59.89          | N/A                  | N/A                  | N/A                      | 60.45                   | 65.00          | 65.00                | 65.00          | 65.00          |                    |                       |                                                                                               |
| VL18 Use of leisure and cultural facilities (swims and visits)                                                                         | 1,221,854      | N/A                  | N/A                  | N/A                      | 1,261,214               | 1,300,000      | 1,300,000            | 1,320,000      | 1,340,000      |                    |                       |                                                                                               |
| WL19b(ii) % Direct Dial calls answered within 10 seconds                                                                               | 76.35          | N/A                  | N/A                  | N/A                      | 69.77                   | 80.00          | 80.00                | 80.00          | 80.00          |                    |                       | Result affected by office moves and staff changes.                                            |
| VL24 % Building regulations applications determined within 5 weeks                                                                     | 58.45%         | N/A                  | N/A                  | N/A                      | 64.24%                  | 62.00%         | 62.00%               | 62.00%         | 62.00%         |                    |                       |                                                                                               |
| WL84(iii) % feel safe & secure in West Lancs                                                                                           | 81.7%          | N/A                  | N/A                  | N/A                      | N/A                     | 81.7%          |                      |                |                |                    |                       | Deleted for 2010/11 suite. No People's Panel survey carried out in 2009/10.                   |

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|                                                                                          | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                |                    |                       |                                                                                                                                                                            |
|------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PI Code & Short Name                                                                     | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                                                                                               |
| WL85a Website: no. visits                                                                | 1,022,208      | N/A                  | N/A                  | N/A                      | 1,229,632               |                |                      |                |                |                    |                       | Deleted for 2010/11 suite. No target. Contextual information only.                                                                                                         |
| WL85aa Website: number of unique visitors                                                | 348,668        | N/A                  | N/A                  | N/A                      | 465,279                 | 375,000        | 500,000              | 500,000        | 500,000        |                    |                       |                                                                                                                                                                            |
| WL85b Website: use of online forms                                                       | 8,164          | N/A                  | N/A                  | N/A                      | 6,500                   | 10,000         | 7,000                | 7,000          | 7,000          |                    |                       | Target reduced to reflect that the previous year's increase resulted from prize draw campaign, but taking into account increased number of forms available for public use. |
| WL85c Website: no. online payments                                                       | 12,588         | N/A                  | N/A                  | N/A                      | 14,486                  | 15,000         | 15,000               | 15,000         | 15,000         |                    |                       |                                                                                                                                                                            |
| VL88 % Planning decisions delegated to officers                                          | 90.98%         | N/A                  | N/A                  | N/A                      | 93.01%                  | 90.00%         | 90.00%               | 90.00%         | 90.00%         |                    |                       |                                                                                                                                                                            |
| WL90 % of Contact Centre calls answered                                                  | 87.1%          | N/A                  | N/A                  | N/A                      | 92.4%                   | 85.0%          | 89.0%                | 89.0%          | 89.0%          |                    |                       |                                                                                                                                                                            |
| WL92 % of cases (telephone calls) to the Contact Centre solved at first point of contact | 61.8           | N/A                  | N/A                  | N/A                      | 64.3                    | 65.0           | 65.0                 | 65.0           | 65.0           |                    |                       |                                                                                                                                                                            |
| WL96 % of playgrounds meeting WLBC policy                                                | 29.41%         | N/A                  | N/A                  | N/A                      | 29.41%                  | 38.78%         | 38.78%               | 39.5%          | 40.0%          |                    |                       |                                                                                                                                                                            |
| WL101b Average time taken to carry out standard searches                                 | 6.61           | N/A                  | N/A                  | N/A                      | 6.18                    | 7.50           | 7.50                 | 7.25           | 7.00           |                    |                       |                                                                                                                                                                            |
| WL108 Average waiting time for callers to the contact centre (seconds)                   | 51.75          | N/A                  | N/A                  | N/A                      | 44.00                   | 50.00          | 44.00                | 44.00          | 44.00          |                    |                       |                                                                                                                                                                            |
| WL111 % Housing Repairs Completed in Timescale                                           | 92.31%         | N/A                  | N/A                  | N/A                      | 88.01%                  | 94.50%         | 94.50%               | 94.50%         | 95.00%         |                    |                       |                                                                                                                                                                            |

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| PI Code & Short Name                                                                                  | 2008/09 Result | 2008/09 Benchmarks   |                      |                          | 2009/10 Result & Target |                | Targets 2010 to 2013 |                |                | Traffic Light Icon | Long Term Trend Arrow | Latest Notes                                                                                     |
|-------------------------------------------------------------------------------------------------------|----------------|----------------------|----------------------|--------------------------|-------------------------|----------------|----------------------|----------------|----------------|--------------------|-----------------------|--------------------------------------------------------------------------------------------------|
|                                                                                                       | 2008/09        | All DCs - BQ 2008/09 | All DCs - TQ 2008/09 | All DCs - Median 2008/09 | 2009/10 Result          | Annual 2009/10 | Annual 2010/11       | Annual 2011/12 | Annual 2012/13 |                    |                       |                                                                                                  |
| WL112 % actions complete from Health and Wellbeing Thematic Group Action Plan where WLBC is lead body | Ns             | N/A                  | N/A                  | N/A                      | Ns                      | Ns             | tbc                  | tbc            | tbc            | Ns                 | Ns                    | Targets will be determined following agreement of the 2010/11 action plan by the thematic group. |
| WL113 Businesses assisted by partnership for start up/thrive                                          | Ns             | N/A                  | N/A                  | N/A                      | Ns                      | Ns             | 500                  | 550            | 605            | Ns                 | Ns                    |                                                                                                  |
| WL114 % LA properties with CP12 outstanding                                                           | Ns             | N/A                  | N/A                  | N/A                      | Ns                      | Ns             | 0.8                  | 0.6            | 0.4            | Ns                 | Ns                    |                                                                                                  |

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This table has been compiled based on the NI set as at 01.04.2010.





**AGENDA ITEM: 6(7)**

**CABINET: 15<sup>th</sup> June 2010**

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**Report of:** Assistant Chief Executive  
Executive Manager Community Services.

**Relevant Portfolio Holder:** Councillor I Ashcroft

**Contact for further information:** John Nelson or Sharon Lewis (Extn 5157/5048)  
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**SUBJECT: VETTING AND BARRING SCHEME**

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**Borough Wide Interest**

**1.0 PURPOSE OF THE REPORT**

1.1 To advise members of the introduction and implications of the new legislative requirements in relation to employment and review of employees who work with vulnerable adults and children.

**2.0 RECOMMENDATION**

2.1 That the contents of the report and the changes to the Criminal Record Bureau checks for employees in relation to the Vetting and Barring legislation which the Council must undertake be noted

2.2 Subject to consultation with the Trade Unions, that delegated authority be given to the Assistant Chief Executive to make all necessary amendments to the employment contracts (Terms & Conditions) for staff the recruitment policy and all appropriate HR policies and the Council conditions of employment in relation to the implementation and administration of the Vetting and Barring legislation and to take all necessary steps to implement those changes.

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**3.0 BACKGROUND**

3.1 The Vetting and Barring scheme was established as a result of the Bichard Inquiry, which followed the Soham Murders, the Inquiry recommended that all those who work with vulnerable groups should be registered. The Vetting and

Barring scheme is supported by the legal framework of the Safeguarding Vulnerable Groups Act 2006.

- 3.2 The Vetting and Barring Scheme (VBS) is a partnership involving the Independent Safeguarding Authority (ISA) and the Criminal Records Bureau (CRB) and overseen by the Home Office.
- 3.3 The Criminal Records Bureau are responsible for the application and monitoring features of the scheme while the Independent Safeguarding Authority are responsible for the decision making and maintenance of two barred lists – one for those barred from working with children and one for those barred from working with vulnerable adults.
- 3.4 The Home office is the sponsoring body and leads on the scheme implementation. The Department for Children Schools and Families and the Department of Health have collaborated to both fund the implementation and to take a lead on the policy areas and legislation.
- 3.5 The Legislation for the Vetting and Barring scheme was introduced in 2006, although detailed guidance was deferred to allow consultation with various departments and organisations.
- 3.6 A series of press reports and speculation regarding the effects of the legislation were highlighted in the press and on TV at the end of 2009 this resulted in political pressure to reform some of the key elements of the scheme. As a result the numbers expected to be required to be registered under the scheme have reduced from 13 million to 9 million.

#### **4.0 VETTING AND BARRING SCHEME**

- 4.1 Work with vulnerable groups has been divided into two categories by the ISA and these are defined as '**Controlled**' and '**Regulated**' activities.

- 4.1.1 A '**Controlled**' activity is defined as work in a role which provides:

Frequent or intensive support work in general health settings, the NHS and further education. (Such work includes cleaners, caretakers, shop workers, catering staff, car park attendants and receptionists.)

Individuals working for specified organisations (e.g. local authority) that have frequent access to sensitive records about children and vulnerable adults.

Support work in adult social care settings (e.g. day centre cleaners and those with access to social care records).

A controlled activity is when this type of activity is frequent (once a month or more) or intensive (takes place on three or more days in a 30 day period)

- 4.1.2 A '**Regulated**' activity is defined as work in a role which provides:

Any activity of a specified nature that involves contact with children or vulnerable adults frequently, intensively and or overnight. (Such activities include teaching, training, care supervision, advice, treatment and transportation.)

Any activity allowing contact with children or vulnerable adults that is in a specified place frequently and intensively. (Such places include schools and care homes)

Fostering and childcare

Any activity that involves people in certain defined positions of responsibility. (Such a positions include school governors, director of social services and trustees of certain charities.)

The definition of frequent and intensive is any work in the specified Regulated activities, which takes place frequently (once a week or more) or Intensively (on four days or more in a single month) or overnight (between The hours of 2am and 6am).

All these positions are set out in Safeguarding Vulnerable Groups Act 2006.

4.2 There are a number of benefits highlighted by the commissioners of the scheme, not least the ability to restrict individuals who should not be working with vulnerable groups as defined above:

- It is the most inclusive and largest system in the world.
- Barring decisions will be taken by independent experts.
- Once fully implemented, it will mean that anyone who wants to work or volunteer with children and vulnerable adults in 'regulated activity' will legally be required to be registered with the ISA.
- A barred person will be committing an offence should they seek employment or a volunteering opportunity in regulated activity.
- It will be an offence for any person to begin regulated activity without first being registered with the ISA.
- Anyone (not just employers) who knowingly allows a barred person to engage in regulated activity will be committing an offence.
- Scheme provides continuous monitoring; employers who have registered an interest in an employee will be informed if that employee becomes de-registered from the scheme.
- Employers will be able to check a person's registration status online.
- It will be a criminal offence for an employer to take on an individual in a controlled activity if they fail to check that individual's status.
- Organisations that are employers and service providers of regulated and controlled activities are legally obliged to refer all relevant information about an individual to the ISA.

4.3 The scheme does not cover family or personal arrangements.

## 5.0 ISA IMPLEMENTATION

- 5.1 In October 2009 the legislation enabled the creation of two new barred lists, known as the 'Children's Barred List' and the 'Adults Barred List' replacing the protection of Children's Act (PoCA), List 99 and Protection of Vulnerable Adults (PoVA). The Independent Safeguarding Authority rather than several different government departments will administer the new lists.
- 5.2 From October 2009, employers, Social Services and professional regulators have a duty to refer to the ISA any information about individuals who may pose a risk of harm to vulnerable groups. There are Criminal penalties for barred individuals who seek or undertake work with vulnerable groups and for employers who knowingly employ them. The eligibility criteria for Enhanced CRB checks have been extended to include anyone working in a regulated activity.
- 5.3 From 26<sup>th</sup> July 2010 individuals will be able to apply to the CRB for ISA registration, if they are applying to work with children and or vulnerable adults. Applications will still be made to CRB via registered bodies. West Lancashire Borough Council is a registered body with CRB.
- 5.4 Employers will be able from 26<sup>th</sup> July 2010 to make enquires to the CRB via free online checks of a persons ISA registration status.
- 5.5 From 1<sup>st</sup> November 2010, it will be a legal requirement for new workers or those moving to a regulated activity to register with the ISA before they commence work. Employers will have a legal responsibility to check and confirm that the individual they want to employ in a regulated activity is registered with the ISA.
- 5.6 The ISA and CRB have agreed that in order to deal with the expected numbers requiring registration that existing employees will not be required to be registered immediately Employers are asked to role out applications for registration over a five year period, with the requirement that all employees and volunteers working in regulated activity must be registered by 25<sup>th</sup> July 2015.
- 5.7 The number of staff within the Council which are likely to require registration under the ISA scheme is expected to be within the region of 45 to 55 employees, Divisional managers have been asked to identify those positions which fall within the definitions of the scheme. There may also be certain Members, who as a result of their roles or Portfolio may be affected.
- 5.8 Consultation with unions regarding the implications for the scheme is necessary with regarding to the changes in contractual agreements and policy changes for staff conditions of services.
- 6.0 CRIMINAL RECORDS BUREAU CHECKS.**
- 6.1 The Borough Council currently undertakes CRB checks on a number of positions within the Council. This work was undertaken as a measure to cover the basic requirements of an employer to check the suitability of staff working with children and vulnerable adults. The current identified positions include all leisure staff and staff working in sheltered housing or those in direct contact with vulnerable groups who are likely to have substantial unsupervised access.



- 6.2 It is proposed to maintain this level of CRB checks irrespective of the requirements to meet ISA registration for specified positions.
- 6.3 CRB checks remain relevant check for employers. The ISA registration will only identify those who are barred from working with Vulnerable Persons whereas the CRB check will provide full disclosure of criminal activity and relevant non-conviction warnings. A person could be ISA registered but still have a criminal record that if known to an employer would make them unsuitable to do a particular job.
- 6.4 When applying for an ISA registration the fee of £64 includes a full disclosure CRB check at the same time.

## **7.0 IMPLICATIONS FOR EMPLOYMENT PROCEDURES AND CONTRACTS**

- 7.1 The introduction of the ISA registration process will result in the requirement for a significant amount of revision and development work for the HR Partnership Team in respect of HR processes and policies.
- 7.2 Once the posts have been considered and categorised by Divisional Managers as either 'Controlled' or 'Regulated' activities, it is anticipated that changes will be required to the following processes and policies:
- Agency Workers Policy
  - Code of Conduct
  - Disciplinary Procedure – Inclusion of referral mechanism/Gross Misconduct
  - Disclosure – CRB policy
  - Introduction of CRB recheck policy
  - Recruitment advertising protocol
  - Recruitment Documentation Review
  - Recruitment and Selection Policy
  - Redeployment Policy
  - Secondment Policy

There may be other policy documents and protocols, which require changes as a result of the legislation and the refinement of the scheme requirements as the ISA process is introduced.

- 7.3 In recognition of the requirement to continue to undertake CRB clearances for posts that may not specifically fall into the 'Controlled' or 'Regulated' activities categories of the ISA Barring process, a review of the whole employment related CRB provision, will be undertaken by the HR partnership team, including a consideration of the adoption of a recheck policy, will need to be considered and potentially implemented following inspection reports in certain service areas.
- 7.4 A protocol and time frame will need to be considered and adopted in respect of arrangements for the checking of existing staff. Existing staff that fall into either a 'Regulated' or 'Controlled' activity will need to be processed for inclusion on the ISA register from the following dates, in accordance with the following proposed timescales:

- 1<sup>st</sup> April 2011 – for those who have not been previously CRB checked.
- 1<sup>st</sup> April 2012 – for those who have not had a CRB check in the last 3 years.
- 1<sup>st</sup> April 2013 – those with more recent CRB Checks.
- 1<sup>st</sup> April 2014 – the remainder of those who have had a CRB disclosure and work in controlled activities.

7.5 New documentation and further guidance will be issued in July 2010 from the CRB and there will be a requirement to provide additional training to existing recruiting managers who are responsible for the checking of the completion of the CRB forms and those who review ID information and act as counter signatories.

7.6 It is anticipated that some new employees will apply for posts and already hold an ISA registration prior to employment. In those instances, the authority will not be required to pay for another registration. It is further anticipated that for new employees who do not already hold ISA registration, that the authority would fund the ISA registration for the prospective employees from division budgets. The registration would need to be obtained prior to anyone taking up post

7.7 As part of the discussions with unions, it is anticipated that agreement will be reached regarding repayment of registration fees in respect of new employees who do not complete their probationary period or leave Council employment within twelve months.

## **8.0 IMPLICATIONS FOR NON-EMPLOYEES**

8.1 The Council has arrangements in place with partners, contractors and individuals for the provision of services. In such instances, it is the individual, organisation or company, which must ensure that it conforms to the regulations and legislation.

8.2 West Lancashire Community Leisure Trust has maintained the requirements for all staff to have CRB checks prior to employment. In addition to the CRB checks, it is evident from the type of services provided by the trust that a significant number of staff will fall within the scope and requirements of the ISA registration. The trust partners SERCO Leisure have confirmed that they will be adhering to the legislation and will absorb the costs within the partnership arrangement with no additional costs attributed to the Council.

8.3 Each division will need to assess the impact on contractors and contractual arrangements to ensure that organisations meet the legislative requirements of the scheme.

8.4 The Borough Council undertakes licence arrangements for Taxi Drivers. These arrangements will not change, other than to include a reference to the legislation in guidance information. It will be for individual drivers to apply for registration and organisations that employ those drivers to ensure that they use appropriate ISA registered drivers when transporting vulnerable adults or children on a regular basis.

- 8.5 Volunteer staff working within the Borough Council services will, if they fall in to the categories for contact of frequent and intensive, need to be registered in the same way as employees. In respect of volunteers the registration is free, with no fee to be paid unless the volunteer subsequently becomes employed.
- 8.6 Community Chest grants and other Council grants to organisations and bodies are assessed based on the information provided in the grant form, In relation to voluntary groups/volunteers, the Borough Council has built into the Grant Funding Agreements that responsibility rests with the voluntary group for ensuring appropriate checks are in place and this is a condition of grant. The Borough Council does not have the resources to undertake additional checks other than to ask for confirmation that this is the case.
- 8.7 There may also be certain Members, who as a result of their roles or Portfolio may be affected.

## **9.0 PROPOSALS**

- 9.1 That the contents of the report and the changes to the Criminal Record Bureau checks for employees in relation to the Vetting and Barring legislation which the Council must undertake be noted.
- 9.2 Subject to consultation with the Trade Unions, that delegated authority be given to the Assistant Chief Executive to make all necessary amendments to the employment contracts (Terms & Conditions) for staff the recruitment policy and all appropriate HR policies and the Council conditions of employment in relation to the implementation and administration of the Vetting and Barring legislation and to take all necessary steps to implement those changes.

## **10.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 10.1 The existing cost of a CRB Check is £36. The employing division within the Council currently picks up this cost. It would be proposed that any increased cost associated with the ISA requirements would also be funded from divisions.
- 10.2 The cost of the ISA registration is £64, which includes the cost of an enhanced CRB check.
- 10.3 The additional cost to the Council for implementing the ISA requirements will depend on the final number of positions identified as being required to be registered as a regulated position with the ISA. The full cost of the ISA registration for divisions is estimated to be in the region of £2,800 to £3,520 it is proposed that this cost will be picked up by the relevant divisions. In reality divisions are already covering the cost of CRB registrations which accounts for over half of the cost of the ISA registration so the estimated additional cost spread between divisions is between £1,260 to £1,540
- 10.4 In view of the additional work associated with ISA registration it is anticipated that there will be an increase in the work of the HR team in terms of recruitment and monitoring, obtaining ISA registration both for new employees and for

existing employees. Once we are clear on which posts/roles fall into which categories a clearer picture will emerge on the resourcing impact of this. Where there is a demand on resources, which cannot be met from existing arrangements, then this will be reported back to members.

- 10.5 It is anticipated that some new employees will apply for posts and already hold an ISA registration prior to employment. In those instances, the authority will not be required to pay for another registration. However, for the reasons set out in 6.3 above the authority may wish to undertake a updated CRB check to ensure that their are no other matters which need to be considered prior to employment. It would be further anticipated that for new employees who do not already hold ISA registration that the authority would fund the ISA registration for the prospective employees from divisional budgets, which would need to be obtained prior to anyone taking up post.

## **11.0 RISK ASSESSMENT**

- 11.1 The authority must comply with the legislation and administration of the scheme, failure to do so has implications in respect of the safeguarding agenda for vulnerable groups and will result in the Council being in breach of its statutory duty, which would leave it open to criminal proceedings.
- 11.2 The consequences for individuals who have registrations refused will have an impact on them as individuals, particularly if the Council already employs them, either in an identified regulated role or in another capacity elsewhere in the Council.

## **12.0 CONCLUSIONS**

- 12.1 The authority must comply with the legislation. The ISA registration process together with the identification of posts required to be registered is not an onerous task, however it must be undertaken thoroughly and in consultation with Unions.
- 12.2 Failure to comply would have significant implications for the Council, both in terms of criminal proceedings, but also and more importantly in relation to the potential harm caused by an individual who committed an offence on a vulnerable person.

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### **Background Documents**

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

None





**AGENDA ITEM: 5(8)**

**CABINET: 15 JUNE 2010**

**COUNCIL: 21 JULY 2010**

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**Report of: Acting Executive Manager Planning**

**Relevant Portfolio Holder: Councillor M Forshaw**

**Contact for further information: Mr S. Benge (Extn. 5274)**  
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**SUBJECT: INTERIM HOUSING POLICY FOR WEST LANCASHIRE**

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Wards affected: Borough wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To inform Members of the outcome of consultation on the draft Interim Housing Policy for West Lancashire, and to request that Council agree the responses to representations made on the draft policy and adopt the revised interim policy for Planning Control purposes.

## **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That Cabinet consider the revised Interim Housing Policy and submit any comments on, or recommended changes to, the policy for consideration by Council at their meeting on 21 July 2010.
- 2.2 That the Acting Executive Manager, Planning, be authorised, in consultation with the Planning Portfolio Holder, to finalise the wording of the policy in respect of development on greenfield sites and affordable housing.

## **3.0 RECOMMENDATIONS TO COUNCIL**

- 3.1 That the responses to the representations made on the draft policy be agreed.
- 3.2 That Council consider the revised Interim Housing Policy, together with any comments or recommended changes from Cabinet, and the finalised wording from the Acting Executive Manager, Planning (Recommendation 2.2 above), and adopt the Policy for Planning Control purposes until the adoption of the Local Development Framework Core Strategy, expected to be in 2012.
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## **4.0 BACKGROUND**

- 4.1 In November 2002, the Council adopted a new, restrictive residential development policy in West Lancashire. The policy first took the form of a Supplementary Planning Guidance note, and was subsequently incorporated into the Replacement West Lancashire Local Plan (adopted July 2006) as Policy DE1: Residential Development.
- 4.2 At the time of Policy DE1's preparation, regional planning policies required restraint in areas such as West Lancashire. In addition, there had recently been high levels of housing completions and grants of planning permission in the District, meaning that a restrictive policy was appropriate in order to prevent development plan housing targets being significantly exceeded.
- 4.3 Since 2002, the housing situation has changed markedly on three accounts. Firstly, the effect of Policy DE1 has been to greatly reduce the numbers of dwellings being granted permission, which in turn has reduced the housing land supply. Secondly, housing requirements for West Lancashire have increased by over 30% following the adoption of the 2008 Regional Spatial Strategy for the North West ("the RSS"). Thirdly, national planning policy on housing has been revised since 2006, with Planning Policy Statement 3: Housing (PPS3) requiring local authorities to maintain a rolling five year supply of deliverable housing sites. Not having a five year housing land supply could result in planning applications for housing being granted on appeal in less than optimal locations, and could have Housing and Planning Delivery Grant implications.
- 4.4 In January 2009, an update note was approved by Cabinet and published on the Council's website, explaining how Policy DE1 would apply in the light of revised housing targets in the 2008 RSS. This note did not represent any change to Policy DE1 itself, but merely a change to the way the policy would apply.
- 4.5 Policy DE1 was saved until further notice by virtue of a Secretary of State Direction issued on 14 May 2009, as reported to Council in July 2009.
- 4.6 The 2009 Annual Monitoring Report, published December 2009, indicated that there was marginally more than a five year supply of deliverable housing land in the Borough. However, the most recent monitoring figures, taking into account the circumstances surrounding a number of individual sites, indicate that housing land supply in West Lancashire now falls short of five years. The draft interim housing policy was prepared (when a five year housing land supply was in place), in order to help prevent supply dropping below five years. Now that supply has indeed dropped below five years, it is considered all the more necessary to revise the Council's residential development policy.
- 4.7 Normally, a change in policy would be implemented via a review of the development plan, namely the emerging Local Development Framework (LDF). However, it is expected that the LDF Core Strategy (the document that will set the main policies over the next decade and beyond) will not be adopted before 2012, and a change in housing policy is required sooner. Given West Lancashire's particular circumstances, the only realistic means by which housing



policy could be changed is via an “interim policy” which could be used in the planning control process until the adoption of the LDF Core Strategy. Such a policy would not have the same weight as an adopted Local Plan or LDF policy, having not been prepared according to statutory processes, but it could still be treated as a material consideration when assessing planning applications. We were advised informally by the Government Office for the North West (GONW) late in 2009 that whilst such “interim policies” are not officially supported by GONW, it is recognised that in West Lancashire’s situation it may be the only realistic option available.

- 4.8 Besides restricting market housing, Policy DE1 has had the effect of limiting the amount of affordable housing being provided in the Borough. Although almost 100 affordable units have been granted permission since 2002, and over 40 units delivered to date, through 100% affordable housing schemes in conjunction with Registered Social Landlords (formerly Housing Associations), there have been less than 50 affordable units granted permission, and 16 of these units completed, in West Lancashire since 2002 in conjunction with market housing schemes. A relaxation of Policy DE1 to allow market housing in the rural settlements could, with the right affordable housing thresholds and requirements, facilitate the delivery of more affordable housing in the Borough.
- 4.9 Thus in December 2009, a draft Interim Housing Policy was prepared for West Lancashire. This policy proposed allowing all the types of housing already permitted by Policy DE1, plus market housing in the most sustainable rural settlements of the Borough. The “sustainability” of a settlement was judged according to the levels of provision of local services and facilities, drawing on the West Lancashire Sustainable Settlement Study, which was distributed to Members in December 2009 and published early in 2010. Settlements without access to an adequate number of local services and facilities were not earmarked for a relaxation in housing policy.
- 4.10 The draft Interim Housing Policy limited development on greenfield sites to a maximum of ten dwellings. It also made clear that other relevant Local Plan policies would remain unchanged, and would continue to take precedence if they applied to any proposed housing sites. Such policies include DS2 (Green Belt), DS3 (Safeguarded Land), DS4 (Open Land on the Urban Fringe), EN8 (Green Spaces), DE5 (Employment Land), and SC1 (Recreational Land).
- 4.11 In terms of affordable housing, the interim policy made clear that affordable housing would be required as a percentage of new developments above a certain threshold. (In Policy DE3 of the adopted Local Plan, a percentage of affordable housing is required for developments of 10 dwellings or more.) The threshold and exact percentage were not set in the draft Interim Housing Policy, as officers were awaiting the finalisation of a housing viability study by consultants Fordham Research. Once complete, this viability study should provide robust evidence on thresholds and percentages of affordable housing that could be required, whilst ensuring schemes remained viable.

## **5.0 CURRENT POSITION**

- 5.1 Following reports in January and February 2010 to Cabinet, Executive Overview and Scrutiny Committee and Planning Committee on the proposed draft Interim Housing Policy, the public were consulted on the draft policy for four weeks in February and March 2010. People were asked to comment on the list of settlements where market housing was to be allowed, the threshold for affordable housing, the percentage of affordable housing that should be required, and on any other matters of relevance within the policy.
- 5.2 We received 97 responses to our consultation. A "Consultation Report" has been prepared, summarising each of the representations made, and providing Council officers' responses to the representations. The Consultation Report is appended to this Committee Report as Appendix 2.
- 5.3 The first question asked in the consultation was whether people agreed with the list of settlements in the draft policy, and whether any settlements should be added to, or excluded from, the list. Of the 61 respondents who expressed a view, 70% agreed with the list of settlements, whilst 30% stated they did not agree with the list. It was suggested that Hesketh Bank, Haskayne and Segars Lane be excluded from the list of settlements in the policy, whilst, conversely, it was suggested that Scarisbrick, Mere Brow, Hilldale, part of North Moor Lane, and two specific sites within Bickerstaffe be added to the list.
- 5.4 With respect to the second question about affordable housing thresholds, the responses were more varied. Of the 53 people who expressed a view, 19% recommended lowering the threshold, 77% recommended maintaining the current threshold at 10 as in Policy DE3, whilst the remaining 4% recommended raising the threshold to 15 (the national figure given in PPS3), as lower thresholds could stifle development, especially given the current economic situation.
- 5.5 The third question asked what percentage of affordable housing should be required in schemes above the chosen threshold. The threshold is currently set at 30%-50% for all areas of West Lancashire outside of Skelmersdale by Local Plan Policy DE3. Of the 59 people who expressed a view, 36% recommended increasing the minimum percentage requirement to 35% or more, whilst 39% recommended maintaining it at 30%, 17% recommended lowering it, and 8% expressed the view that there should be no overall requirement, but that every case be treated on its merits.
- 5.6 There were a variety of other comments made about the policy. Several consultants submitted documents promoting particular sites for development. Others requested that the policy be further relaxed to allow Green Belt development in certain circumstances. One respondent objected to the limit of 10 dwellings for development of greenfield sites. The same respondent also highlighted a potential loophole in the draft policy whereby people might try to develop larger greenfield sites in stages, 10 dwellings at a time, thereby getting round the limit of 10 dwellings on greenfield sites. Similarly, affordable housing requirements could in theory be circumvented by developing a site in stages, the number of dwellings at each stage being below the threshold, but the composite figure for the overall development being above the threshold.

## **6.0 VIEWS OF THE ACTING EXECUTIVE MANAGER, PLANNING**

- 6.1 With regard to the list of settlements in the Interim Policy, it is considered that this should remain as in the draft policy, with one exception. This exception is with regard to Mere Brow, where it is recognised that this settlement has a reasonable number of facilities, including a shop, post office, school, pub and church, and is on a bus route. Thus it is agreed that it would be reasonable for it to be included in the list of settlements in the Interim Policy where market housing should be permitted. The Interim Policy has been changed to reflect this.
- 6.2 During the consultation, Scarisbrick Parish Council expressed the view that market housing should be permitted in all of the “hamlets” that make up Scarisbrick, rather than just Brown Edge. However, the Sustainable Settlement Study shows that whilst as a whole Scarisbrick has a good number of services and facilities, its constituent “hamlets” do not individually have enough services to be considered suitably sustainable at present for more market housing, and they are dispersed across this very large Parish to the extent that it is unrealistic to expect most residents to access services in neighbouring hamlets by means other than the private car. The exception to this is Brown Edge, which is adjacent to a range of facilities at Kew in Sefton, and which is on a quality bus route. Thus, despite the representation from the Parish Council, the Interim Policy has not been altered with respect to Scarisbrick. If necessary, this issue can be revisited as the Local Development Framework is prepared.
- 6.3 With regard to Hilldale, which was recommended for inclusion within the Policy by a respondent, this settlement has only a handful of local facilities and services, and is not considered sufficiently sustainable for further market housing. It was also suggested that part of North Moor Lane in Halsall and two sites in Bickerstaffe (the former colliery, and land adjacent to the Stanley Gate pub car park) be included within the list of settlements. These sites are within the Green Belt, and it would not be appropriate to permit housing on them as part of the Interim Policy. Thus no changes have been proposed to the Interim Policy in response to the above representations.
- 6.4 One respondent suggested that Haskayne is not sufficiently sustainable for more housing. The Sustainable Settlement Study states that Haskayne has a small number of local services, including a post office, parish hall, public house and school, and is on a bus route. It is considered that it is appropriate to allow a limited amount of further housing in this settlement.
- 6.5 Two respondents recommended that no further market housing development be permitted in Hesketh Bank because of infrastructure capacity problems. Whilst it is recognised that there are infrastructure issues in the Hesketh Bank area, it is considered that the settlement can take a small amount of further development. Individual applications for housing would be assessed against various policies, including Local Plan Policy GD1 which has criteria covering sewerage and highways.
- 6.6 One respondent expressed the view that Segars Lane should not be included within the list of settlements in the Interim Policy. It is considered that Segars

Lane is a sustainable area, as it is close to the centre of Ainsdale in Sefton. Even with a relaxed policy, there is little scope for more housing in Segars Lane as the settlement area is constrained by a lack of potential housing sites.

- 6.7 In terms of affordable housing thresholds and targets, it is considered most appropriate to take a “middle line” and set the threshold and percentage requirement as they are at present in Policy DE3: Affordable Housing. Thus for market housing developments in the rural settlements listed in the interim policy, affordable housing would be required for schemes of 10 units or more, and a minimum of 30% affordable housing should be sought for such schemes.
- 6.8 A Housing Viability Study is being carried out on the Council’s behalf by Fordham Research. It is anticipated that this study will be complete, or very close to complete, by the time of the adoption of the Interim Housing Policy. Although the draft study suggests that the threshold for affordable housing could be lowered below 10 units (possibly down to just three units) whilst maintaining schemes’ viability, it is considered that setting a threshold this low would put most people off making planning applications or selling land for housing, and thus stifle development, undermining the main purposes of the interim policy. Although the threshold of 10 is below the PPS3 “national threshold” of 15 units, it is considered that the Fordham Research study does provide sufficient justification for choosing a threshold below the national value
- 6.9 Imposing a threshold higher than 10 units in the rural settlements would be inconsistent with current policy, and “send out the wrong message” in terms of sustainability, by making affordable housing requirements less stringent in the less sustainable areas of the Borough than in the more sustainable main settlements. Furthermore, it is arguably the case that in general, house prices are higher and sites easier to develop in the rural areas than in the main settlements, and thus affordable housing requirements should be at least as stringent in the rural settlements as in the main settlements.
- 6.10 In terms of setting the percentage of affordable housing to be required in schemes over the threshold, similar reasoning to the above has been applied. Current policy requires at least 30% affordable units in all parts of the Borough outside of Skelmersdale. A higher percentage requirement, especially in the current economic circumstances, could stifle development and undermine the purposes of the Interim Policy. A lower requirement would be inconsistent with current policy, and mean that less affordable housing was being sought in the less sustainable and generally more affluent rural settlements. Thus it is proposed that the Interim Policy contain an affordable housing requirement of 30% for schemes of 10 units or more in the rural settlements where Policy DE1 is being relaxed.
- 6.11 The Interim Housing Policy will eventually be replaced by the LDF Core Strategy. Whilst the Interim Policy is in place, its success will be monitored and further research undertaken regarding development viability in the Borough. This information will be used to enable a judgement to be made as to whether the thresholds for the provision of affordable housing and/or the percentage of affordable housing to be provided should be retained or revised.

- 6.12 In order to close the loophole referred to in paragraph 5.6 above, extra wording will require to be added to the policy (at paragraph 15 in respect of development on greenfield sites, and at paragraph 18 in respect of affordable housing provision). It is proposed that the Acting Executive Manager, Planning be given delegated authority, in consultation with the Planning Portfolio Holder, to explore with Legal officers the type of restrictions that could be put in place in the policy to prevent the loophole being exploited, and to agree appropriate wording to add to the Interim Policy.
- 6.13 No other changes, apart from very minor clarifications, are proposed to the Interim Policy with respect to other representations made during the recent consultation. Representations made regarding the promotion of individual sites will be noted and considered as we prepare the LDF.

## **7.0 FUTURE ACTION**

- 7.1 Following its adoption, the effect of the Interim Policy will be carefully monitored, looking at *inter alia* the Borough's housing land supply, the amount of development granted permission in the villages and rural settlements, the numbers of affordable housing units secured, the proportion of new permissions on greenfield sites, and any challenges to the policy by means of planning appeals. If amendments to the Interim Policy are considered necessary at a future date, these will be brought before Council at the appropriate time.

## **8.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY**

- 8.1 One of the main purposes behind Policy DE1 is to direct residential development to the most sustainable locations within West Lancashire. The reasoning behind the Interim Housing Policy is similar, continuing to direct development to the most sustainable locations, albeit with a slightly lower 'sustainability threshold'.
- 8.2 The Interim Housing Policy should help achieve a five year housing land supply on sustainable sites within West Lancashire and is intended to procure more affordable housing across the Borough. This is consistent with the Sustainable Community Strategy objectives of working to ensure a place with excellent, easily accessible and sustainable jobs and services, and to provide more appropriate and affordable housing to meet the needs to local people.

## **9.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 9.1 Not having a five year supply of deliverable housing sites could affect the amount of Housing and Planning Delivery Grant the Council receives. It could also lead to more planning appeals, with implications for staff time and possible legal and other fees associated with appeals.
- 9.2 The amended policy could result in more affordable housing units, or contributions towards affordable housing in West Lancashire.

## **10.0 RISK ASSESSMENT**

- 10.1 Waiting two or more years until the adoption of the LDF Core Strategy and Site Allocations DPD could result in an ongoing deficit in housing land supply. However, adopting and implementing the revised policy in the interim should help bring housing land supply back above five years. Even if the amended policy appears to have little effect, the fact that it has been put in place should demonstrate to Inspectors at appeal that the Council has taken appropriate management action to boost housing land supply, which should be taken into account when determining appeals on unsustainable sites.

## **11.0 CONCLUSIONS**

- 11.1 It is considered necessary to change Policy DE1 of the Replacement Plan in order to boost the Borough's housing land supply, and in order to secure more affordable housing in the Borough. An Interim Housing Policy has been prepared, with the intention of it being used in Planning Control until the adoption of the LDF Core Strategy, as a material consideration in assessing planning applications for housing.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

Appendix 1: Interim Housing Policy for West Lancashire

Appendix 2: Consultation Report



# **WEST LANCASHIRE INTERIM HOUSING POLICY**

**July 2010**

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## **Executive Summary**

The Council published an interim policy guidance note in January 2009, clarifying how Policy DE1 of the West Lancashire Replacement Local Plan would take account of Planning Policy Statement 3 and the adoption of the North West Regional Spatial Strategy (RSS). The note did not represent a change to Policy DE1 itself, but, given the new RSS housing requirements resulted in there no longer being a housing land oversupply in West Lancashire, the note advised that Policy DE1 would permit brownfield residential development within Skelmersdale, Ormskirk /Aughton and Burscough, subject to other relevant Plan policies being satisfied.

Subsequent monitoring of residential permissions and completions and work on the Strategic Housing Land Availability Assessment have indicated a declining supply of housing and low numbers of affordable housing being delivered.

In order to avoid dropping below a five year supply of deliverable housing sites in the future, and in order to deliver more affordable housing, the restrictions of Policy DE1 are to be partially lifted to allow:

- Within Skelmersdale, Ormskirk /Aughton and Burscough: residential development on brownfield and greenfield sites.
- Within Tarleton, Up Holland, Parbold, Hesketh Bank, Banks, Mere Brow, Appley Bridge, Halsall (Village), Haskayne, Newburgh, Rufford, New Cut Lane (Halsall), Segars Lane (Halsall), Brown Edge (Scarisbrick) and Tontine<sup>1</sup>: residential development on brownfield sites and small-scale residential development (i.e. 10 units or fewer) on greenfield sites

Any residential development will need to be in accordance with all other relevant Development Plan policies, including, but not limited to, the following policies of the Local Plan:

- Policy DS2 (Green Belt),
- Policy DS3 (Safeguarded Land),
- Policy DS4 (Open Land on the Urban Fringe),
- Policy GD1 (Design of Development),
- Policy GD2 (Developer Contributions to Infrastructure)
- Policy EN8 (Open Space),
- Policy DE3 (Affordable Housing),
- Policy DE5 (Employment Development),
- Policy DE14 (Development Opportunity Sites) and
- Policy SC1 (Sports, Recreational, Leisure and Cultural Facilities).

The effects of this change in policy will be carefully monitored. If it is considered that wider planning objectives for West Lancashire or the surrounding area are being undermined, or if housing land supply drops to below five years, this interim policy note will be reviewed.

Although this interim policy note is not an official Development Plan Document, it will be treated as a material planning consideration in the assessment and determination of planning applications for residential development until the adoption of the West Lancashire LDF Core Strategy.

<sup>1</sup> These settlements are as defined in the West Lancashire Replacement Local Plan (Policy DS1) and as shown on the Local Plan Proposals Map. They do not include any Green Belt land surrounding the settlements. For example, "New Cut Lane" comprises just the built-up part of New Cut Lane close to the Sefton border, and not the open land further east alongside this road.

## 1. INTRODUCTION

1. This document contains an interim policy for residential development within West Lancashire Borough. It takes into account the effects of the restrictions in Policy DE1 of the West Lancashire Replacement Local Plan which, coupled with the recent recession, have resulted in a decrease in the housing land supply in West Lancashire. It recognises that national policy in PPS3 and regional policy the North West Regional Spatial Strategy (RSS), both of which postdate Policy DE1, prescribe a more positive approach towards house building than is contained in Policy DE1. It also recognises the need to deliver more affordable housing across the Borough.
2. The Council is working on a Local Development Framework Core Strategy and Site Allocations Development Plan Document, which will enable a review of housing policy and the allocation of more sites to boost the short, medium and longer-term housing land supply. However, the expected timescales for the adoption of these documents (2012 and 2013 respectively at the earliest) are such that a revision to Policy DE1 is considered necessary in the immediate term, to boost housing land in order to maintain a five year supply , and to guide development during the preparation of the Core Strategy.
3. The policy outlined overleaf is consistent with the principles for residential development contained in PPS3 and the RSS, including:
  - locating dwellings in the most suitable places with ready access to facilities, jobs, services, infrastructure and public transport;
  - prioritising brownfield development over greenfield development;
  - providing a mix of housing in terms of tenure and price;
  - aligning with the RSS regional development framework and its strategy for the location of dwellings within West Lancashire.

These principles and policies are listed in more detail in Section 3 of this document.

4. Consultation took place on this interim policy during February and March 2010. The feedback received during this consultation has been taken into account when writing the final policy.

Further information on the material contained in this document may be obtained from:

### **Housing Policy Matters**

Peter Richards, LDF Team Leader

Tel: 01695 585 046

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### **Housing Figures and Housing Land Supply**

Helen Rafferty, Research Officer

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... or by email: [LDF@westlancs.gov.uk](mailto:LDF@westlancs.gov.uk)

## **2. PROPOSED NEW INTERIM HOUSING POLICY FOR WEST LANCASHIRE**

5. Subject to other relevant policies of the West Lancashire Replacement Local Plan (WLRLP) being satisfied, the following residential development will be permitted:

- Within Skelmersdale, Ormskirk /Aughton and Burscough: residential development on brownfield and greenfield sites.
- Within Tarleton, Up Holland, Parbold, Hesketh Bank, Banks, Mere Brow, Appley Bridge, Halsall (Village), Haskayne, Newburgh, Rufford, New Cut Lane (Halsall), Segars Lane (Halsall), Brown Edge (Scarisbrick) and Tontine: residential development on brownfield sites and small-scale residential development (i.e. 10 units or fewer) on greenfield sites.

These settlements are as defined in the WLRLP (Policy DS1) and as shown on the Local Plan Proposals Map. They do not include any Green Belt land surrounding the settlements. (For example, “New Cut Lane” comprises just the built-up part of New Cut Lane close to the Sefton border, and not the open land further east alongside this road.)

6. In addition, in accordance with Policy DE1, the following types of residential development will be permitted within West Lancashire:

- a) the conversion of buildings within the main urban areas of Skelmersdale, Ormskirk /Aughton and Burscough, provided that they are not allocated for, currently used for, or their last use was for, employment uses, and the conversion would have significant urban regeneration benefits;
- b) housing which forms a key element within a mixed use regeneration project within Skelmersdale, or within, or directly adjacent to, Ormskirk and Burscough Town Centres;
- c) residential development within the priority regeneration area of Skelmersdale, provided that the land is not allocated for, currently used for, or previously used for, employment use, and the land can be demonstrated to be not needed for community or public open space use. It must be demonstrated that the development will contribute to the wider regeneration of the Town itself. This may include the replacement of dwellings lost through demolition, where redevelopment may necessitate a lower density. Residential development on the greenfield site at Whalleys will need to conform to Policy DE2;
- d) agricultural workers dwellings where there is a proven need and where they need to be located in a specific location;
- e) replacement dwellings in situ where there is no more than a one-for-one replacement;
- f) schemes which provide 100% affordable housing, or accommodation to meet the specific needs of a section of the community, within the settlements identified on the Proposals Map to meet the identified needs of the local area;
- g) the conversion of a rural building in the Green Belt for residential use will be considered where it meets a specific local need, or an identified local housing need in less remote locations, or where it can be demonstrated that the building is inherently unsuitable for any other use.

7. All proposals for residential development will be required to comply with other relevant Local Plan policies including, but not limited to:

- Green Belt: there will be no change to Green Belt policy (Policy DS2).
- Safeguarded Land: residential development will not be permitted on land safeguarded under Policy DS3.
- Open Land on the Urban Fringe (or ‘Protected Land’): Policy DS4 will continue to apply.
- Design principles set out in Policy GD1 will apply. The requirement in GD1 part xvi that development be designed to prevent sewerage problems will be given particular weight in Burscough and any other settlement with similar sewerage infrastructure issues.
- Green Spaces: Policy EN8 will continue to apply.

- Affordable Housing: Policy DE3 will apply to developments of 10 dwellings or more.
  - Employment Land: Policy DE5 will continue to apply for sites currently in employment use, or whose most recent use was for employment purposes.
  - Development Opportunity Sites (Mixed-Use Development Sites): Policy DE14 will continue to apply.
  - Recreational Land: Policy SC1 will continue to apply on land allocated for recreational use on the WLRLP Proposals Map, and to other land in recreational use.
  - Transport Sites: Policy SC7 will continue to apply.
8. Other policies not specifically mentioned above will continue to apply where relevant, for example with respect to flood risk.
9. In addition to the design criteria in Policy GD1, development on all sites should conform to the following criteria:
- i. the density of development should be a minimum of 30 dwellings per hectare, rising to at least 50 dwellings per hectare at sites with access to good public transport facilities;
  - ii. any affordable housing required by Policy DE3 shall be provided on the same site; and
  - iii. recreational facilities and/or public open space shall be provided to meet the needs of the residents of the new housing and arrangement should be made for their maintenance.

### **Policy Justification**

10. The above policy represents a change to Policy DE1 in that it allows for residential development in certain settlements listed under Policy DE1.3 of the West Lancashire Replacement Local Plan, where previously, residential development was limited to 100% affordable housing schemes. It is considered that the above policy is consistent with the principles and policies set out in Planning Policy Statement 3 and the North West RSS.

### **Development in the Rural Settlements**

11. Within the rural settlements of Tarleton, Up Holland, Parbold, Hesketh Bank, Banks, Mere Brow, Appley Bridge, Halsall (Village), Haskayne, Newburgh, Rufford, New Cut Lane (Halsall), Segars Lane (Halsall), Brown Edge (Scarisbrick) and Tontine, residential development will be permitted on brownfield sites and small scale development on greenfield sites (10 dwellings or fewer). Proposals for “backland” residential development will need to be very carefully considered with particular attention paid to design and the impact of schemes on neighbouring properties.
12. The above settlements have been chosen on account of their sustainability, i.e. their relatively good provision of services and facilities, and/or public transport access. These settlements have been ranked within the West Lancashire Sustainable Settlement Study. The sustainability of settlements has been assessed having regard to the presence in each settlement of a range of facilities, and in particular to ease of access to the five key services of a GP surgery, primary school, food shop, Post Office and bus stop. For areas close to the boundaries of neighbouring local authorities (e.g. New Cut Lane, adjacent to Sefton, and Tontine, adjacent to Wigan), the assessments have examined the presence of services within a 1000m radius of these areas.
13. The availability of infrastructure is another important consideration in assessing the sustainability of sites. LDF evidence base work on infrastructure will be used amongst other sources of information to assess levels (or expected levels) of infrastructure provision

across the Borough. In particular, it is known that there are problems with drainage and sewerage infrastructure in Burscough, and thus the amount of new housing that can be granted there will be limited unless improvements are made to the settlement's infrastructure.

14. Within the rural settlements, proposals for housing as part of a mixed use scheme which would help deliver rural regeneration, for example improvements to social infrastructure or better employment, will be considered on their merits.

#### Development on greenfield sites

15. Small-scale residential development (i.e. up to and including 10 units) will be permitted on greenfield sites within the Borough's settlements listed above, subject to compliance with other Local Plan policies. The amount of greenfield development that is permitted will be carefully monitored, and if levels of permissions on greenfield sites are considered to be undermining wider policy objectives, including the RSS target of 65% of residential development being on previously developed land, appropriate management action will be taken, in line with PPS3 paragraph 67. There will be a general presumption against developments of more than 10 dwellings on greenfield sites in advance of the adoption of the LDF Core Strategy.
16. [Wording is to be inserted here regarding closing a "loophole" – see paragraph 6.12 of Cabinet Report.]

#### Green Belt

17. There will be no change to Green Belt policy, including settlements "washed over" by Green Belt.

#### Development on Safeguarded Land

18. Policy DS3 safeguards a number of sites for development needs which may be identified for the years beyond 2016. This policy will continue to apply. However, the residential development potential of land allocated under Policy DS3 will be examined as part of the Core Strategy and Site Allocations DPD preparation process, as development needs to 2027 and beyond are considered. In advance of the adoption of the LDF Core Strategy, proposals for the residential development of sites allocated under Policy DS3 will be considered premature and will not be supported.

#### Development on Open Land on the Urban Fringe

19. Policy DS4 (Open Land on the Urban Fringe<sup>3</sup>) will continue to be applied in the Borough. Thus, in terms of residential uses, development on land allocated under this policy will continue to be limited to small-scale affordable housing to meet an identified local need, provided it can be demonstrated that there are no suitable sites available within the built up area, and that if there are no such sites, other land also designated under Policy DS4 closer to the village centre has been considered first, followed by sites further from the village centre where a problem of dereliction would be removed.

#### Affordable Housing

20. Policy DE3 will continue to apply to developments of 10 dwellings or more. One of the Council's key priorities is the delivery of more affordable housing and the result of this Interim Policy Note will be to allow housing in smaller rural settlements (something not envisaged by Policy DE1) where there is a pressing need for affordable housing. For developments of fewer than 10 dwellings, Replacement Plan Policy GD2 requires contributions towards affordable housing.

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<sup>3</sup> Land allocated under Policy DS4 is labelled on the WLRLP Proposals Map legends as "Protected Land", rather than "Open Land on the Urban Fringe".

21. [Wording is to be inserted here regarding closing a “loophole” – see paragraph 6.12 of Cabinet Report.]

#### Development on Employment Land

22. There will be a presumption against the residential development of sites currently in employment use, or whose most recent use was for employment purposes (typically Use Classes B1, B2 and B8, but not restricted to these). When assessing proposals for specific sites, the Council will take into account the findings of the Joint Employment Land and Premises Study.
23. Where a site forms part of a mixed-use regeneration scheme in Skelmersdale, or is in or adjacent to Ormskirk or Burscough Town Centres, then some housing may be appropriate to help facilitate the regeneration scheme, in line with Replacement Plan Policy DE1 part 2b.

#### Development Opportunity Sites (Mixed-Use Development Sites)

24. Policy DE14 lists 8 sites available for development for a wide range of uses excluding residential development (unless specifically referred to in the policy or its justification), providing they comply with other policies in the WLRLP. This policy will continue to apply as at present.

#### Development on Green Spaces

25. Policy EN8 will continue to apply to proposals for the residential development of land designated in the WLRLP under this policy as Green Space.

#### Recreational Land

26. Policy SC1 of the WLRLP will continue to apply to proposals for development of land allocated for recreational use on the WLRLP Proposals Map, and to other land in recreational use. If it turns out that there is a surplus of recreational land, and that some could appropriately be released for other uses, this will be dealt with through the LDF process. In advance of the LDF’s adoption, proposals for residential development on recreational land will be resisted.

#### Development on Transport Sites

27. Sites designated on the WLRLP Proposals Map under Policy SC7 (transport-related sites) will continue to be protected from development that would prejudice their capacity to provide transport-related facilities, or function as transport sites. In addition, sites not marked on the Proposals Map, but having the potential to provide the types of development listed in Policy SC7 parts 1-13, will be protected from inappropriate development.
28. Other relevant Local Plan, RSS and national policies not specifically mentioned above will continue to apply where relevant, for example with regard to flood risk.

### **Monitoring and Review**

29. Regular and careful monitoring of permissions for residential development granted as a result of the above changes to Policy DE1 will be undertaken. If it is considered that the changed policy is resulting in too many greenfield permissions, contrary to RSS targets, or in a significant departure from the approach to locating development set out in WLRLP Policy DS1, or in a departure from wider RSS policy objectives, or if it is considered that the pattern of grants of permission and/or development in the Borough could undermine the emerging LDF strategy, this interim policy will be re-examined and appropriate management action will be taken, in line with PPS3 paragraph 67 and RSS paragraph 7.18(e).

30. This note is not an official Development Plan Document, but will be treated as a material planning consideration to be taken into account by the Council when determining planning applications for residential development.

### **3. POLICY CONTEXT**

#### **Background to Policy DE1**

31. Policy DE1 (Residential Development) of the Replacement West Lancashire Local Plan was first used for development control purposes by the Council in November 2002. It was initially published as supplementary planning guidance, and subsequently incorporated into the Replacement Plan, which was adopted in 2006.
32. Policy DE1 is a restrictive policy. When first prepared, one of its purposes was to restrain development in West Lancashire in order to help address the problem of market failure in other parts of the North West, in line with regional planning policy at the time. Policy DE1 also sought to curb the numbers of residential permissions and completions in West Lancashire in order to avoid significantly exceeding the housing targets set out in the Joint Lancashire Structure Plan and the then North West RSS.
33. Policy DE1 is a policy of restraint in terms of new permissions for housing which has been referred to by some parties as a “moratorium”. It restricts the granting of permissions for new residential development to seven specific categories listed in the policy (listed in the Appendix 1 to this document).
34. In January 2009, the Council published an interim guidance note on Policy DE1. It allowed for residential development on brownfield sites within the three main settlements of the Borough (i.e. Skelmersdale, Ormskirk and Burscough), provided this did not contribute towards a housing land oversupply. Development was subject to certain provisos, such as the land not having been used previously for employment development. This update did not represent an alteration to Policy DE1, but was simply a change in the way the policy applied, given the effect of the new housing requirements in the 2008 North West RSS which meant that there was no longer a housing land oversupply in West Lancashire.
35. The approach of Policy DE1 has been consistent with wider planning objectives for the North West, in particular with respect to urban regeneration in the metropolitan and other areas. Policy DE1 has been consistently applied across the Borough and upheld on appeal between 2002 and 2009.

#### **The need for an interim residential development policy**

36. Annual monitoring has shown that Policy DE1 has had some positive effects since its adoption, for example an increase in the proportion of new housing in the Borough’s more sustainable locations and the proportion on brownfield land. However, Policy DE1 has also resulted in a decrease in the number of new permissions for housing, which over time has reduced the number of housing completions. The recent recession and decline in the market for apartments have served to accelerate this reduction in housing land supply, both in terms of the number of new planning applications being submitted and also the deliverability of sites with extant planning permission.
37. The Council is working on a Local Development Framework Core Strategy and Site Allocations Development Plan Document, which will enable a review of housing policy and the allocation of more sites to boost the short, medium and longer-term housing land supply. However, the expected timescales for the adoption of these documents (2012 and 2013 respectively at the earliest) are such that a revision to Policy DE1 is considered necessary in the immediate term, to boost housing land in order to maintain a five year supply, and to guide development during the preparation of the Core Strategy.



38. The restrictions of Policy DE1 have meant that the number of affordable units being granted via Policy DE3 (i.e. as a proportion of market housing developments) has been low, due to the low numbers of permissions granted for market housing. As can be seen from the table below, the number of affordable housing units that have been granted permission in rural areas via market housing developments is zero, with affordable housing development only coming via 100% affordable schemes delivered by RSLs or the Council.

**Table 1 Affordable housing grants of permission and completions since the implementation of Policy DE1 in November 2002.**

|                                                                                                               | <b>Ormskirk /<br/>Aughton /<br/>Burscough</b> | <b>Skelmersdale</b> | <b>Rural areas</b> |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------|--------------------|
| <b>100% Affordable Housing Schemes</b>                                                                        |                                               |                     |                    |
| Total units granted                                                                                           | 2                                             | 12 <sup>#</sup>     | 79                 |
| Units completed so far                                                                                        | 0                                             | 0                   | 43                 |
| <b>Affordable Housing Units as a result of Policy DE3 (i.e. via a planning permission for market housing)</b> |                                               |                     |                    |
| Total units granted                                                                                           | 33*                                           | 0                   | 0*                 |
| Units completed so far                                                                                        | 16*                                           | 0                   | 0*                 |

\* In addition, there have been 64 “low cost market housing” completions at Burscough and 12 in rural areas which were considered as affordable housing at the time when planning permission was granted, but which now are not counted to be affordable housing, according to the definition given in PPS3 (2007).

# In addition, planning permission was granted for 32 affordable units at Abbeystead, Skelmersdale, but this permission lapsed without being implemented.

### **National policy: Planning Policy Statement 3 (Housing)**

39. Planning Policy Statement 3 (PPS3) was published in November 2006, and came into force fully in April 2007. The document sets a requirement for local planning authorities to identify and maintain a rolling five year supply of deliverable sites for housing, deliverable being defined as meaning (PPS3 paragraph 54):
- available now,
  - suitable – offering a suitable location for development and contributing to the creation of sustainable, mixed communities;
  - achievable – there is a reasonable prospect that housing will be delivered on the site within five years.
40. The following principles in relation to housing development are espoused in PPS3:
- > High quality housing that is well-designed, built to a high standard, and environmentally friendly (PPS3 paragraphs 10, 12-19)
  - > A mix of housing, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural, and to include both low-cost market housing and affordable housing (paragraphs 10, 20-30)
  - > Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, public transport, key services and infrastructure (paragraphs 10, 16, 36, 37). When identifying sites in LDF documents, account should be taken of the need to provide housing in rural villages to enhance or maintain their sustainability (paragraph 38).
  - > Effective use of land, in particular the re-use of land that has been previously developed (paragraphs 40-44). If the proportion of development on brownfield land is significantly below RSS /LDF targets, Local Planning Authorities (LPAs) may consider invoking development control policies in relation to development on particular categories of land, for example, rejecting applications on greenfield sites (paragraph 67).
  - > Efficient use of land, in particular the development of land at an appropriate density, having regard to locally available infrastructure and facilities, accessibility, the characteristics of the area, and design (paragraphs 46-52).
  - > Sustainable development: in addition to the locational aspects of development as highlighted above, this term covers the environmental impact of development: this should be minimised, taking account of climate change and flood risk (paragraph 10).
41. Paragraphs 68-74 cover development control. Paragraph 69 requires that LPAs have regard to the following factors when deciding planning applications:
- Achieving high quality housing;
  - Ensuring developments achieve a good mix of housing, reflecting the accommodation requirements of specific groups, in particular families and older people;
  - The suitability of a site for housing, including its environmental sustainability;
  - Using land effectively and efficiently;
  - Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area, and does not undermine wider policy objectives e.g. addressing housing market renewal issues.
42. If an up-to-date five year supply of deliverable sites cannot be demonstrated, PPS3 paragraph 71 requires local planning authorities to consider planning applications for housing favourably, having regard to the policy considerations in the PPS, including the considerations in paragraph 69, as listed above.

## **Regional Policy: The Regional Spatial Strategy for the North West (RSS)**

43. The North West RSS was adopted in September 2008 and forms part of the development plan for West Lancashire. It contains a set of policies and development principles applying across the North West of England, and sets the housing requirement for the Borough.
44. Policies DP2-DP9 set out the RSS's spatial development principles. These are as follows:
- DP2: Promote sustainable communities – fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities.
  - DP3: Promote sustainable economic development
  - DP4: Make the best use of existing resources and infrastructure: giving priority to developments which build upon existing concentrations of activities and existing infrastructure, and do not require major investment in new infrastructure. Policy DP4 also sets out a sequential approach to development:
    - Firstly – use of existing buildings (including conversion) within settlements, and previously developed land within settlements;
    - Secondly – use of other suitable infill opportunities within settlements, where compatible with other RSS policies;
    - Thirdly – the development of other land where this is well-located in relation to housing, jobs, other services and infrastructure.
  - DP5: Manage travel demand; reduce the need to travel and increase accessibility: development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.
  - DP6: Marry opportunity and need – priority should be given to linking areas of economic opportunity with areas in greatest need of regeneration.
  - DP7: Promote environmental quality – by, *inter alia*, promoting good quality design, maximising opportunities to regenerate derelict areas, and reclaiming derelict land.
  - DP8: Mainstreaming rural issues – avoiding treating rural areas and their needs and issues in isolation.
  - DP9: Reduce emissions and adapt to climate change – this policy lists a number of example measures that could be taken, including increasing urban density, encouraging better built and more energy efficient homes, minimising the threats from increased flood risk, and using sustainable urban drainage systems.
45. Policies RDF1-4 set out the Regional Development Framework. In terms of West Lancashire:
- Skelmersdale is the highest priority settlement in West Lancashire for development;
  - The next highest levels of development in West Lancashire will be in Key Service Centres (KSCs) – settlements which act as service centres for surrounding areas, providing a range of services, and which have good public transport links to surrounding towns and villages. Previously, Ormskirk and Burscough were designated as KSCs; now it will be for the LDF to define the Borough's KSCs on the basis of their current role as service providers.
  - Local Service Centres are settlements which provide a more limited range of services to the local community. In these settlements, small scale development will be permitted to help sustain local services.
  - Exceptionally, development will be permitted in the open countryside, but in terms of housing, the RSS limits this to affordable housing.
46. Policy L4 of the RSS sets a housing requirement of a minimum of **5,400 new dwellings over the period 2003-2021** (net of clearance /replacement) for West Lancashire Borough. This averages out to 300 net new dwellings per annum.

47. Paragraph 7.18(e) of the supporting text for Policy L4 set out the strategy for locating the new dwellings in “South West Lancashire” (defined as the combined area of West Lancashire Borough and Sefton Metropolitan Borough) as follows:

“Continued careful monitoring and management of housing provision will be necessary to ensure that new housing development does not result in an adverse cumulative impact on local and neighbouring housing markets. Housing provision should focus on meeting local market and affordable housing needs, especially in Ormskirk, Burscough and the northern part of Sefton; and on development in sustainable locations well served by public transport to support agreed local regeneration strategies in Skelmersdale...”

*(The rest of the paragraph refers to Sefton Borough.)*

48. Policy W4 (Release of Allocated Employment Land) presumes against the release of allocated employment sites for other uses. If Local Authorities are mindful to release sites they should be satisfied that an appropriate supply of sites is available for employment uses, and that if required, there are replacement sites available of equal or better quality, or alternative means of incorporating employment land needs.

### **Local Development Framework (LDF) preparation in West Lancashire**

49. Preparation of the West Lancashire LDF is progressing well. The Council consulted on Core Strategy options during late summer 2009, and expects to adopt the Core Strategy in 2012. A Site Allocations Development Plan Document will be prepared shortly after the Core Strategy, with an expected adoption date of 2013.
50. At the time of writing this interim policy, the Core Strategy preferred option has not yet been chosen. However, the development strategy for the Borough will become clearer over 2010 and 2011. Careful monitoring of the effects of changes to residential development policy in West Lancashire will be necessary in order that conflict between current policy and the LDF strategy can be avoided. The emerging Core Strategy and Site Allocations document will be given increasing weight as they progress towards adoption.

### **Strategic Housing Land Availability Assessment (SHLAA)**

51. A SHLAA has been prepared for West Lancashire Borough in partnership with neighbouring Knowsley and Sefton Boroughs. The report was completed and published in March 2010. The findings of the SHLAA indicate a limited supply of deliverable sites in the short term, taking into account the current restrictions of Policy DE1, and less than fifteen years’ supply of appropriate sites in areas excluded from the Green Belt.

### **Employment Land and Premises Study**

52. In addition to the SHLAA, West Lancashire Borough Council has been partnering Sefton, Knowsley and Halton Councils in a joint Employment Land and Premises Study. This study was completed and published early in 2010. The draft final study has indicated a general shortfall in the amount of employment land across West Lancashire. With the exception of a small number of specifically mentioned sites, the study recommends that land currently or most recently in employment use should remain in employment use. This is broadly consistent with Policy DE5 of the Local Plan.
53. Whilst the Employment Study is not a policy document, it will form an important part of the LDF evidence base, and will be taken into account as the Core Strategy is prepared. It is considered prudent to align the interim housing policy with the findings of the Employment Study.

## **APPENDIX 1**

### **West Lancashire Replacement Local Plan Policy DE1 (Residential Development) as set out in the adopted Local Plan.**

The housing requirement for West Lancashire, set out in the Joint Lancashire Structure Plan 2001 - 2016, of 3,390 dwellings for 2001 - 2016, will be met from the following sources:-

1. Completions between April 2001 - March 2004 and existing commitments (excluding replacement dwellings) as set out below:-

|                                                                                                                         | No. Dwellings |
|-------------------------------------------------------------------------------------------------------------------------|---------------|
| (i) Completions April 2001 - March 2004                                                                                 | 1,280         |
| (ii) Dwellings with planning permission @31/3/04                                                                        | 1,403         |
| (iii) Dwellings on windfall sites granted permission 1/4/04 to 2/8/04                                                   | 41            |
| (iv) Dwellings on windfall sites - applications delegated by Committee, awaiting completion of S106 agreements @ 2/8/04 | 53            |
| <b>TOTAL</b>                                                                                                            | <b>2,777</b>  |

2. Due to the large number of existing commitments, new residential development, including the renewal of existing planning consents, will only be granted for:-

- a. the conversion of buildings within the main urban areas of Skelmersdale, Ormskirk /Aughton and Burscough, provided that they are not allocated for, currently used for, or their last use was for, employment uses, and the conversion would have significant urban regeneration benefits;
- b. housing which forms a key element within a mixed use regeneration project within Skelmersdale, or within, or directly adjacent to, Ormskirk and Burscough Town Centres;
- c. residential development within the priority regeneration area of Skelmersdale, provided that the land is not allocated for, currently used for, or previously used for, employment use, and the land can be demonstrated to be not needed for community or public open space use. It must be demonstrated that the development will contribute to the wider regeneration of the Town itself. This may include the replacement of dwellings lost through demolition, where redevelopment may necessitate a lower density. Residential development on the greenfield site at Whalleys will need to conform to Policy DE2;
- d. agricultural workers dwellings where there is a proven need and where they need to be located in a specific location;
- e. replacement dwellings in situ where there is no more than a one-for-one replacement;
- f. schemes which provide 100% affordable housing, or accommodation to meet the specific needs of a section of the community, within the settlements identified on the Proposals Map to meet the identified needs of the local area;
- g. the conversion of a rural building in the Green Belt for residential use will be considered where it meets a specific local need, or an identified local housing need in less remote locations, or where it can be demonstrated that the building is inherently unsuitable for any other use.

Other residential development not covered by the above criteria will only be permitted on brownfield sites within Skelmersdale, Burscough and Ormskirk /Aughton if it would not result in an oversupply of housing land in the District.

In addition to the design criteria in Policy GD1, development on all sites should conform to the following criteria:-

1. the density of development should be a minimum of 30 dwellings per hectare, rising to at least 50 dwellings per hectare at sites with access to good public transport facilities;
2. any affordable housing required by Policy DE3 shall be provided on the same site; and
3. recreational facilities and/or public open space shall be provided to meet the needs of the residents of the new housing and arrangement should be made for their maintenance.

## **APPENDIX 2**

### **Useful Internet Links**

West Lancashire Planning Policy Pages:

[www.westlancs.gov.uk/planningpolicy](http://www.westlancs.gov.uk/planningpolicy)

West Lancashire Replacement Local Plan:

[www.westlancs.gov.uk/local-plan](http://www.westlancs.gov.uk/local-plan)

West Lancashire Residential Development Policy Page:

<http://www.westlancs.gov.uk/housingpolicy>

West Lancashire Strategic Housing Land Availability Assessment (SHLAA):

[http://www.westlancs.gov.uk/planning/local\\_plan\\_ldf\\_plan\\_policy/latest\\_planning\\_policy\\_new\\_s/housing\\_land\\_studies.aspx](http://www.westlancs.gov.uk/planning/local_plan_ldf_plan_policy/latest_planning_policy_new_s/housing_land_studies.aspx)

Joint Employment Land and Premises Study (JELPS):

[http://www.westlancs.gov.uk/planning/local\\_plan\\_ldf\\_plan\\_policy/latest\\_planning\\_policy\\_new\\_s/employment\\_land\\_study.aspx](http://www.westlancs.gov.uk/planning/local_plan_ldf_plan_policy/latest_planning_policy_new_s/employment_land_study.aspx)

The North West Plan – Regional Spatial Strategy for the North West (2008):

<http://www.gos.gov.uk/gonw/Planning/RegionalPlanning/>

Planning Policy Statement 3 (PPS3):

<http://www.communities.gov.uk/publications/planningandbuilding/pps3housing>

*(end)*



**WEST LANCASHIRE  
DRAFT INTERIM HOUSING POLICY**

**Consultation February – March 2010**

**Summary of representations and the  
Council's response**

**May 2010**

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

ID 1 Mr J Davies

Summary No further housing should be considered in Burscough

Council response Whilst the infrastructure issues in Burscough are recognised, Burscough is one of the Borough's largest and most sustainable settlements, and it would be appropriate to allow a reasonable amount of development there. No change.

---

ID 3 Mr I Traynor

Summary Agree with the list of settlements

Council response Noted

---

ID 4 Ms H Davies

Summary Burscough should not expand any further.

Council response Whilst the infrastructure issues in Burscough are recognised, Burscough is one of the Borough's largest and most sustainable settlements, and it would be appropriate to allow a reasonable amount of development there. No change.

---

ID 5 Mr D Rydings

Summary Agree with the list of settlements

Council response Noted

---

ID 6 Ms V Blockley

Summary Agree with the list of settlements

Council response Noted

---

ID 7 Mr R Jennings

Summary Agree with the list of settlements

Council response Noted

---

ID 8 Fr Gordon Our Lady's Parbold

Summary No specific comment

Council response Noted

---

ID 10 Mr J Holladay Taylor Wimpey North West

Summary Agree with the list of settlements

Council response Noted

---

ID 11 Ms J Iddon

Summary Include suburban settlements, but exclude "rural settlements " (parishes with a considerable amount of agricultural land). Do not enlarge development area.

Council response The interim policy does not permit development of agricultural land - it is agreed that such land should be protected. It is considered appropriate to allow more housing in rural settlements.

---

ID 13 (Not known)

Summary Agree with the list of settlements

Council response Noted

---

ID 14 Ms B Tomlinson

Summary No specific comment on list. Infill plots should be developed rather than agricultural fields.

Council response Noted. It is agreed that infill development is preferable to development on agricultural land.

---

ID 15 Mr C Cockwill Cockwill Associates Planning Consultants

Summary Agree with the list of settlements

Council response Noted

---



## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

ID 16 (Not known)

Summary Agree with the list of settlements

Council response Noted

---

ID 17 Mr B Wareing

Summary Lathom South should be included within the area.

Council response The Green Belt area of Lathom is excluded. Further discussion with the respondent indicate the specific part of Lathom South he refers to is actually part of the settlement area of Skelmersdale.

---

ID 18 Mr B Howard Newburgh Parish Council

Summary No specific comment

Council response N/A

---

ID 19 Mr J Pounds

Summary Agree with the list of settlements

Council response Noted

---

ID 20 Ms J O'Hare

Summary Agree with the list of settlements

Council response Noted

---

ID 21 Mr D Newton

Summary The Moss Nook area west of the A59 in Burscough should mostly be excluded from development

Council response This land is excluded as it is within the Green Belt; this interim policy does not cover Green Belt. No change.

---

ID 22 Mrs M Atherton Hilldale Parish Council

Summary Hilldale should be excluded from the list.

Council response Agreed - Hilldale is not on the list of settlements where policy is to be relaxed.

---

ID 24 (Not known)

Summary Any large development in Moss Nook /Red Cat Lane, Burscough, should be excluded.

Council response This land is excluded as it is within the Green Belt; this interim policy does not cover Green Belt. No change.

---

ID 25 Mr G Bolton PI Partnership

Summary Agree with the list of settlements

Council response Noted

---

ID 26 Mr P Grant Drivers Jonas LLP

Summary No specific comment

Council response N/A

---

ID 27 Mr P Carter Environment Agency

Summary Agree with the list of settlements

Council response Noted

---

ID 28 Mrs M Baldwin

Summary Hesketh Bank should be excluded as it cannot sustain more housing development due to infrastructure.

Council response Hesketh Bank has sufficient local services to justify more development. The situation with regard to infrastructure will be carefully monitored and the policy reviewed if necessary.

---

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                  |                             |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------|
| ID               | 29                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr A J Gore      | Bickerstaffe Parish Council |
| Summary          | Add Bickerstaffe Colliery Site and land adjacent to Stanley Gate car park.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |                             |
| Council response | These Green Belt sites are not settlements. This policy is not site-specific and do not cover Green Belt, and it would be inappropriate to include them within it. Stanley Gate itself does not have enough facilities to be counted as "sustainable". No change.                                                                                                                                                                                                                                                                                                                                                 |                  |                             |
| ID               | 30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ms J Hadland     | Smiths Gore                 |
| Summary          | Supported. Consideration should be given to conversions and Green Belt releases.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                             |
| Council response | Noted. The Interim Housing Policy does not cover Green Belt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                             |
| ID               | 32                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mrs K Gribbin    | Natural England             |
| Summary          | We would welcome an additional objective to ensure new development is well related to the surrounding environment, including landscape and character. Interests such as biodiversity and climate change should be acknowledged. The policy should also include protection of protected species, particularly in relation to conversion of rural buildings.                                                                                                                                                                                                                                                        |                  |                             |
| Council response | These matters are covered by other Local Plan policies, e.g. GD1 (Design), DE1 (Biodiversity). No change.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                             |
| ID               | 33                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | (Not known)      |                             |
| Summary          | There are too many settlements in the list but my knowledge of them is too limited to make specific comments.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                             |
| Council response | The list of settlements is considered appropriate, based on the Sustainable Settlement Study.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                             |
| ID               | 35                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr A Watt        | Maze Planning               |
| Summary          | No specific comment made on the list of settlements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                             |
| Council response | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |                             |
| ID               | 36                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr M Sherrington | Bespoke Design Architects   |
| Summary          | Support lifting of new moratorium, but it should not be restricted to a list of specific settlements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                             |
| Council response | It is considered that the policy should be relaxed only in the most sustainable settlements, not everywhere across the Borough, in order to work towards achieving sustainable development in line with PPS1. No change.                                                                                                                                                                                                                                                                                                                                                                                          |                  |                             |
| ID               | 37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr D Wild        |                             |
| Summary          | Consideration needed as to whether Hilldale should be included with Parbold                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                             |
| Council response | Hilldale is separated from Parbold by a small "strip" of Green Belt land. The Council consider it to be a separate settlement. It has its own Parish Council. No change to policy.                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                             |
| ID               | 39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr T Rimmer      | Scarisbrick Parish Council  |
| Summary          | Further areas of Scarisbrick should be considered for residential development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |                             |
| Council response | The Sustainable Settlement Study shows that whilst as a whole Scarisbrick has a good number of services and facilities, its constituent "hamlets" do not individually have enough services to be considered suitably sustainable at present for more market housing, and they are dispersed across this very large Parish to the extent that it is unrealistic to expect most residents to access services in neighbouring hamlets by means other than the private car. The exception is Brown Edge, which is adjacent to a range of facilities at Kew in Sefton, and which is on a quality bus route. No change. |                  |                             |
| ID               | 40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ms S Saville     |                             |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                             |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                             |
| ID               | 41                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr J R Sutton    |                             |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                             |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                             |
| ID               | 43                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr A Schenone    |                             |
| Summary          | No. All of them should be excluded                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                  |                             |
| Council response | It is considered necessary to allow development in some rural settlements to prevent a housing land shortage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                             |

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                                        |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------|
| ID               | 44                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ms D Holroyd   | 4NW                                    |
| Summary          | Welcome inclusion of Skelmersdale as priority for development, and Ormskirk and Burscough to meet local needs. No comments to make on smaller settlements.                                                                                                                                                                                                                                                                                                                                                             |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 45                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (Not known)    |                                        |
| Summary          | The developed section of North Moor Lane, Halsall, should be included within the list of settlements.                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| Council response | This land is within the Green Belt; this interim policy does not cover Green Belt. No change.                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                                        |
| ID               | 48                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mr I Cropper   | Hesketh with Becconsall Parish Council |
| Summary          | Hesketh Bank should be removed from the list as it has insufficient infrastructure to cope with more development.                                                                                                                                                                                                                                                                                                                                                                                                      |                |                                        |
| Council response | Hesketh Bank has sufficient local services to justify more development. The situation with regard to infrastructure will be carefully monitored and the policy reviewed if necessary.                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 50                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ms S Johnson   |                                        |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 51                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mr R Rawlinson | Acland Bracewell Surveyors Ltd.        |
| Summary          | Mere Brow should be added to the list of settlements. "Small-scale" needs to be quantified with respect to greenfield development.                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Comment has been noted and agreed with. Since the Sustainable Settlement Study was completed and the draft Interim Housing Policy consulted upon, the Council has been made aware that there are more services than thought in Mere Brow, making it a more sustainable settlement for new residential development. The Interim Housing Policy has therefore been amended to include Mere Brow as suitable for residential development on brownfield sites and small-scale residential development on greenfield sites. |                |                                        |
| ID               | 52                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mr H O'Hare    |                                        |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 53                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mr W Sutton    |                                        |
| Summary          | Agree with the list of settlements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 54                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ms E Broad     | Dalton Parish Council                  |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 56                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mr L Stafford  |                                        |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 57                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mrs S Booth    |                                        |
| Summary          | Agree with the list of settlements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |
| ID               | 58                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (Not known)    |                                        |
| Summary          | Agree with list of settlements. Particular support for Hesketh Bank's inclusion.                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                                        |

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

ID 59 Mr J Finch

Summary Agree with the list of settlements

Council response Noted

---

ID 60 Mrs C A Cross Wrightington Parish Council

Summary Wrightington should not be considered for Green Belt boundary changes.

Council response Agreed - there are no proposals to change Green Belt boundaries at Wrightington.

---

ID 61 Mr B Cameron Locheil Homes & Developments Ltd

Summary Very supportive of affordable housing provision, especially in areas such as Aughton Park.

Council response Noted

---

ID 62 Mr R J Kershaw

Summary Segars Lane should be excluded from the list of settlements. Development should not take place in the Green Belt.

Council response Segars Lane is considered sustainable as it is close to facilities at Ainsdale. It is agreed that the scope for more housing at Segars Lane is limited by lack of available plots of land. No Green Belt development is proposed under the Interim Policy.

---

ID 63 Mr G R Bridge McDyre & Company

Summary Agree with the list of settlements

Council response Noted

---

ID 64 Mr M Maxwell

Summary Do not agree with the list of settlements

Council response Noted (insufficient detail to enable further comment)

---

ID 65 Mr A Thompson

Summary Agree with the list of settlements

Council response Noted

---

ID 66 Mr H O'Hare

Summary Agree with the list of settlements

Council response Noted

---

ID 67 R F Hiscock

Summary Do not agree with the list of settlements

Council response Noted (insufficient detail to enable further comment)

---

ID 68 Mr S Barron

Summary Agree with the list of settlements

Council response Noted

---

ID 69 Ms M S McKeown

Summary Agree with the list of settlements

Council response Noted

---

ID 70 Ms M Allchurch

Summary Agree with the list of settlements

Council response Noted

---

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

ID 71 Mr A Barron

Summary Agree with the list of settlements

Council response Noted

---

ID 72 Mr & Mrs J W Smith

Summary No specific comment

Council response N/A

---

ID 73 Mr A Pringle Ideal Community Developments

Summary Agree with the list of settlements

Council response Noted

---

ID 74 Mr R Pickavance

Summary Agree with the list of settlements.

Council response Noted

---

ID 75 Ms E Price

Summary Agree with the list of settlements

Council response Noted

---

ID 76 Mr R Pickavance

Summary Agree with the list of settlements

Council response Noted

---

ID 77 Mr A Hubbard National Trust

Summary Concerns over green space and specific sites such as Rufford Old Hall

Council response Green Space and Historic Parks and Gardens policies continue to apply, and thus sites such as Rufford Old Hall will enjoy the same amount of protection under the Interim Policy. No change.

---

ID 78 Mr D Cheetham CPRE

Summary Broadly happy and supports the use of brownfield sites. Green Belt should be protected.

Council response Noted

---

ID 79 Mr R Gee Gee Squared

Summary Agree with the list of settlements

Council response Noted

---

ID 80 Mr H O'Hare

Summary Agree with the list of settlements

Council response Noted

---

ID 81 Ms J Macholc Lanashire Couny Council

Summary If based on the Sustainable Settlement Study, the list is supported.

Council response Noted

---

ID 82 Mr N MacFarlane

Summary No comment regarding settlements. Go for 100% affordable housing developments on small sites.

Council response Noted. 100% affordable developments are supported by this policy, also DS1 and DE3.

---

## Consultation Report - Q1: Do you agree with the list of settlements where the policy is to be relaxed?

|                  |                                                                                                                                                                                     |                    |                                      |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------------|
| ID               | 84                                                                                                                                                                                  | Mr M Eland         | Home owner                           |
| Summary          | Agree with the list of settlements                                                                                                                                                  |                    |                                      |
| Council response | Noted                                                                                                                                                                               |                    |                                      |
| ID               | 85                                                                                                                                                                                  | Mr J O'Hare        | Home owner                           |
| Summary          | Do not agree with the list of settlements                                                                                                                                           |                    |                                      |
| Council response | Noted (insufficient detail to enable further comment)                                                                                                                               |                    |                                      |
| ID               | 87                                                                                                                                                                                  | Mr K Wallbank      |                                      |
| Summary          | More development in Banks. Questions over flood plain designation                                                                                                                   |                    |                                      |
| Council response | The interim policy would permit more development in Banks, subject to flood risk issues being resolved. The flood plain designation is outside the scope of this policy. No change. |                    |                                      |
| ID               | 88                                                                                                                                                                                  | Mr T Hatfield      | Sefton Council                       |
| Summary          | No specific comment                                                                                                                                                                 |                    |                                      |
| Council response | N/A                                                                                                                                                                                 |                    |                                      |
| ID               | 89                                                                                                                                                                                  | Ms J Clarke        |                                      |
| Summary          | Do not agree with the list of settlements                                                                                                                                           |                    |                                      |
| Council response | Noted (insufficient detail to enable further comment)                                                                                                                               |                    |                                      |
| ID               | 90                                                                                                                                                                                  | Mr & Mrs S Gawne   |                                      |
| Summary          | Do not agree with list. Haskayne should not be included                                                                                                                             |                    |                                      |
| Council response | Haskayne has a small number of services and is considered sufficiently sustainable to permit a small amount of market housing. No change.                                           |                    |                                      |
| ID               | 91                                                                                                                                                                                  | Mr G R Bridge      | McDyre & Company                     |
| Summary          | Agree with the list of settlements                                                                                                                                                  |                    |                                      |
| Council response | Noted                                                                                                                                                                               |                    |                                      |
| ID               | 92                                                                                                                                                                                  | Mr & Mrs D Gregson |                                      |
| Summary          | No specific comment                                                                                                                                                                 |                    |                                      |
| Council response | N/A                                                                                                                                                                                 |                    |                                      |
| ID               | 95                                                                                                                                                                                  | Mr D Green         |                                      |
| Summary          | No specific comment                                                                                                                                                                 |                    |                                      |
| Council response | N/A                                                                                                                                                                                 |                    |                                      |
| ID               | 96                                                                                                                                                                                  | Mr A Large         | Government Office for the North West |
| Summary          | No specific comment                                                                                                                                                                 |                    |                                      |
| Council response | N/A                                                                                                                                                                                 |                    |                                      |
| ID               | 97                                                                                                                                                                                  | Ms L Alder         | Highways Agency                      |
| Summary          | Agree with the list of settlements                                                                                                                                                  |                    |                                      |
| Council response | Noted                                                                                                                                                                               |                    |                                      |

## Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?

ID 1 Mr J Davies

Summary Reduce the threshold below 10.

Council response Noted

---

ID 3 Mr I Traynor

Summary Do not reduce threshold below 10

Council response Noted

---

ID 4 Ms H Davies

Summary Reduce threshold to 5 units.

Council response Noted

---

ID 5 Mr D Rydings

Summary Do not reduce threshold (although it is "random"). Much depends on the definition of "affordable".

Council response The threshold of 10 was set in Policy DE3 and is not considered "random". Affordable housing is defined in Policy DE3.

---

ID 6 Ms V Blockley

Summary Retain current threshold of 10 units. 3 is too low.

Council response Noted

---

ID 7 Mr R Jennings

Summary Do not reduce threshold below 10

Council response Noted

---

ID 8 Fr Gordon

Our Lady's Parbold

Summary Do not reduce threshold below 10

Council response Noted

---

ID 9 Mr A Wright

Summary No specific comment

Council response N/A

---

ID 10 Mr J Holladay

Taylor Wimpey North West

Summary Retain threshold of 10, but emphasise 100% affordable schemes in rural areas

Council response Noted. 100% affordable schemes in rural areas are already permitted under current policy. These schemes will also be considered as the LDF is prepared.

---

ID 11 Ms J Iddon

Summary No specific comment made on thresholds.

Council response N/A

---

ID 12 Mr K Walters

Summary Do not reduce threshold below 10

Council response Noted

---

ID 13 (Not known)

Summary Do not reduce threshold below 10

Council response Noted

---

## Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?

ID 14 Ms B Tomlinson

Summary No specific comment on threshold. Skelmersdale needs more expensive dwellings rather than affordable homes.

Council response Noted. It is agreed that some "upper market" housing would be appropriate in Skelmersdale.

---

ID 15 Mr C Cockwill Cockwill Associates Planning Consultants

Summary Retain current threshold of 10 units. PPS3 threshold is 15. Commuted sums may sometimes be more appropriate.

Council response Noted. Commuted sums may be appropriate in certain cases, although on-site provision is preferred.

---

ID 16 (Not known)

Summary Do not reduce threshold below 10

Council response Noted

---

ID 17 Mr B Wareing

Summary Retain current threshold of 10 units.

Council response Noted

---

ID 18 Mr B Howard Newburgh Parish Council

Summary No specific comment

Council response N/A

---

ID 19 Mr J Pounds

Summary Reduce the threshold below 10.

Council response Noted

---

ID 20 Ms J O'Hare

Summary Do not reduce threshold below 10

Council response Noted

---

ID 21 Mr D Newton

Summary There should be no threshold, nor requirement for affordable housing, as there is no shortage of 'affordable homes'.

Council response Given the pressing need for affordable housing in the Borough, it is considered necessary to have an affordable housing requirement and threshold. No change.

---

ID 22 Mrs M Atherton Hilldale Parish Council

Summary Retain current threshold of 10 units.

Council response Noted

---

ID 25 Mr G Bolton PI Partnership

Summary Do not reduce threshold below 10

Council response Noted

---

ID 26 Mr P Grant Drivers Jonas LLP

Summary No specific comment

Council response N/A

---

ID 28 Mrs M Baldwin

Summary Threshold of 1 (25% in developments of 10 houses or less, 33% in developments of 10 houses or more)

Council response Noted

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**Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?**

|                  |                                                                                                                        |                  |                                        |
|------------------|------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------------|
| ID               | 29                                                                                                                     | Mr A J Gore      | Bickerstaffe Parish Council            |
| Summary          | Review the threshold; introduce greater flexibility for small developments                                             |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 30                                                                                                                     | Ms J Hadland     | Smiths Gore                            |
| Summary          | Retain current threshold of 10 units. Reducing it below 10 units could jeopardise financial viability of many schemes. |                  |                                        |
| Council response | Noted.                                                                                                                 |                  |                                        |
| ID               | 31                                                                                                                     | Ms J Cavan       | Downholland Parish Council             |
| Summary          | Threshold of below 10 outside 3 main settlements would be supported                                                    |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 33                                                                                                                     | (Not known)      |                                        |
| Summary          | The threshold should be based on a robust housing needs survey.                                                        |                  |                                        |
| Council response | Agreed - housing needs and viability studies have been undertaken.                                                     |                  |                                        |
| ID               | 35                                                                                                                     | Mr A Watt        | Maze Planning                          |
| Summary          | No specific comment made on thresholds.                                                                                |                  |                                        |
| Council response | N/A                                                                                                                    |                  |                                        |
| ID               | 36                                                                                                                     | Mr M Sherrington | Bespoke Design Architects              |
| Summary          | Do not reduce threshold below 10                                                                                       |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 37                                                                                                                     | Mr D Wild        |                                        |
| Summary          | Do not reduce threshold below 10                                                                                       |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 40                                                                                                                     | Ms S Saville     |                                        |
| Summary          | Do not reduce threshold below 10                                                                                       |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 41                                                                                                                     | Mr J R Sutton    |                                        |
| Summary          | Do not reduce threshold below 10                                                                                       |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 43                                                                                                                     | Mr A Schenone    |                                        |
| Summary          | It is not necessary to build more houses                                                                               |                  |                                        |
| Council response | The Council's evidence base shows there is indeed a shortage in housing, particularly affordable housing.              |                  |                                        |
| ID               | 45                                                                                                                     | (Not known)      |                                        |
| Summary          | Do not reduce threshold below 10                                                                                       |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |
| ID               | 48                                                                                                                     | Mr I Cropper     | Hesketh with Becconsall Parish Council |
| Summary          | Reduce threshold to 5 units.                                                                                           |                  |                                        |
| Council response | Noted                                                                                                                  |                  |                                        |

**Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?**

ID 49 Ms J Liptrott

Summary Raise the threshold in villages to encourage development. Each application should be judged on its own merits.

Council response Noted

---

ID 50 Ms S Johnson

Summary Retain current threshold of 10 units.

Council response Noted

---

ID 51 Mr R Rawlinson Acland Bracewell Surveyors Ltd.

Summary Do not reduce the threshold below 10: this would stifle development.

Council response Noted

---

ID 52 Mr H O'Hare

Summary Do not reduce threshold below 10

Council response Noted

---

ID 53 Mr W Sutton

Summary Do not reduce threshold below 10

Council response Noted

---

ID 54 Ms E Broad Dalton Parish Council

Summary Retain current threshold of 10 units.

Council response Noted

---

ID 56 Mr L Stafford

Summary Do not reduce threshold below 10

Council response Noted

---

ID 57 Mrs S Booth

Summary Do not reduce threshold below 10

Council response Noted

---

ID 58 (Not known)

Summary Do not reduce threshold below 10

Council response Noted

---

ID 59 Mr J Finch

Summary Do not reduce threshold below 10

Council response Noted

---

ID 61 Mr B Cameron Locheil Homes & Developments Ltd

Summary Supportive of affordable housing

Council response Noted

---

ID 63 Mr G R Bridge McDyre & Company

Summary Do not reduce threshold below 10

Council response Noted

---

## Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?

ID 65 Mr A Thompson

Summary Policy should be in line with national policy

Council response Whilst national policy specifies a threshold of 15, it allows for lower thresholds to be set where it can be shown there is a need and that schemes remain viable. No change.

---

ID 66 Mr H O'Hare

Summary Do not reduce threshold below 10

Council response Noted

---

ID 67 R F Hiscock

Summary Do not reduce threshold below 10

Council response Noted

---

ID 68 Mr S Barron

Summary Do not reduce threshold below 10

Council response Noted

---

ID 69 Ms M S McKeown

Summary Do not reduce threshold below 10

Council response Noted

---

ID 70 Ms M Allchurch

Summary Reduce the threshold below 10.

Council response Noted

---

ID 71 Mr A Barron

Summary Applications should be assessed on a case-by-case basis rather than setting a Borough-wide requirement.

Council response Each case will be treated on its merits, but an overall percentage in the policy is considered necessary.

---

ID 72 Mr & Mrs J W Smith

Summary No specific comment

Council response N/A

---

ID 73 Mr A Pringle

Ideal Community Developments

Summary Reduce threshold to 6 units

Council response Noted

---

ID 74 Mr R Pickavance

Summary Do not reduce threshold. The government minimum is 15 units.

Council response Noted. Government policy allows for a lower threshold than 15 to be set where this can be justified.

---

ID 75 Ms E Price

Summary Reduce threshold to 5.

Council response Noted

---

ID 76 Mr R Pickavance

Summary Do not reduce threshold below 10

Council response Noted

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**Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?**

|                  |                                                                                                                                                              |                    |                         |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------|
| ID               | 77                                                                                                                                                           | Mr A Hubbard       | National Trust          |
| Summary          | No specific comment                                                                                                                                          |                    |                         |
| Council response | N/A                                                                                                                                                          |                    |                         |
| ID               | 78                                                                                                                                                           | Mr D Cheetham      | CPRE                    |
| Summary          | Reduce the threshold to 3 or 5. Aughton is not mentioned as needing affordable housing.                                                                      |                    |                         |
| Council response | Noted. Aughton is included with Ormskirk.                                                                                                                    |                    |                         |
| ID               | 79                                                                                                                                                           | Mr R Gee           | Gee Squared             |
| Summary          | Retain current threshold of 10 units.                                                                                                                        |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 80                                                                                                                                                           | Mr H O'Hare        |                         |
| Summary          | Do not reduce threshold below 10                                                                                                                             |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 81                                                                                                                                                           | Ms J Macholc       | Lanashire Couny Council |
| Summary          | Reducing will procure affordable housing on small sites. Levels should be informed by evidence and assesment.                                                |                    |                         |
| Council response | Noted and agreed - housing needs and viability studies have been undertaken.                                                                                 |                    |                         |
| ID               | 82                                                                                                                                                           | Mr N MacFarlane    |                         |
| Summary          | Yes reduce threshold or abandon policy                                                                                                                       |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 84                                                                                                                                                           | Mr M Eland         | Home owner              |
| Summary          | Do not reduce threshold below 10                                                                                                                             |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 85                                                                                                                                                           | Mr J O'Hare        | Home owner              |
| Summary          | Do not reduce threshold below 10                                                                                                                             |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 88                                                                                                                                                           | Mr T Hatfield      | Sefton Council          |
| Summary          | No specific comment on WLBC threshold. Sefton MBC use the PPS3 threshold of 15 dwellings                                                                     |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 90                                                                                                                                                           | Mr & Mrs S Gawne   |                         |
| Summary          | Each area should be assessed seperately.                                                                                                                     |                    |                         |
| Council response | Each area has been assessed separately in terms of housing need. It is considered that a different threshold for each area would over-complicate the policy. |                    |                         |
| ID               | 91                                                                                                                                                           | Mr G R Bridge      | McDyre & Company        |
| Summary          | Do not reduce threshold below 10                                                                                                                             |                    |                         |
| Council response | Noted                                                                                                                                                        |                    |                         |
| ID               | 92                                                                                                                                                           | Mr & Mrs D Gregson |                         |
| Summary          | No specific comment                                                                                                                                          |                    |                         |
| Council response | N/A                                                                                                                                                          |                    |                         |

**Consultation Report - Q2: Should the threshold for affordable housing in the rural settlements where market housing is to be permitted be reduced below 10?**

ID 95 Mr D Green

Summary No specific comment

Council response N/A

---

ID 96 Mr A Large

Government Office for the North West

Summary No specific comment

Council response N/A

---

### Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?

ID 1 Mr J Davies

Summary Maintain current requirement of 30%

Council response Noted

---

ID 2 Mr & Mrs I Wells

Summary Increase the minimum percentage requirement to at least 35%.

Council response Noted

---

ID 3 Mr I Traynor

Summary Increase the minimum percentage requirement to at least 35%.

Council response Noted

---

ID 4 Ms H Davies

Summary Increase the minimum percentage requirement to 50%.

Council response Noted

---

ID 5 Mr D Rydings

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 6 Ms V Blockley

Summary 50% for large developments; a lower percentage for smaller developments

Council response Noted

---

ID 7 Mr R Jennings

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 8 Fr Gordon Our Lady's Parbold

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 9 Mr A Wright

Summary Increase the minimum percentage requirement to 50%.

Council response Noted

---

ID 10 Mr J Holladay Taylor Wimpey North West

Summary Maintain current requirement of 30%

Council response Noted

---

ID 11 Ms J Iddon

Summary 35% in Ormskirk /Burscough, 70% in Skelmersdale, 0% elsewhere.

Council response Noted

---

ID 12 Mr K Walters

Summary Increase the minimum percentage requirement to 65%.

Council response Noted

---

### Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?

ID 13 (Not known)

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 14 Ms B Tomlinson

Summary The minimum percentage requirement could be increased in more affluent areas, e.g. Parbold, Newburgh, Rufford.

Council response Noted.

---

ID 15 Mr C Cockwill

Cockwill Associates Planning Consultants

Summary Maintain minimum percentage requirement of 30%; do not increase.

Council response Noted

---

ID 16 (Not known)

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 17 Mr B Wareing

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 18 Mr B Howard

Newburgh Parish Council

Summary No specific comment

Council response N/A

---

ID 19 Mr J Pounds

Summary Increase the minimum percentage requirement to 50%.

Council response Noted

---

ID 20 Ms J O'Hare

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 21 Mr D Newton

Summary There should be no threshold, nor requirement for affordable housing

Council response Given the pressing need for affordable housing in the Borough, it is considered necessary to have an affordable housing requirement and threshold.

---

ID 23 (Not known)

Summary Decrease the minimum percentage requirement.

Council response Noted

---

ID 25 Mr G Bolton

PI Partnership

Summary Decrease the minimum percentage to 25% in line with Skelmersdale. Affordable housing requirements in small schemes have disproportionate financial effects.

Council response Noted

---

ID 26 Mr P Grant

Drivers Jonas LLP

Summary No specific comment

Council response N/A

---

### Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?

ID 28 Mrs M Baldwin

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 29 Mr A J Gore Bickerstaffe Parish Council

Summary There should be greater flexibility with regard to this threshold.

Council response Noted

---

ID 30 Ms J Hadland Smiths Gore

Summary Keep at 30% but use as a target and determine individual requirements on a site-by-site basis.

Council response Noted. Agreed that individual sites will be tested on their own merits; a figure in the policy is required as a "benchmark".

---

ID 31 Ms J Cavan Downholland Parish Council

Summary Do not increase minimum percentage requirement.

Council response Noted

---

ID 33 (Not known)

Summary The threshold should be based on a robust housing needs survey.

Council response Agreed - housing needs and viability studies have been undertaken.

---

ID 35 Mr A Watt Maze Planning

Summary There should be no minimum percentage.

Council response A minimum percentage is considered necessary as a "benchmark" in order to deliver affordable housing.

---

ID 36 Mr M Sherrington Bespoke Design Architects

Summary Do not increase minimum percentage requirement. If anything it should be reduced.

Council response Noted

---

ID 37 Mr D Wild

Summary 30% should be a maximum for rural villages

Council response Noted

---

ID 40 Ms S Saville

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 41 Mr J R Sutton

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 43 Mr A Schenone

Summary Maintain current requirement of 30%.

Council response Noted.

---

ID 45 (Not known)

Summary Do not increase minimum percentage requirement.

Council response Noted

---



### Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?

|                  |                                                                                                                                                                                                                             |                |                                        |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------|
| ID               | 48                                                                                                                                                                                                                          | Mr I Cropper   | Hesketh with Becconsall Parish Council |
| Summary          | The general level of 30%-35% should be acceptable although in a bigger scheme, this might prove difficult.                                                                                                                  |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 49                                                                                                                                                                                                                          | Ms J Liptrott  |                                        |
| Summary          | Each site should be judged on its own context rather than setting a requirement. Flexibility is required.                                                                                                                   |                |                                        |
| Council response | Noted. Each case will be treated on its merits, but an overall percentage requirement in the policy is considered necessary.                                                                                                |                |                                        |
| ID               | 50                                                                                                                                                                                                                          | Ms S Johnson   |                                        |
| Summary          | Maintain current requirement of 30%.                                                                                                                                                                                        |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 51                                                                                                                                                                                                                          | Mr R Rawlinson | Acland Bracewell Surveyors Ltd.        |
| Summary          | Rather than a "blanket requirement", sites should be treated individually, taking account of various factors. 100% affordable housing should be permitted on safeguarded land (Policy DS3)                                  |                |                                        |
| Council response | An overall requirement is considered necessary, even if individual applications are treated on their merits. Affordable housing development should be treated in the same way as any other development on Safeguarded Land. |                |                                        |
| ID               | 52                                                                                                                                                                                                                          | Mr H O'Hare    |                                        |
| Summary          | Increase the minimum percentage requirement.                                                                                                                                                                                |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 53                                                                                                                                                                                                                          | Mr W Sutton    |                                        |
| Summary          | Do not increase minimum percentage requirement.                                                                                                                                                                             |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 54                                                                                                                                                                                                                          | Ms E Broad     | Dalton Parish Council                  |
| Summary          | Maintain current requirement of 30%.                                                                                                                                                                                        |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 56                                                                                                                                                                                                                          | Mr L Stafford  |                                        |
| Summary          | Maintain current requirement of 30%.                                                                                                                                                                                        |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 57                                                                                                                                                                                                                          | Mrs S Booth    |                                        |
| Summary          | Maintain current requirement of 30%.                                                                                                                                                                                        |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 58                                                                                                                                                                                                                          | (Not known)    |                                        |
| Summary          | Do not increase minimum percentage requirement.                                                                                                                                                                             |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 59                                                                                                                                                                                                                          | Mr J Finch     |                                        |
| Summary          | Increase the minimum percentage requirement.                                                                                                                                                                                |                |                                        |
| Council response | Noted                                                                                                                                                                                                                       |                |                                        |
| ID               | 61                                                                                                                                                                                                                          | Mr B Cameron   | Locheil Homes & Developments Ltd       |
| Summary          | High percentage requirements are not currently possible. A suitable site exists in Aughton Park for 100% affordable housing.                                                                                                |                |                                        |
| Council response | Viability comment noted and agreed. This policy is not site-specific.                                                                                                                                                       |                |                                        |

### Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?

ID 63 Mr G R Bridge McDyre & Company

Summary Lower limit and more flexibility required

Council response Noted

---

ID 65 Mr A Thompson

Summary 30-50% is too vague and too high. 30% should be a maximum. More flexible approach needs to be adopted.

Council response Noted

---

ID 66 Mr H O'Hare

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 67 R F Hiscock

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 68 Mr S Barron

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 69 Ms M S McKeown

Summary Increase the minimum percentage requirement to 50%.

Council response Noted

---

ID 70 Ms M Allchurch

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 71 Mr A Barron

Summary Applications should be assessed on a case-by-case basis rather than setting a Borough-wide requirement.

Council response Each case will be treated on its merits, but an overall percentage in the policy is considered necessary.

---

ID 72 Mr & Mrs J W Smith

Summary No specific comment

Council response N/A

---

ID 73 Mr A Pringle Ideal Community Developments

Summary A tiered system would be most appropriate. (The system he proposes works out at less than 30% overall.)

Council response Noted

---

ID 74 Mr R Pickavance

Summary Do not increase minimum percentage requirement. The rate should be flexible.

Council response Noted

---

ID 75 Ms E Price

Summary Increase the minimum percentage requirement.

Council response Noted

---

**Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?**

ID 76 Mr R Pickavance

Summary Decrease the minimum percentage requirement to 15%.

Council response Noted

---

ID 78 Mr D Cheetham CPRE

Summary Increase the percentage to 35% or 50%. More specific studies are required for each village.

Council response Noted. A housing needs study has been undertaken to inform affordable housing policy, which looks at each Parish individually.

---

ID 79 Mr R Gee Gee Squared

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 80 Mr H O'Hare

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 81 Ms J Macholc Lanashire Couny Council

Summary Increasing the percentage will procure more affordable housing. Levels should be informed by evidence and assesment

Council response Noted and agreed - housing needs and viability studies have been undertaken.

---

ID 82 Mr N MacFarlane

Summary Rather than having a percentage, create 100% affordable housing sites.

Council response Noted. 100% affordable developments are supported by this policy, also DS1 and DE3.

---

ID 84 Mr M Eland Home owner

Summary Increase the minimum percentage requirement.

Council response Noted

---

ID 85 Mr J O'Hare Home owner

Summary Maintain current requirement of 30%.

Council response Noted

---

ID 88 Mr T Hatfield Sefton Council

Summary No specific comment on WLBC percentage requirement. Sefton require 30% affordable housing.

Council response Noted

---

ID 90 Mr & Mrs S Gawne

Summary Each area should be assessed seperately.

Council response The Council's Housing Needs Study has assessed each Parish area separately.

---

ID 91 Mr G R Bridge McDyre & Company

Summary Decrease the minimum percentage requirement.

Council response Noted

---

ID 92 Mr & Mrs D Gregson

Summary No specific comment

Council response N/A

---

**Consultation Report - Q3: Should we keep our current requirement or should the minimum percentage be increased to 35% (or another value)?**

ID 95 Mr D Green

Summary No specific comment

Council response N/A

---

ID 96 Mr A Large

Government Office for the North West

Summary No specific comment

Council response N/A

---

## Consultation Report - Q4: Any other general comments on the draft interim policy

ID 2 Mr & Mrs I Wells

Summary Affordable housing needs to be properly defined.

Council response Affordable housing is defined in Policy DE3 of the Local Plan. This is consistent with the national definition.

---

ID 3 Mr I Traynor

Summary The policy needs to address adapted housing for the disabled. In addition to more housing, more and better facilities are needed.

Council response It is agreed that there is a need for housing for disabled people. This issue is to be addressed in the emerging LDF, rather than through the Interim Housing Policy.

---

ID 4 Ms H Davies

Summary The infrastructure of Burscough is inadequate for any expansion of the settlement.

Council response Whilst the infrastructure issues in Burscough are recognised, Burscough is one of our largest and most sustainable settlements, and it would be appropriate to allow a reasonable amount of development there. No change.

---

ID 5 Mr D Rydings

Summary Infrastructure issues, particularly in Tarleton /Hesketh Bank, need to be taken into account.

Council response The Council is aware that there are issues with infrastructure in the Tarleton /Hesketh Bank area. These will be taken account of when determining planning applications, and as the emerging LDF is prepared.

---

ID 6 Ms V Blockley

Summary The policy is well thought out. Changing the perception of Skelmersdale to attract more people is a challenge.

Council response Noted

---

ID 7 Mr R Jennings

Summary Infrastructure issues should be taken into account across the Borough, not just Burscough.

Council response Infrastructure issues are taken into account across the Borough. Burscough is mentioned specifically in the policy as its infrastructure issues are particularly acute.

---

ID 9 Mr A Wright

Summary (Q2) Affordable housing should be for local people only. Infrastructure is lacking for major new developments. This respondent is sceptical about the consultation.

Council response Affordable housing is usually only permitted to meet a local need, and is offered to local people first. The Council is aware of infrastructure issues, and takes these into account.

---

ID 10 Mr J Holladay Taylor Wimpey North West

Summary Some limited Green Belt release would be welcomed, as well as flexibility with regard to employment sites.

Council response It is not considered appropriate as part of this Interim Policy to consider either Green Belt releases or policy for employment sites. If necessary, these issues will be addressed through the emerging LDF.

---

ID 11 Ms J Iddon

Summary People should not be encouraged to live in rural settlements where there is limited work. People do not have the right to live where they need to. Affordable housing should not be provided in "expensive areas". Homes built are often too big, especially for single occupants. (Summary of comments on Q2 and Q3 also.)

Council response The Council disagrees with the assertion that affordable housing should not be provided in rural settlements.

---

ID 12 Mr K Walters

Summary Stop multi-occupier lets and sell these properties to the public.

Council response Whilst the issue of student and HMO accommodation is recognised, this will be addressed through the emerging LDF rather than the Interim Housing Policy.

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ID 13 (Not known)

Summary There is a need for housing for the elderly as well as affordable housing. Could it be either/or?

Council response It is agreed that there is a growing need for housing for the elderly as well as affordable housing. The possibility of elderly housing requirements will be explored in the emerging LDF.

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## Consultation Report - Q4: Any other general comments on the draft interim policy

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|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------|
| ID               | 14                                                                                                                                                                                                                                                                                        | Ms B Tomlinson |                                          |
| Summary          | There are 20 empty units in Roby Mill - have these been investigated?                                                                                                                                                                                                                     |                |                                          |
| Council response | The situation at Roby Mill will be investigated. In general the proportion of empty homes in West Lancashire is below average.                                                                                                                                                            |                |                                          |
| ID               | 15                                                                                                                                                                                                                                                                                        | Mr C Cockwill  | Cockwill Associates Planning Consultants |
| Summary          | The interim housing policy is welcomed.                                                                                                                                                                                                                                                   |                |                                          |
| Council response | Noted                                                                                                                                                                                                                                                                                     |                |                                          |
| ID               | 16                                                                                                                                                                                                                                                                                        | (Not known)    |                                          |
| Summary          | Student accommodation and its knock-on effects in terms of affordable properties is an issue in Ormskirk that needs to be addressed.                                                                                                                                                      |                |                                          |
| Council response | The Council recognises the issue of student accommodation and its knock-on effect on the supply of low cost and affordable housing. This is something we are seeking to address in our LDF. The interim housing policy is not the most appropriate place to discuss this important issue. |                |                                          |
| ID               | 17                                                                                                                                                                                                                                                                                        | Mr B Wareing   |                                          |
| Summary          | Planning restrictions in Green Space (EN8) should be relaxed.                                                                                                                                                                                                                             |                |                                          |
| Council response | The Council disagrees that Policy EN8 in general should be relaxed. Each application is to be treated on its merits, and there may be cases where material considerations could outweigh the policy.                                                                                      |                |                                          |
| ID               | 18                                                                                                                                                                                                                                                                                        | Mr B Howard    | Newburgh Parish Council                  |
| Summary          | The Parish Council supports the principle of the Green Belt. More information is needed regarding housing needs and land availability.                                                                                                                                                    |                |                                          |
| Council response | Noted. A Housing Needs Study at Parish level is nearing completion.                                                                                                                                                                                                                       |                |                                          |
| ID               | 19                                                                                                                                                                                                                                                                                        | Mr J Pounds    |                                          |
| Summary          | There are sewerage infrastructure problems in Tarleton which would be exacerbated by further development.                                                                                                                                                                                 |                |                                          |
| Council response | The Council is aware of infrastructure issues in Tarleton.                                                                                                                                                                                                                                |                |                                          |
| ID               | 20                                                                                                                                                                                                                                                                                        | Ms J O'Hare    |                                          |
| Summary          | Priority should be good design and a mix of house types and prices to enable people to stay in areas where they have grown up.                                                                                                                                                            |                |                                          |
| Council response | Agree that good design and appropriate mixes of house types and prices, including affordable housing, are necessary.                                                                                                                                                                      |                |                                          |
| ID               | 21                                                                                                                                                                                                                                                                                        | Mr D Newton    |                                          |
| Summary          | Policy DE1 is flawed. Planning should not interfere with the market. Builders can determine what is affordable.                                                                                                                                                                           |                |                                          |
| Council response | Policy DE1 is being amended to reflect changes in recent years. It is not considered that the policy is flawed. The other arguments put forward are outside the scope of this policy. No change.                                                                                          |                |                                          |
| ID               | 23                                                                                                                                                                                                                                                                                        | (Not known)    |                                          |
| Summary          | Affordable housing should be kept in Skelmersdale and not provided in Burscough.                                                                                                                                                                                                          |                |                                          |
| Council response | Housing Needs Studies show that affordable housing is required both in Burscough and Skelmersdale. No change.                                                                                                                                                                             |                |                                          |
| ID               | 24                                                                                                                                                                                                                                                                                        | (Not known)    |                                          |
| Summary          | Development in the Moss Nook area would exacerbate existing problems with drainage and access to the A59                                                                                                                                                                                  |                |                                          |
| Council response | Infrastructure issues in Burscough will be taken into account when assessing planning applications in this area.                                                                                                                                                                          |                |                                          |
| ID               | 25                                                                                                                                                                                                                                                                                        | Mr G Bolton    | PI Partnership                           |
| Summary          | The limit of dwellings goes against Government advice and will not help deliver the required housing numbers. Rothwells Farm could deliver housing development to make up the shortfall.                                                                                                  |                |                                          |
| Council response | 10 dwelling limit is covered in Question 3. Green Belt policy is not being considered as part of this consultation. This policy is not site-specific; individual sites should be addressed through the LDF process.                                                                       |                |                                          |

## Consultation Report - Q4: Any other general comments on the draft interim policy

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|
| ID               | 26                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mr P Grant       | Drivers Jonas LLP          |
| Summary          | Support the need to bring forward greenfield sites but the Council should consider bringing forward suitable Green Belt land surrounding settlements for residential property. The Little Moor Hall Farm site would be an appropriate site to develop.                                                                                                                                                                                                    |                  |                            |
| Council response | Green Belt releases are outside the scope of this interim policy. The policy is not site-specific. This matter should be addressed through the LDF process. No change.                                                                                                                                                                                                                                                                                    |                  |                            |
| ID               | 27                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mr P Carter      | Environment Agency         |
| Summary          | No objections                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                            |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                            |
| ID               | 28                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mrs M Baldwin    |                            |
| Summary          | More thought needs to be given to residential developments in the rural areas, particularly in the northern parishes, which will have difficulty supporting further development due to infrastructure capacity constraints.                                                                                                                                                                                                                               |                  |                            |
| Council response | Infrastructure constraints at Hesketh Bank are recognised. It is considered that the new policy will not result in significant amounts of extra development at Hesketh Bank. If monitoring shows an excessive amount of development in Hesketh Bank, the policy can be reviewed.                                                                                                                                                                          |                  |                            |
| ID               | 30                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Ms J Hadland     | Smiths Gore                |
| Summary          | We consider the current Plan is too restrictive given the extent of Green Belt land in the Borough. Green Belt policy (DS2) of the WLRLP should be reexamined, particularly to enable small scale new development and reuse of redundant farm buildings.                                                                                                                                                                                                  |                  |                            |
| Council response | The details of Green Belt policy can be looked at in the Core Strategy. The scope of the Interim Housing Policy does not cover Green Belt.                                                                                                                                                                                                                                                                                                                |                  |                            |
| ID               | 31                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Ms J Cavan       | Downholland Parish Council |
| Summary          | Oppose building on green belt and support building of houses on brownfield sites, including LO Jeffs.                                                                                                                                                                                                                                                                                                                                                     |                  |                            |
| Council response | The interim policy does not involve any change to Green Belt policy. Brownfield development is supported.                                                                                                                                                                                                                                                                                                                                                 |                  |                            |
| ID               | 32                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mrs K Gribbin    | Natural England            |
| Summary          | Protected species, open space and habitats regulations assessment screening should also be included within the policy.                                                                                                                                                                                                                                                                                                                                    |                  |                            |
| Council response | Protected species are covered by Policy EN1; Open Space is covered by POS SPD; HRAs are covered by existing legislation and do not need to be repeated in the Interim Policy.                                                                                                                                                                                                                                                                             |                  |                            |
| ID               | 33                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (Not known)      |                            |
| Summary          | Banks has suffered from increasing urbanisation in recent years, which is harming the character of the village.                                                                                                                                                                                                                                                                                                                                           |                  |                            |
| Council response | Any new development in Banks will be required to be of good design, and to respect the character and appearance of the area. No change.                                                                                                                                                                                                                                                                                                                   |                  |                            |
| ID               | 34                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mr A Watt        | Maze Planning              |
| Summary          | Supports development of clients land on safeguarded land at Abbey Lane, Burscough                                                                                                                                                                                                                                                                                                                                                                         |                  |                            |
| Council response | The Interim Housing Policy is not site-specific. The site can be considered through the LDF.                                                                                                                                                                                                                                                                                                                                                              |                  |                            |
| ID               | 35                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mr A Watt        | Maze Planning              |
| Summary          | Affordable housing policy should be reviewed and revised with specific requirements listed and viability assessed case-by-case in line with the Blyth Valley judgement. Brownfield land should be prioritised over greenfield in the policy. Safeguarded land will require to be developed.                                                                                                                                                               |                  |                            |
| Council response | Comments regarding affordable housing policy are agreed with the exception that a minimum percentage is considered necessary.<br>The policy does give precedence to brownfield sites in that these are not restricted by size, whereas greenfield sites are limited to 10 dwellings in the rural settlements. Affordable housing policy in general and the need to release Safeguarded land will be looked at as the Council prepares its LDF. No change. |                  |                            |
| ID               | 36                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mr M Sherrington | Bespoke Design Architects  |
| Summary          | It should be made clear that development is limited to 10 units on Greenfield sites only.                                                                                                                                                                                                                                                                                                                                                                 |                  |                            |
| Council response | Agreed - clarify the wording of the policy to make clear the limit of 10 dwellings applied only to greenfield sites within the villages. Greenfield development is not restricted to 10 within Skelmersdale, Ormskirk and Burscough.                                                                                                                                                                                                                      |                  |                            |

## Consultation Report - Q4: Any other general comments on the draft interim policy

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|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------------------|
| ID               | 37                                                                                                                                                                                                                                                                                                                                                                                   | Mr D Wild     |                            |
| Summary          | Hilldale should be included within the settlement of Parbold or included in the list of settlements where the policy is to be relaxed.                                                                                                                                                                                                                                               |               |                            |
| Council response | Hilldale is separated from Parbold by a small "strip" of Green Belt land. The Council consider it to be a separate settlement. It has its own Parish Council. No change to policy.                                                                                                                                                                                                   |               |                            |
| ID               | 38                                                                                                                                                                                                                                                                                                                                                                                   | Mr D Hardman  | United Utilities           |
| Summary          | The Council should encourage the separation of surface water at new properties and the disposal of surface water elsewhere than the combined foul sewerage system which is nearing capacity and could post environmental risk from foul flooding.                                                                                                                                    |               |                            |
| Council response | These policy considerations are valid, but are covered by Policy GD1, and do not need to be set out in detail in the Interim Policy. No change.                                                                                                                                                                                                                                      |               |                            |
| ID               | 40                                                                                                                                                                                                                                                                                                                                                                                   | Ms S Saville  |                            |
| Summary          | More affordable housing is needed in Tarleton                                                                                                                                                                                                                                                                                                                                        |               |                            |
| Council response | High property prices in rural settlements is one reason why the Council is seeking to increase the amount of affordable housing being provided in such areas.                                                                                                                                                                                                                        |               |                            |
| ID               | 41                                                                                                                                                                                                                                                                                                                                                                                   | Mr J R Sutton |                            |
| Summary          | Property prices in Tarleton are too high for people who have grown up there.                                                                                                                                                                                                                                                                                                         |               |                            |
| Council response | High property prices in rural settlements is one reason why the Council is seeking to increase the amount of affordable housing being provided in such areas.                                                                                                                                                                                                                        |               |                            |
| ID               | 42                                                                                                                                                                                                                                                                                                                                                                                   | Mr D Berry    | Coal Authority             |
| Summary          | Skelmersdale and Eastern Parishes have been subjected to coal mining which has left legacy on stability of land. The revised policy allows a more flexible approach to residential development within a number of settlements affected by these legacy issues. The requirement to take full account of coal mining instabilities could be incorporated into the revised policy text. |               |                            |
| Council response | The Coal Board is consulted as a matter of course when considering planning applications in these areas. It is not considered necessary to mention this specifically within the policy.                                                                                                                                                                                              |               |                            |
| ID               | 43                                                                                                                                                                                                                                                                                                                                                                                   | Mr A Schenone |                            |
| Summary          | Existing housing should be made better, with more intelligent use of existing buildings rather than creating new builds.                                                                                                                                                                                                                                                             |               |                            |
| Council response | Making better use of existing housing is supported, but additional housing will still be necessary.                                                                                                                                                                                                                                                                                  |               |                            |
| ID               | 44                                                                                                                                                                                                                                                                                                                                                                                   | Ms D Holroyd  | 4NW                        |
| Summary          | It would be helpful if references were made to the SHMA. The policy is in line with several RSS policies.                                                                                                                                                                                                                                                                            |               |                            |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                |               |                            |
| ID               | 45                                                                                                                                                                                                                                                                                                                                                                                   | (Not known)   |                            |
| Summary          | The policy is overly restrictive and should include settlements currently washed over by Green Belt. Policy DS2 should be changed to allow limited infill development in Green Belt areas.                                                                                                                                                                                           |               |                            |
| Council response | There is no prospect for change to Green Belt policy through this Interim Housing Policy.                                                                                                                                                                                                                                                                                            |               |                            |
| ID               | 46                                                                                                                                                                                                                                                                                                                                                                                   | Mr S Harris   | Emery Planning Partnership |
| Summary          | We support the relaxation of the Interim Housing Policy, in particular that the policy will allow residential development on our client's site. However, we question the need for a restrictive policy.                                                                                                                                                                              |               |                            |
| Council response | It is considered that some restrictions are still required in order to help achieve the most sustainable development possible, i.e. directing development to places where there are a reasonable number of local services and facilities.                                                                                                                                            |               |                            |
| ID               | 47                                                                                                                                                                                                                                                                                                                                                                                   | Mr S Harris   | Emery Planning Partnership |
| Summary          | The need for a restrictive policy is questioned, and DS4 land should be looked at for development.                                                                                                                                                                                                                                                                                   |               |                            |
| Council response | It is considered that some restrictions are still required in order to help achieve the most sustainable development possible, i.e. directing development to places where there are a reasonable number of local services and facilities. Policy DS4 land is not being considered in the Interim Housing Policy. This issue may be addressed in the LDF.                             |               |                            |



## Consultation Report - Q4: Any other general comments on the draft interim policy

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|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------|
| ID               | 48                                                                                                                                                                                                                                                                                                                       | Mr I Cropper   | Hesketh with Becconsall Parish Council |
| Summary          | Retirement settlements should be sought so as to release houses further up the housing ladder. Home businesses should be promoted and supported.                                                                                                                                                                         |                |                                        |
| Council response | Retirement settlements would be permitted in locations consistent with development plan policy. It is recognised that providing older people's accommodation can result in larger houses being "freed up". Home businesses are supported.                                                                                |                |                                        |
| ID               | 49                                                                                                                                                                                                                                                                                                                       | Ms J Liptrott  |                                        |
| Summary          | Where dwellings have a curtilage of at least half an acre there should be a presumption that one further dwelling can be built within the curtilage, to encourage effective reuse of land and relieve pressure to build on green field sites (PPS3).                                                                     |                |                                        |
| Council response | This Borough-wide presumption put forward regarding garden land development is not considered appropriate for the Interim Policy. Applications for development in large gardens will be treated on their merits.                                                                                                         |                |                                        |
| ID               | 50                                                                                                                                                                                                                                                                                                                       | Ms S Johnson   |                                        |
| Summary          | Affordable housing is needed so local people can afford property in their area.                                                                                                                                                                                                                                          |                |                                        |
| Council response | High property prices in rural settlements is one reason why the Council is seeking to increase the amount of affordable housing being provided in such areas.                                                                                                                                                            |                |                                        |
| ID               | 51                                                                                                                                                                                                                                                                                                                       | Mr R Rawlinson | Acland Bracewell Surveyors Ltd.        |
| Summary          | Residential development should also be permitted in certain land under policies DS3, DS4 and EN8.                                                                                                                                                                                                                        |                |                                        |
| Council response | Possible changes to Policies DS3, DS4 and EN8 are outside the scope of the Interim Housing Policy. If there is any need to change these policies, this should be through the LDF process.                                                                                                                                |                |                                        |
| ID               | 52                                                                                                                                                                                                                                                                                                                       | Mr H O'Hare    |                                        |
| Summary          | More choice of housing is needed in Tarleton                                                                                                                                                                                                                                                                             |                |                                        |
| Council response | It is recognised that there is a need for starter homes (affordable housing) in Tarleton.                                                                                                                                                                                                                                |                |                                        |
| ID               | 54                                                                                                                                                                                                                                                                                                                       | Ms E Broad     | Dalton Parish Council                  |
| Summary          | We support the policy                                                                                                                                                                                                                                                                                                    |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                    |                |                                        |
| ID               | 55                                                                                                                                                                                                                                                                                                                       | Mrs E Broad    | Parbold Parish Council                 |
| Summary          | Concerns raised as to development of greenfield land in Parbold. Flooding is an issue in parts of Parbold.                                                                                                                                                                                                               |                |                                        |
| Council response | Greenfield development will be limited, and many greenfield sites are already protected by other policies (e.g. EN8). No change is proposed to the policy, but if monitoring highlights problems on this matter in Parbold, the policy can be reviewed. Flood risk is taken into account when applications are assessed. |                |                                        |
| ID               | 56                                                                                                                                                                                                                                                                                                                       | Mr L Stafford  |                                        |
| Summary          | Affordable housing is needed in Tarleton                                                                                                                                                                                                                                                                                 |                |                                        |
| Council response | It is acknowledged that more affordable housing is required in Tarleton. No change to policy.                                                                                                                                                                                                                            |                |                                        |
| ID               | 57                                                                                                                                                                                                                                                                                                                       | Mrs S Booth    |                                        |
| Summary          | More affordable and more well-designed mixed housing is needed in Tarleton                                                                                                                                                                                                                                               |                |                                        |
| Council response | It is acknowledged that more affordable housing is required in Tarleton. Good design and appropriate mixes of housing are supported. No change to policy.                                                                                                                                                                |                |                                        |
| ID               | 58                                                                                                                                                                                                                                                                                                                       | (Not known)    |                                        |
| Summary          | The policy is generally supported.                                                                                                                                                                                                                                                                                       |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                    |                |                                        |
| ID               | 59                                                                                                                                                                                                                                                                                                                       | Mr J Finch     |                                        |
| Summary          | As a person who works for a Tarleton business but is forced to rent outside the village due to the lack of affordable housing I would welcome any initiative that would make available affordable housing in the area                                                                                                    |                |                                        |
| Council response | Noted                                                                                                                                                                                                                                                                                                                    |                |                                        |

## Consultation Report - Q4: Any other general comments on the draft interim policy

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| ID               | 60                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mrs C A Cross  | Wrightington Parish Council      |
| Summary          | The Parish Council strongly oppose any amendments to the Green Belt in Wrightington both now and in the future, as development would have highway safety implications.                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                                  |
| Council response | Comments regarding the Parish Council's opposition to Green Belt changes in Wrightington have been noted and will be borne in mind as the LDF is prepared.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                                  |
| ID               | 61                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr B Cameron   | Locheil Homes & Developments Ltd |
| Summary          | High percentage requirements for affordable housing will make schemes unviable at present. Landowners will not sell land at current low values. The Council's current land supply is unlikely to deliver 30% affordable housing. There is a site at Aughton that can deliver affordable housing now.                                                                                                                                                                                                                                                                                                            |                |                                  |
| Council response | Comments regarding current affordable housing viability issues are recognised and agreed. This policy is not site-specific, and the site in question is in the Green Belt and would not be supported under current Green Belt policy.                                                                                                                                                                                                                                                                                                                                                                           |                |                                  |
| ID               | 62                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr R J Kershaw |                                  |
| Summary          | Land exists at Segars Lane which would be more appropriately used for allotments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                                  |
| Council response | The land in question is within the Green Belt and allotments would be an appropriate use there.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |                                  |
| ID               | 63                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr G R Bridge  | McDyre & Company                 |
| Summary          | The policy does not appear to permit conversions within the rural settlements. Greenfield development should not be limited to 10 dwellings. Applications on e.g. DS3 land and large greenfield sites should not be refused solely on prematurity grounds. Employment sites should not all be excluded from residential development. Infill Green Belt development should be permitted.                                                                                                                                                                                                                         |                |                                  |
| Council response | Whilst it may not specifically state it, the policy does allow for conversions within the rural settlements. A limit of 10 dwellings on greenfield sites is considered appropriate to maintain high percentages of brownfield development. Applications for housing on DS3 land would not be refused solely on reasons of prematurity. While there is a shortage of employment land, it is considered appropriate to protect it. Any changes to this policy should be looked at through the LDF rather than the Interim Housing Policy. No change to Green Belt policy is considered appropriate at this point. |                |                                  |
| ID               | 64                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr M Maxwell   |                                  |
| Summary          | Infrastructure and access should be taken into account when assessing proposals for more development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                                  |
| Council response | Agreed that access and infrastructure should be taken into account when assessing development proposals. They have been taken into account in formulating this policy, and will be taken into account when assessing planning applications.                                                                                                                                                                                                                                                                                                                                                                     |                |                                  |
| ID               | 65                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr A Thompson  |                                  |
| Summary          | Percentage requirement should be higher in green field sites for affordable housing. There should be no limit of 10 on greenfield sites. Release of employment land and settlement extensions should also be considered.                                                                                                                                                                                                                                                                                                                                                                                        |                |                                  |
| Council response | Each case will be assessed on its merits, and more affordable housing could well be viable on greenfield sites. The limit of 10 on greenfield sites is considered appropriate to prevent major greenfield developments in less sustainable locations. It is not considered appropriate to release employment land when there is a shortage of it. Settlement extensions should be dealt with through the LDF if they are considered necessary.                                                                                                                                                                  |                |                                  |
| ID               | 66                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr H O'Hare    |                                  |
| Summary          | There is a lack of first time buyer homes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |                                  |
| Council response | Agreed - this is one reason for the affordable housing requirement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |                                  |
| ID               | 67                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | R F Hiscock    |                                  |
| Summary          | More affordable housing development central to Tarleton village is required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                  |
| Council response | It is agreed that there is a need for affordable housing in Tarleton, and close to the village centre would be a good location if there were a suitable site available.                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                                  |
| ID               | 68                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr S Barron    |                                  |
| Summary          | Broadly agree, however some land on the urban fringe (Policy DS4) needs considering for development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                                  |
| Council response | Changes to Policy DS4 are outside the scope of this interim housing policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                                  |

## Consultation Report - Q4: Any other general comments on the draft interim policy

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------|
| ID               | 69                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ms M S McKeown     |                |
| Summary          | Shortage of first time homes, i.e flats and houses. Affordable and relevant to current recession times and low employment figures.                                                                                                                                                                                                                                                                                                                                                                                                                              |                    |                |
| Council response |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                    |                |
| ID               | 70                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ms M Allchurch     |                |
| Summary          | Single storey houses should be provided for older people. Consideration should be made to convert redundant farm buildings into dwellings. Infill development should be controlled and well designed.                                                                                                                                                                                                                                                                                                                                                           |                    |                |
| Council response | It is agreed that appropriate accommodation for older people is needed. This will be tackled in our LDF. There is no change to Green Belt policy at present (with regard to conversion of redundant farm buildings). Infill development would be permitted in the settlements outlined in the policy, but not in the Green Belt. No change.                                                                                                                                                                                                                     |                    |                |
| ID               | 71                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr A Barron        |                |
| Summary          | I am very much in favour of limiting new-built developments to a maximum of 10 units. The Council may wish to reclassify some sites designated as Policy DS4 land as they have become eye-sores.                                                                                                                                                                                                                                                                                                                                                                |                    |                |
| Council response | Noted. If Policy DS4 land is to be reclassified, this should be done through the LDF process. No change.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                    |                |
| ID               | 72                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr & Mrs J W Smith |                |
| Summary          | Land at Guinea Hall Lane /Southport New Road, Banks (SHLAA site BA.19B) is being promoted for low cost /affordable housing.                                                                                                                                                                                                                                                                                                                                                                                                                                     |                    |                |
| Council response | Banks is included within the list of settlements for changes to housing policy, but there is no change to Policy DS4. under which this site is designated. The Interim Policy will not mention specific sites. No change.                                                                                                                                                                                                                                                                                                                                       |                    |                |
| ID               | 74                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr R Pickavance    |                |
| Summary          | A development of 10 units is not economic. Land Mr Pickavance owns in Rufford would be suitable for more residential development.                                                                                                                                                                                                                                                                                                                                                                                                                               |                    |                |
| Council response | Developments of 10 units and fewer have been delivered across the Borough over recent years. This policy is not site-specific. No change.                                                                                                                                                                                                                                                                                                                                                                                                                       |                    |                |
| ID               | 75                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ms E Price         |                |
| Summary          | Conversions of rural buildings should be limited to the footprint of existing buildings.<br>Housing for elderly and disabled people should be integrated into developments.<br>Efforts should be made to reduce the number of empty homes.<br>The "empty periods" for student homes need to be addressed.<br>Greenfield sites in built-up areas are important for amenity.                                                                                                                                                                                      |                    |                |
| Council response | Conversions are dealt with in supplementary guidance. It is appropriate to allow extensions in some cases.<br>Agreed that housing for the elderly and disabled needs to be provided. This will be further addressed in the LDF.<br>The number of empty homes is relatively low in West Lancashire, and the scope to reduce this number limited.<br>It is not obvious exactly how to address the issue of empty student properties.<br>Agreed that open space is an important asset. Important open space should be protected by other policies (e.g. EN8, SC1). |                    |                |
| ID               | 76                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr R Pickavance    |                |
| Summary          | General criticism                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                    |                |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                    |                |
| ID               | 77                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr A Hubbard       | National Trust |
| Summary          | Landscape character and heritage issues have not been referred to. These are set out as being important in regional and national policy. The interim policy could result in damage to landscape character and heritage.                                                                                                                                                                                                                                                                                                                                         |                    |                |
| Council response | Landscape character and heritage are addressed by other Local Plan policies. Local policy should not merely repeat regional and national policy. No change.                                                                                                                                                                                                                                                                                                                                                                                                     |                    |                |

## Consultation Report - Q4: Any other general comments on the draft interim policy

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                         |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------|
| ID               | 78                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr D Cheetham    | CPRE                    |
| Summary          | <p>Paragraph 6a is missing.<br/>         Conversions should not include extensions.<br/>         Housing for the elderly needs consideration and integration into developments.<br/>         Lifetime homes standards should be applied.<br/>         Greenfield development should not take place in Ormskirk, Burscough, Skelmersdale.<br/>         The number of empty homes needs to be reduced.</p>                                                                                                                                                                                                                                                                                   |                  |                         |
| Council response | <p>Paragraph 6 was incorrectly "numbered" - no wording has been missed out.<br/>         Conversions /extensions are not covered by the detail of the Interim Policy.<br/>         Accommodation for older people and Lifetime Homes are important considerations that need to be addressed through the LDF.<br/>         It is considered necessary for there to be some greenfield development permitted in the main settlements. Many greenfield sites are protected by other policies that would prevent housing (EN8, etc).<br/>         Occupying empty homes will obviously diminish housing needs, although the proportion of empty homes in West Lancashire is below average.</p> |                  |                         |
| ID               | 79                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr R Gee         | Gee Squared             |
| Summary          | <p>Greenfield development should not be promoted before appropriate brownfield development. The Tarleton Mill site has its own special circumstances and should be mentioned in the policy as a suitable housing site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                         |
| Council response | <p>It is agreed that brownfield development is preferable to greenfield. This policy is not site-specific and should not explicitly refer to Tarleton Mill.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                  |                         |
| ID               | 80                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr H O'Hare      |                         |
| Summary          | <p>More homes required for first time buyers</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |                         |
| Council response | <p>Agreed - this is one reason for the affordable housing requirement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                         |
| ID               | 81                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Ms J Macholc     | Lanashire Couny Council |
| Summary          | <p>The policy can have limited weight.<br/>         Housing levels and policy require careful monitoring.<br/>         Development in small settlements should be of an appropriately small scale in keeping with the settlements.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                         |
| Council response | <p>It is recognised that the policy can only have limited weight. It will be carefully monitored. It is not anticipated that significant developments will take place in small settlements as almost all appropriate sites in these settlements are small.</p>                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                         |
| ID               | 82                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr N MacFarlane  |                         |
| Summary          | <p>Policy fails to address ageing population, HMOs, low income families.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |                         |
| Council response | <p>These are all issues the Council is aware of and is seeking to address in the LDF.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                         |
| ID               | 83                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr & Mrs J Moore | Home owner              |
| Summary          | <p>Green spaces should not be developed.<br/>         Tarleton's needs should be assessed individually, and affordable housing there should be for local people, rather than meeting a general West Lancashire need.<br/>         Tarleton suffers from infrastructure problems, in particular traffic congestion, and this needs to be taken into account.</p>                                                                                                                                                                                                                                                                                                                            |                  |                         |
| Council response | <p>Green Spaces are protected by Policy EN8, which remains unchanged.<br/>         The Housing Needs Study has assessed Tarleton's needs individually. Agreed that local people should be offered affordable housing first.<br/>         The Council is aware of traffic and infrastructure issues in Tarleton and will take these into account in determining planning applications, and planning the future of Tarleton.</p>                                                                                                                                                                                                                                                             |                  |                         |
| ID               | 84                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr M Eland       | Home owner              |
| Summary          | <p>More starter homes required</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                         |
| Council response | <p>Agreed - this is one reason for the affordable housing requirement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                  |                         |
| ID               | 85                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr J O'Hare      | Home owner              |
| Summary          | <p>Affordable housing is needed to maintain the community</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                  |                         |
| Council response | <p>Comment agreed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                  |                         |
| ID               | 86                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr A Hutton      | Knowsley Estates        |
| Summary          | <p>Has doubts that the current proposed policy amendment will give the Council the required five year levels of housing supply and would suggest releasing Green Belt around Ormskirk/ Aughton</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |                         |
| Council response | <p>If Green Belt releases are proved to be necessary, these should be addressed through the LDF rather than the interim policy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |                         |

## Consultation Report - Q4: Any other general comments on the draft interim policy

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                    |                                      |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------------|
| ID               | 88                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr T Hatfield      | Sefton Council                       |
| Summary          | Sefton MBC are broadly supportive of the West Lancashire Interim Housing Policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |                                      |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                    |                                      |
| ID               | 90                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr & Mrs S Gawne   |                                      |
| Summary          | Haskayne does not have the required amenities to support any more development. Development should be sustainable and low carbon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |                                      |
| Council response | Haskayne has a small number of services and is considered sufficiently sustainable to permit a small amount of market housing. Agree that sustainable development should be a goal. No change.                                                                                                                                                                                                                                                                                                                                                                                                                  |                    |                                      |
| ID               | 91                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr G R Bridge      | McDyre & Company                     |
| Summary          | The policy does not appear to permit conversions within the rural settlements. Greenfield development should not be limited to 10 dwellings. Applications on e.g. DS3 land and large greenfield sites should not be refused solely on prematurity grounds. Employment sites should not all be excluded from residential development. Infill Green Belt development should be permitted.                                                                                                                                                                                                                         |                    |                                      |
| Council response | Whilst it may not specifically state it, the policy does allow for conversions within the rural settlements. A limit of 10 dwellings on greenfield sites is considered appropriate to maintain high percentages of brownfield development. Applications for housing on DS3 land would not be refused solely on reasons of prematurity. While there is a shortage of employment land, it is considered appropriate to protect it. Any changes to this policy should be looked at through the LDF rather than the Interim Housing Policy. No change to Green Belt policy is considered appropriate at this point. |                    |                                      |
| ID               | 92                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr & Mrs D Gregson |                                      |
| Summary          | Ormskirk and Aughton should not be treated as one settlement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                    |                                      |
| Council response | Whilst it is recognised that these two areas have some different characteristics, for the purposes of planning policy, it is considered appropriate to consider them together. No change.                                                                                                                                                                                                                                                                                                                                                                                                                       |                    |                                      |
| ID               | 93                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ms I Roberts       | Aughton Parish Council               |
| Summary          | There should be no change to Policy DS2. Most development should be on brownfield sites, with the use of small scale greenfield sites in hamlets or rural settlements only.                                                                                                                                                                                                                                                                                                                                                                                                                                     |                    |                                      |
| Council response | The Council agrees that there should be no change to Policy DS2. Development of some larger greenfield sites may be appropriate in places like Skelmersdale. Most greenfield sites above 10 units are protected by other policies. If monitoring shows too high a percentage of greenfield development, the Interim Policy will be reconsidered.                                                                                                                                                                                                                                                                |                    |                                      |
| ID               | 94                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr D Bond          | Halsall Parish Council               |
| Summary          | Halsall PC are broadly in favour of a limited relaxation of planning rules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                    |                                      |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                    |                                      |
| ID               | 95                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr D Green         |                                      |
| Summary          | Has the policy considered unoccupied properties?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |                                      |
| Council response | The proportion of empty properties in West Lancashire is below average. It is not considered that decreasing this proportion would have any significant effect on housing land supply, although consideration has been taken of empty properties in general terms when formulating policy.                                                                                                                                                                                                                                                                                                                      |                    |                                      |
| ID               | 96                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mr A Large         | Government Office for the North West |
| Summary          | GONW does not support the use of 'interim' policies which carry limited weight. The paragraph relating to densities seems vague.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |                                      |
| Council response | It is considered that an 'interim' policy, whilst not ideal, is the only feasible option open to the Council to maintain housing land supply in current circumstances. The paragraph referred to is part of the Adopted Policy DE1 and has been in place since 2006, and was saved via a GONW Direction in 2009.                                                                                                                                                                                                                                                                                                |                    |                                      |
| ID               | 97                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ms L Alder         | Highways Agency                      |
| Summary          | The Agency does not wish to raise any objections to this policy, subject to ongoing liaison between WLBC and the HA with regard to any residential development and the Strategic Road Network (principally the M58 and M6).                                                                                                                                                                                                                                                                                                                                                                                     |                    |                                      |
| Council response | Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                    |                                      |





**AGENDA ITEM: 6(9)**

**CABINET: 15 JUNE 2010**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
1 JULY 2010**

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**Report of: Executive Manager Housing and Property Maintenance Services**

**Relevant Portfolio Holder: Councillor Mrs V Hopley**

**Contact for further information: Mr R V Livermore (Extn. 5200)  
(E-mail: bob.livermore@westlancs.gov.uk)**

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**SUBJECT: THE REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN  
ENGLAND FROM APRIL 2010**

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RVL/BC/2.922cab  
3 June 2010

Borough wide interest

**1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to advise Members that the Regulatory Framework became effective, subject to the necessary Statutory Instrument being made by Government, on 1 April 2010.
- 1.2 To agree the process of agreeing the standards and any local offers with tenants.
- 1.3 Finally, to agree the monitoring arrangements that it wishes to put in place.

**2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the Executive Manager Housing and Property Maintenance Services be given delegated authority to commence discussions with tenants to agree how the Council will deliver its regulatory requirement.
- 2.2 That following this, a further report be brought back to agree the standards and any local offers, together with the governance arrangements.
- 2.3 That this report be referred to the Executive Overview and Scrutiny Committee and any comments be considered as part of the further report referred to in 2.2 above.

- 2.4 That the call in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1 July 2010.

## **RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

- 2.5 That the report be noted and any comments be considered as part of the further report referred to in 2.2 above.
- 

### **3.0 BACKGROUND**

- 3.1 The concept of social housing regulation was introduced by the Housing and Regeneration Act 2008.
- 3.2 The Government established the Tenant Services Authority (TSA) to be the domain regulator.
- 3.3 Regulation of Local Authorities and Arms Length Management Organisations (ALMOs) came into operation from 1 April 2010.
- 3.4 The TSA has carried out informal consultation into the way that it should regulate. In response to this a workshop was arranged for Tenants, Councillors and staff on 2 September 2009. The workshop informed the views that were sent to the TSA on 4 September 2009 (Appendix A) as part of the response to the discussion paper.
- 3.5 Following this, the TSA published a formal Consultation Paper that was considered by Cabinet, Executive Overview and Scrutiny Committee and the Tenant and Resident Forum in January and February 2010 (Appendix B).
- 3.6 After consideration the Council sent its response on 5 February 2010 (Appendix C).

### **4.0 CURRENT POSITION**

- 4.1 Following consultation the TSA issued the Regulatory Framework for Social Housing in England in March 2010 that came into effect from 1 April 2010 for Local Authorities and ALMOs.
- 4.2 The TSA want to ensure that regulation brings:
- (i) A fair deal for tenants
  - (ii) Protection for taxpayers and other funders of social housing
  - (iii) by a modern and effective regulator
- 4.3 There are 6 Standards introduced by the TSA, these are:
1. **Tenant Involvement and Empowerment**, which covers:



- (a) Customer Service, choice and complaints
  - (b) Involvement and Empowerment
  - (c) Understanding and responding to diverse needs of tenants
2. **Home**, which covers:
    - (a) quality of accommodation
    - (b) repairs and maintenance
  3. **Tenancy**, which covers:
    - (a) allocations
    - (b) rents
    - (c) tenure
  4. **Neighbourhood and Community**, which covers:
    - (a) neighbourhood management
    - (b) rents
    - (c) anti-social behaviour
  5. **Value for Money**
  6. **Governance and Financial Viability** – this standard, or part of this standard, does not apply to Local Authorities, which covers:
    - (a) Governance
    - (b) Financial viability
- 4.4 The 6 Standards are underpinned by 10 principles. These are:
1. ‘Co-regulation’ is the TSA’s approach – where they expect robust self-regulation by Boards and Councillors who govern the delivery of housing services, incorporating effective involvement, subject to a “backbone” of regulation by the TSA.
  2. We must meet the 6 Standards. The TSA are primarily concerned about outcomes for tenants, not detailed processes.
  3. We must engage meaningfully with our tenants and offer them opportunities to agree how services are delivered against the TSA Standards, which can be tailored to reflect local priorities.
  4. Every tenant matters. The TSA expects us to understand and respond to the particular needs of our tenants and to demonstrate how we have taken into account the needs of tenants across the 7 equality strands which consist of race, disability, sexual orientation, age, gender, religion or belief and gender identity. Plus taking into account the support needs of tenants.
  5. Good governance is a universal principle and is essential to the quality of service delivery, financial robustness and value for money.

6. Transparency, effective tenant scrutiny, and an element of independent validation are central to the co-regulatory framework. The Council must set out our service standards and report our performance to our tenants.
7. The TSA encourage effective forms of Independent validation, audit and benchmarking of performance to encourage us to improve continually and free the best from unnecessary red tape.
8. The TSA, for service delivery standards, will focus their resources and target on a risk based way and target the providers with the most challenging performance issues.
9. The TSA support the principle of sector-led improvement.
10. The TSA intend to expand the range of providers that own and manage social housing.

## **5.0 ISSUES**

- 5.1 The regulation criteria will require a significant amount of resources to be used to put the framework in place.
- 5.2 Work has already started to look at the Standards and to identify current levels of service delivery.
- 5.3 By October 2010 we must agree our approach to developing the Standards and any local offers and to have these agreed and in place by April 2011.
- 5.4 By October of each year (starting 2011) an Annual Report must be published looking at the performance in the previous financial year.
- 5.5 Good practice will be published in May 2010 where we can compare current practice with the best in class.
- 5.6 Equality Impact Assessment guidance will be released by the TSA in Spring 2010.
- 5.7 Providers with the greatest risk of failing TSA Standards will be published in June 2010.
- 5.8 I am therefore seeking a delegation by Cabinet to explore detailed discussions with tenants on how these matters can be taken forward to enable agreement to take place.
- 5.9 I intend to then report back to Cabinet on the agreement and the governance arrangements that will need to be put into place to ensure compliance.

## **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

6.1 Discussions have already taken place with tenants to indicate that in agreeing the Standards and our local offers, the Council will need to ensure that these are sustainable, otherwise it could lead to costly audits and inspections if these are not achievable. It is important that we agree standards that are acceptable and deliver quality services within the financial framework that exists.

6.2 The Community Strategy looks to improve the quality of housing for local people and therefore this work is broadly in line with this.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 The budget for 2010/11 includes £25k to support the work necessary in delivering this agenda.

7.2 Care needs to be taken that aspirational standards are not agreed without appreciating the additional costs associated with this so that the package of Standards and local offers are sustainable.

## **8.0 RISK ASSESSMENT**

8.1 The focus of staff and tenants needs to be directed towards this initiative. There is much to do and time constraints could be a major impediment to delivering this on time.

## **9.0 CONCLUSION**

9.1 The best way forward appears to be to delegate the negotiation with tenants to the Executive Manager Housing and Property Maintenance Services so that discussion can take place at the earliest opportunity and, that when agreement can be reached, the matter is taken back for Cabinet to consider.

9.2 If Members agree this approach I will arrange regular briefings for the Housing Portfolio Holder to ensure that agreement can be generally acceptable and sustainable.

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### **Background Documents**

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this report

### **Equality Impact Assessment**

There is no benefit in undertaking an Equality Impact Assessment at this stage. However, each standard and local offer will need to be considered with regard to Equality Impact Assessment and these undertaken where necessary.

### **Appendices**

Appendix A - Letter dated 4 September 2009 to TSA

Appendix B - Report to Cabinet 19 January 2010 and Executive Overview & Scrutiny  
Committee 4 February 2010

Appendix C - Letter dated 5 February 2010 to TSA



**Bob Livermore FCIH**  
**Executive Manager Housing and**  
**Property Maintenance Services Division**

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*Date:* 4th September 2009

*Your ref:*

*Our ref:* RVL/EH

*Please ask for:* R V Livermore

*Direct dial no:* 01695 585200

*Extension:* 5200

Amanda Newton  
National Conversation Project Manager  
Tenant Services Authority  
4th Floor  
One Piccadilly Gardens  
Manchester  
M1 1RG

Dear Amanda

I am responding to the TSA Discussion Paper on Building a new Regulatory Framework.

The Council have held a Workshop, as recommended by the TSA, and I attach a copy of this and the covering letter sent in support of this.

The National Conversation findings accord with the Council's experience of working with Tenants over a number of years.

Your approach to regulation is probably the only sensible way that this matter can move forward within the current paradigm. However, the Council believes fundamentally that this will allow a two tier approach whereby service enhancements will be restricted and Tenants will not be able to aspire to the same level of services dependent on their landlord.

The National Standards are of some concern as, from a Local Authority view point, resources have been agreed with Government on the level of performance monitoring and we would not wish to see these become more burdensome.

In regard to the issue of tenants with care and support needs, we do need to ensure that there is not duplication with the regulatory framework governing Social Services.

.....continued.....

With regard to the two tier arrangements you propose, under the current system we see no alternative but would prefer that there be a level financial base for all social landlords.

The intervention and enforcement powers will, in our opinion, lead to landlords being cautious about setting aspirational standards.

In shaping the standards the TSA need to avoid on size fitting all and allow tenants to decide between a range of options what is their priority.

In terms of tenant empowerment and involvement, we feel that the Tenant Compacts need to be further developed to encourage involvement but to ensure that all tenants are able to influence service delivery aspects without the need for active participation.

Tenancy Agreements can be decided between landlords and tenants and the TSA's role should be to have examples of good practice and a framework of essential and desirable areas that the Agreement would cover.

The Governance issues for a Local Authority are challenging. We feel that Tenants should be able to influence decisions and be consulted before decisions are made, however service delivery for a Local Authority is such that it is not always sensible to have a two tier system – one for Tenants and one for Citizens.

The Local Authority sector works closely with the Audit Commission and further regulation in this field would not be welcomed.

This Council is keen to encourage value for money and believes the Government's principles of Best Value should be used to inform the National Framework.

The Council would be concerned to see additional burden introduced by the TSA in terms of monitoring requirements.

The Council is concerned that any grading system should be fair and equitable. Unless the financial circumstances of each landlord is similar we do not see how this could be achieved without creating a system which potentially is partial.

The best way to incentivise great performance and best practice is to reduce fees for your service.

The approach to ensure standards are met seems to be wide and provided these are used proportionately, the Council is content with these powers.

The registration process seems to be overly burdensome and should be streamlined.

.....continued.....

Finally, there should be a stronger link between the level of fee paid and the consultation which is currently being carried out. The Council is concerned that aspirational consultation without knowing the costs involved is not helpful and could be resented in the longer term.

Yours sincerely



**R V LIVERMORE**  
**EXECUTIVE MANAGER**  
**HOUSING AND PROPERTY MAINTENANCE SERVICES**

***UK Council of  
the Year 2009/10***  
*(LGC Highly Commended)*

Chief Executive: William J. Taylor BA (Hons) M.Soc.Sc.F.C.I.P.D.  
Deputy Chief Executive: Les Abernethy BSc MCD MRTPI

***“Excellent”***  
*As rated by the  
Audit Commission*







**AGENDA ITEM:**

**CABINET:**  
**19<sup>th</sup> January 2010**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:**  
**4<sup>th</sup> February 2010**

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**Report of: Executive Manager Housing and Property Maintenance Services**

**Relevant Portfolio Holder: Councillor Mrs.V. Hopley**

**Contact for further information: Mr Bob Livermore (Extn. 5200 )**  
**(E-mail: bob.livermore@westlancs.gov.uk)**

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**SUBJECT: A NEW REGULATORY FRAMEWORK FOR SOCIAL HOUSING  
IN ENGLAND – A STATUTORY CONSULTATION**

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RVL/EH2909cabeo&s  
8<sup>th</sup> January 2010  
Borough-wide interest

**1.0 INTRODUCTION**

1.1 This report is to consider the Consultation Paper issued by the Tenant Services Authority (TSA) on a new regulatory framework for Social Housing in England and to decide how best to respond to this.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Executive Manager Housing and Property Maintenance Services, in consultation with the Portfolio Holder for Housing, respond to TSA after hearing the views and comments of Cabinet, Executive Overview and Scrutiny Committee, and the Tenant and Resident Forum.

2.2 That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4<sup>th</sup> February 2010.

**3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

3.1 That the Committee consider the report and agree comments to be taken into account by the Executive Manager Housing and Property Maintenance Services, when responding to the Consultation Paper issued by the TSA.

## **4.0 BACKGROUND AND PRINCIPLES TO SHAPE REGULATION**

- 4.1 The Government has established the TSA to be the domain regulator for social housing under the Housing and Regeneration Act 2008.
- 4.2 The TSA will commence its regulation for Local Authorities and Arms Length Management Organisations (ALMOs) from 1 April 2010.
- 4.3 The TSA have already carried out consultation in a discussion document. This formed the basis of a workshop for Members, Tenants and Officers.
- 4.4 Following the workshop the Council's comments were sent to the TSA (Appendix 1)
- 4.5 The TSA propose to use 10 principles to shape regulation, these are:
  - 4.5.1 National Standards will be established based on clear criteria.
  - 4.5.2 National Standard will be clear, succinct, based on outcome and avoid prescribed detailed processes.
  - 4.5.3 The National Standard Framework will require providers to agree local standards with their tenants for the areas of service that are relevant to them locally.
  - 4.5.4 Every tenant matters. We expect providers to understand and respond to the particular needs of their tenants and to demonstrate how they have taken into account the needs of tenants across the six diversity groups. The diversity groups consist of the following:
    - (a) ethnicity
    - (b) disability
    - (c) sexuality
    - (d) age
    - (e) gender
    - (f) religion/belief
  - 4.5.5 Promote transparency in reporting of performance by providers for tenants and Local Authorities (in their strategic role) in areas they operate.
  - 4.5.6 Good governance is a universal principle and is essential to the quality of service delivery, financial robustness and value for money.
  - 4.5.7 TSA wants to promote effective forms of independent validation, audit and benchmarking of performance to encourage providers to continually improve and free the best from unnecessary red tape.

- 4.5.8 For the national service delivery standards, the TSA will focus their resources in 2010/11 on identifying and addressing the worse performing providers, where tenants are being let down by their providers performance.
- 4.5.9 The standards framework must support the principle of sector-led improvement. Where problems are identified the provider will usually be offered an opportunity for speedy self-improvement.
- 4.5.10 Registration criteria should encourage new entry into the social housing sector consistent with TSA objectives in the Housing and Regeneration Act 2008.

## **5.0 CURRENT POSITION ON NATIONAL AND LOCAL STANDARDS**

- 5.1 Following the discussion document the TSA advise that there was broad reaffirmation by stakeholders of the proposed National Standards. The National Standards have been rationalised and are set out below:

### **5.1.1 Figure 1 – Proposals for national standards**

- A. Tenant Involvement and Empowerment
  - Involvement and empowerment
  - Customer service and choice
  - Equalities and diversity
  - Tenants with additional support needs
  - Complaints
- B. Home
  - Repairs and maintenance
  - Quality of accommodation
- C. Tenancy
  - Allocations
  - Rent
  - Tenure
- D. Neighbourhood and Community
  - Neighbourhood management
  - Local area co-operation
  - Anti-social behaviour
- E. Value for Money
  - Value for money
- F. Governance and Financial Viability\*
  - Governance
  - Financial viability

\* This standard does not apply to Local Authorities.

- 5.1.2 Landlords will be required to publish their plans for how they will develop local standards as soon as possible after 1/4/10 and by no later than 1/10/10. Local Standards will need to be in place 1/4/11.
- 5.1.3 The definition of “local” could mean a whole Local Authority area or it could be drilled down to neighbourhoods with different priorities and needs.
- 5.2 The TSA can issue Codes of Practice but they do not propose do so at the moment.

## **6.0 REGULATION OF LOCAL AUTHORITY PROVIDERS**

- 6.1 There are some differences in the sector between Registered Social Landlords (RSLs) and Local Authority providers. Whilst the TSA will regulate the financial affairs and governance arrangements of RSLs, the current arrangements of the Audit Commission overseeing the financial and governance issues of Local Authorities will continue.
- 6.2 The TSA are in discussions with the Local Government Association (LGA) to establish a Local Performance Framework. This is expected to include:
- (a) An annual report for tenants which will contain a self assessment against national and local standards.
  - (b) Accreditation Schemes and external validation where appropriate.
  - (c) National Indicator Set Data.
  - (d) Tenant feedback and resident petitions
  - (e) Cases reported to the Local Government Ombudsman where a determination is made.
  - (f) Outcomes reported by the Audit Commission’s CAA process.
- 6.3 The TSA will require information but have agreed with Government that this will be information already provided by Local Authorities for public reporting and internal management purposes.

## **7.0 PROPOSED TENANT INVOLVEMENT AND EMPOWERMENT STANDARD**

- 7.1 This Standard covers customer services and choice, tenant involvement and empowerment and complaints. This is complemented by cross cutting themes of equality and diversity and tenants with additional support needs.

- 7.2 The required outcomes are:

### **7.2.1 Customer service and choice**

Registered providers must design and deliver housing services that tenants can access easily. Tenants must be offered choices over the services they receive, and be treated with fairness and respect. In relation to all the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs.

Registered providers must understand their tenants' needs and use this information to:

- design and deliver housing services
- communicate with tenants

### **7.2.2 Involvement and empowerment**

Registered providers will offer all tenants opportunities to be involved in the management of their housing. This must include opportunities to:

- influence housing related policies and how housing related services are delivered
- be involved in scrutinising performance in delivering housing-related services registered providers must offer tenants support so they are more able to be effectively engaged, involved and empowered.

### **7.2.3 Responding to complaints**

Registered providers must have a clear and accessible policy. They must deal with tenants' complaints and any other feedback promptly, politely and fairly. The policy must include how they use complaints and other feedback to:

- change how they do things
- improve services

## **7.3 Specific requirements**

### **7.3.1 Customer service and choice**

7.3.1.1 Registered providers will be able to show they have arrangements for understanding their tenants, their views and needs so that in all the standards, they can use this information to:

- improve services
- offer choices in the services provided

7.3.1.2 For all the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs and incorporate choices that are designed to meet the diverse needs of their tenants.

7.3.1.3 Registered providers will provide tenants with accessible, comprehensive and timely information about:

- how tenants can access services
- the standards of housing services their tenants can expect
- how they are performing against those standards
- the service choices available to tenants

- any additional costs that are relevant to specific choices
- how tenants can communicate with them

### 7.3.2 Involvement and empowerment

7.3.2.1 Registered providers, having consulted their tenants, must have arrangements in place that support and enable tenants to be involved and empowered. Tenants must have the opportunity to:

- be involved in the management of their homes (including, for example, in relation to the repairs programme and choice of main contractors)
- influence their registered provider's strategic priorities
- measure and scrutinise how effective their registered provider's involvement and empowerment policy is

7.3.2.2 Registered providers must say how they will provide support to build tenants' capacity to be effectively engaged, involved and empowered.

7.3.2.3 Arrangements for involvement and empowerment must be clearly published and accessible for tenants.

7.3.2.4 Following consultation with their tenants, registered providers will establish by no later than 1 April 2011 local standards in those service areas where the TSA has indicated that its national standards should be tailored with local standards where tenants want them. Local standards should include commitments on:

- local standards for performance
- how performance will be monitored and reported to tenants
- how tenants can be involved in scrutinising performance
- what happens if local standards are not met
- arrangements for reviewing the local standards on an annual basis

7.3.2.5 Registered providers will consult their tenants about how many tenant members there should be on their governing bodies or service delivery committees. Registered providers will do this at least once every three years.

7.3.2.6 Registered providers will offer tenants a range of opportunities to scrutinise their performance. This applies to all standards.

7.3.2.7 When registered providers are required by law to consult tenants about changes to their constitution (for example, where there will be a change of registered provider), they should clearly and objectively set out the options, and the costs and benefits of the options.

7.3.2.8 Where registered providers intend to make a significant change in the arrangements for the management of their stock, they must consult their tenants.

7.3.2.9 Where registered providers have consulted tenants about the standards, they should feed back to tenants about how they have taken their views into account.

### 7.3.3 Responding to complaints

7.3.3.1 Registered providers will have an approach to complaints that is clear, simple and accessible to tenants and potential tenants. The approach should include:

- a range of ways for tenants to express a complaint
- details of what to do if they are unhappy with the outcome of a complaint

7.3.3.2 Registered providers will develop, agree and monitor service standards for complaints with tenants. Registered providers will make sure that complaints and any other feedback are managed and resolved promptly, politely and fairly.

7.3.3.3 Each year registered providers will publish information about:

- the number of complaints received
- the nature of the complaints
- the business area the complaints relate to
- the outcome of the complaints
- how they have changed the way they do things to improve services as a result of feedback

## 8.0 PROPOSALS FOR THE HOME STANDARD

8.1 The required outcomes are:

### 8.1.1 Quality of accommodation

Registered providers must ensure that all homes are warm, weatherproof and have modern facilities.

### 8.1.2 Repairs and maintenance

Registered providers must provide a cost-effective repairs and maintenance service that responds to the needs of, and offers choices to, tenants. They must meet all applicable statutory requirements that provide for the health and safety of tenants in their homes.

## 8.2 Specific requirements

### 8.2.1 Quality of accommodation

8.2.1.1 Registered providers must ensure tenants' homes either:

- meet the Decent Homes Standard set out in Section 5 of the Government's Decent Homes guidance\*,

or

- meet the standards of design and quality that applied when the home was first

built, and were required as a condition of publicly funded financial assistance\*\*, if these standards are higher than the Decent Homes Standard

8.2.1.2 Registered providers must meet the standard in 8.2.1.1 by 31 December 2010. They must continue to maintain their homes to this standard. The TSA may agree an extension to this date with the registered provider where it is reasonable.

8.2.1.3 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard. The local standard should be higher than the standard set out in 8.2.1.1. In developing local standards, registered providers must:

- have regard to Section 6 of the Government's Decent Homes guidance
- demonstrate how they have ensured that tenants' views have been taken into account

\* 'Decent Homes guidance' means A Decent Home: Definition and Guidance for Implementation, published by the Department for Communities and Local Government in June 2006, and any guidance issued by the Department or its successors, in relation to that document<sup>14</sup>.

\*\* 'Financial assistance' is defined in Section 19 (3) of the Housing and Regeneration Act, 2008. For the purpose of this standard it includes financial assistance provided by the Homes and Communities Agency's predecessor bodies.

## 8.2.2 Repairs and maintenance

8.2.2.1 Registered providers must have a repairs and maintenance service that:

- is cost effective
- has the objective of completing repairs and improvements 'right first time'
- has published standards that have been agreed with tenants for completing repairs and improvements
- offers tenants choice (for example about appointment times for carrying out repairs)

8.2.2.2 Registered providers must ensure a prudent, planned approach to repairs and maintenance. It should demonstrate an appropriate balance of planned and responsive repairs, and value for money. The approach should include:

- responsive repairs
- planned and capital work
- work to empty properties
- adaptations
- cyclical works
- communal areas as well as individual homes

8.2.2.3 Registered providers must comply with all applicable legislation and regulation that provide for the health and safety of the occupants of their homes.



8.2.2.4 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

8.2.2.5 Registered providers must provide tenants with clear information about:

- each other's responsibilities
- the progress of works

8.2.2.6 Registered providers must co-operate with relevant organisations to provide an adaptations service that meets tenants' needs.

## **9.0 PROPOSALS FOR A TENANCY STANDARD**

9.1 The required outcomes are:

### **9.1.1 Allocations**

Registered providers must let their homes in a fair, transparent and efficient way. They must take into account the housing needs and aspirations of tenants and potential tenants. They should demonstrate how their allocations processes:

- make the best use of available housing
- contribute to local authorities' strategic housing function and sustainable communities

There should be clear decision making and appeals processes.

### **9.1.2 Rents**

Registered providers will charge rents in accordance with the objectives and framework set out in the Government's direction to the TSA of November 2009.

### **9.1.3 Tenure**

Registered providers must offer and issue the most secure form of tenure compatible with:

- the purpose of the housing
- the sustainability of the community

They must meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements.

## **9.2 Specific requirements**

### **9.2.1 Allocations**

9.2.1.1 Registered providers will co-operate with local authorities' strategic housing function, and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements. Where in exceptional circumstances registered providers choose not to participate in choice-based lettings schemes in areas where they own homes, they justify their reasons for doing so publicly.

9.2.1.2 Registered providers will develop and deliver services to address under occupation and overcrowding in their homes, within the resources available to them. These services will meet the needs of their tenants, and will offer choices to them.

9.2.1.3 Registered providers will provide tenants wishing to move with access to clear and relevant advice about their housing options. They will participate in mobility schemes and mutual exchange schemes where these are available.

9.2.1.4 Registered providers will publish their allocations policies and outcomes, how this has made best use of available housing and contributed to sustainable communities. The published policies should include (where it applies) their participation in:

- common housing registers
- common allocations policies
- local lettings policies

Registered providers will clearly set out, and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.

9.2.1.5 Registered providers will develop and deliver allocations processes in a way which supports their effective use by the full range of actual and potential tenants, including those with support needs, those who do not speak English as a first language and others who have difficulties with written English.

9.2.1.6 Registered providers will work to make sure that the specific needs and aspirations of tenants and potential tenants with diverse needs are reflected in the choices available to them. This applies particularly to the development of local lettings policies.

9.2.1.7 Registered providers must minimise the time that properties are empty between each letting. When doing this, they must take into account the circumstances of the tenants who have been offered the properties.

9.2.1.8 Registered providers must record all lettings and sales in the Continuous Recording of Lettings system.

## 9.2.2 Rents

9.2.2.1 Registered providers will ensure they meet the following requirements which

derive from the Government's direction to the TSA of November 2009 and published within Directions to the Tenant Services Authority – summary of responses and Government response, November 2009, CLG.

9.2.2.2 Subject to paragraph 2.3, registered providers will set rents with a view to achieving the following as far as possible:

9.2.2.2.1 Rents conform with the pattern produced by the rent formula set out in Rent Influencing Regime guidance\* ('target rents') with a five per cent tolerance in individual rents (ten per cent for supported and sheltered housing) ('rent flexibility level') but subject to the maximum rent levels specified in that guidance ('rent caps').

9.2.2.2.2 Weekly rent for accommodation increases each year by an amount which is no more than RPI\*\* + 0.5% + £2 until it reaches the upper limit of the rent flexibility level or the rent cap, whichever is lower.

9.2.2.2.3 Weekly rent for accommodation which has reached or is above the upper limit of the rent flexibility increases each year by an amount which is no more than the increase to the target rents.

9.2.2.2.4 Rent caps increase annually by RPI + one per cent.

9.2.2.2.5 Target rents increase annually by RPI + 0.5%.

9.2.2.3 Where the application of the rents standard would cause registered providers to be unable to meet other standards, particularly in respect of financial viability including the risk that a reduction in overall rental income causes them to risk failing to meet existing commitments such as banking or other lending covenants, then the TSA may allow extensions to the period over which the requirements of the rent standard are met.

9.2.2.4 Registered providers must provide clear information to tenants that explains how their rent and any service charge is set, and how it is changed, including reference to the RPI benchmark to which annual changes to rents should be linked (except where rents are controlled under different legislation).

\* 'Rent Influencing Regime guidance' means the Rent Influencing Regime Guidance published by the Housing Corporation<sup>15</sup> in October 2001, and any guidance issued by the Housing Corporation or TSA, or its successors, in relation to that document.

\*\* 'RPI' means the general index of retail prices (for all items) published by the Office of National Statistics or, if that index is not published for any month, any substituted index or index figures published by that Office.

### 9.2.3 Tenure

9.2.3.1 Registered providers must publish clear and accessible policies which outline their

approach to tenancy management. They must develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions. The approach must set out how registered providers will make sure that the home continues to be occupied by the tenant they let the home to.

9.2.3.2 Registered providers must provide tenants with accessible, comprehensive and timely information about their responsibilities and tenants' responsibilities.

## 10.0 PROPOSALS FOR NEIGHBOURHOOD AND COMMUNITY STANDARDS

10.1 The required outcomes are:

### 10.1.1 Neighbourhood management

Registered providers will keep the common areas associated with the homes that they own clean and safe. To achieve this, they will work in partnership with:

- their tenants
- other providers and public bodies, where this is the most effective way of achieving this standard

### 10.1.2 Local area co-operation

Registered providers will co-operate with relevant partners to help promote social, environmental and economic well being in the areas where their properties are.

### 10.1.3 Anti-social behaviour

Registered providers must work in partnership with other public agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

## 10.2 Specific requirements

### 10.2.1 Neighbourhood management

10.2.1.1 Registered providers will consult with tenants in developing their policy for maintaining and improving the neighbourhoods associated with their homes.

This

applies where the registered provider has a responsibility for the condition of that neighbourhood. The policy must include any communal areas associated with the registered provider's homes. The registered provider must publish this policy.

10.2.1.2 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

### **10.2.2 Local area co-operation**

10.2.2.1 Registered providers, having taken account of their presence and impact within the areas where they have properties, will:

- identify and publish the roles they are able to play within the areas where they have properties
- co-operate with local strategic partnerships and local strategic housing authorities where they are able to assist them in achieving their objectives

### **10.2.3 Anti-social behaviour**

10.2.3.1 Registered providers will develop and deliver services which are effective in achieving the core commitments of the Respect Standard for Housing Management 17.

10.2.3.2 Registered providers will publish a policy on how they work with relevant partners to tackle anti-social behaviour in areas where they own properties.

10.2.3.3 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

## **11.0 PROPOSALS FOR A VALUE FOR MONEY STANDARD**

11.1 The required outcomes are:

### **11.1.1 Value for money**

In meeting all national standards and their local standards, registered providers have a comprehensive approach to managing their resources to provide cost-effective, efficient, quality services and homes to meet tenants' and potential tenants' needs.

### **11.2 Specific requirements**

#### **11.2.1 Value for money**

11.2.1.1 Registered providers, publish as part of their communications with their tenants, information on at least an annual basis that demonstrates:

- how they have allocated and prioritised expenditure on different areas of housing services covered by the national standards and their local standards and other priorities such as investment in the supply of new social housing
- how they have ensured that it has secured value for money in that expenditure, how they have tested this, and the benefits that tenants can expect their expectations for future value for money improvements and how they have taken into account in these expectations improvements arising from asset management, income management, and procurement policies.

11.2.1.2 Registered providers have arrangements for tenants to influence the services delivered and the cost of those services that result in service charges to tenants. Registered providers must ensure their tenants have the opportunity to agree a local standard (in line with the requirements of 7.3.2.4 of the Tenant Involvement and Empowerment standard).

11.2.1.3 Registered providers' governing bodies scrutinise the performance of the registered provider at least annually against this standard.

## **12.0 PROPOSALS FOR A GOVERNANCE AND FINANCIAL VIABILITY STANDARD**

12.1 The required outcomes are:

### **12.1.1 Governance**

Registered providers have effective governance arrangements that ensure that they have structures, systems and processes to deliver their aims, objectives and intended outcomes for tenants and potential tenants in an effective, transparent and accountable manner. Governance arrangements ensure they:

- adhere to all relevant legislation
- comply with their governing documents and all regulatory requirements
- are accountable to tenants, the TSA and relevant stakeholders
- safeguard tax payers' interests and the reputation of the sector

### **12.1.2 Financial viability**

Registered providers must manage their resources effectively to ensure their viability is maintained.

## **12.2 Specific requirements**

### **12.2.1 Governance**

12.2.1.1 Registered providers adopt and comply with an appropriate code of governance. They will give the reasons for their choice and explain areas of non-

compliance with their chosen code.

12.2.1.2 Registered providers must establish and maintain clear roles, responsibilities and accountabilities for their board, chair and chief executive. At least once a year, they must assess how effective these arrangements are in meeting the required outcomes above.

12.2.1.3 Registered providers submit an annual return, on an accurate and timely basis in a form determined by the TSA. This is currently the Regulatory and Statistical Return (and its successor the National Register of Social Housing).

12.2.1.4 Where a registered provider is within a wider group structure that is not regulated by the TSA, it will ensure with its parent that nothing in their relationship shall hinder the subsidiary's ability to meet all the national standards, and the TSA's effective regulation of performance against these standards.

### **12.2.2 Financial viability**

12.2.2.1 Registered providers ensure that:

- effective controls and procedures are in place to ensure security of assets and the proper use of public funds
- effective systems are in place to monitor and accurately report delivery of their plans
- the risks to delivery of financial plans are identified and effectively managed

12.2.2.2 Registered providers will ensure that they have a robust and prudent business planning and control framework. Through this framework they will ensure:

- there is access to sufficient liquidity at all times
- financial forecasts are based on appropriate and reasonable assumptions
- planning sufficiently considers the financial implications of risks to the delivery of plans
- they monitor, report on and comply with their funders' financial covenants

12.2.2.3 Registered providers will provide to the TSA:

- accurate and timely statutory and regulatory financial returns
- an annual report on any losses from fraudulent activity

## **13.0 EXPECTED OUTCOMES**

13.1 The TSA wish to improve service delivery to tenants and have a "tool kit" to achieve this which includes:

- (a) Promoting sector-led improvement and best practice
- (b) Monitoring performance
- (c) Co-regulation

- (d) Assessing compliance
- (e) Issuing of Annual Report – effective 1/7/11
- (f) Wider information requirements and submissions
- (g) Inspections
- (h) Complaints
- (i) Risk-based approach and regulatory activity
- (j) Publishing regulatory assessments
- (k) Use of formal regulatory enforcement powers

#### **14.0 MISCELLANEOUS**

- 14.1 The Consultation Paper which runs to 140 pages also seeks views on the registration and deregistration criteria.
- 14.2 There is no discussion about fees other than to say that there will be no charges until April 2011.

#### **15.0 PRINCIPLES FOR PROPOSED RESPONSE**

- 15.1 The TSA are clearly in a difficult position because of the different funding regimes for RSLs, ALMOs and Local Authorities.
- 15.2 This being the case there is little alternative but to specify the areas that should be covered e.g. the National Standards and to require providers to prioritise and shape services to meet local needs within the funding available.
- 15.3 Whilst I have some concerns that this could become a bureaucratic process overall I feel that under the circumstances this will create a dialogue on service delivery which will improve services and or give better value for money.
- 15.4 Dependent on the HRA settlement for 2010/11 it may be prudent to allow resources to support the work that will be necessary to ensure all local standards are in place by 1/4/11.
- 15.5 Fortunately, the work necessary to successfully install the replacement Housing Management Information Computer System will be of assistance and we have already engaged with Tenants on ways to improve outcomes for our customers.

#### **16.0 PROPOSALS**

- 16.1 Generally, the approach taken by the TSA is appropriate and should be supported, subject to views of Tenants and Members, which will be canvassed as part of this report.
- 16.2 I have some reservations about the costs that could be levied by the TSA and am disappointed that these do not form part of this Consultation. I propose to ask that fees be consulted upon at the appropriate time.

#### **17.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 17.1 There are no sustainability implications arising from this Consultation Paper.



17.2 The aims of the TSA in trying to improve services for Tenants is in accordance with the Community Strategy.

## **18.0 FINANCIAL AND RESOURCE IMPLICATIONS**

18.1 There are no direct financial issues arising from the Consultation for 2010/11 but please note the comments in 16.2 above because there will be changes for this service from 2011/12 onwards which , at this stage, are not specified.

18.2 Either new or refocused resources will need to be used to ensure we are compliant with agreeing local standards by 1/4/11.

18.3 I will allocate a small budget next year to help support the work that is necessary within the timescale specified.

## **19.0 RISK ASSESSMENT**

19.1 The biggest risk of delivering the requirements of the TSA will be the time demands and capability of tenants to participate.

19.2 This is an area that needs to be discussed with Tenants to see how we can encourage more Tenants to share the burden of this activity.

## **20.0 CONCLUSIONS**

20.1 Overall the TSA Consultation Paper should be supported and we should use this as a vehicle to have a dialogue with customers and to find ways to improve involvement and service delivery.

### **Background Documents**

A new regulatory framework for social housing in England – a statutory consultation issued by TSA.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

Appendix 1 – Letter dated 4<sup>th</sup> September to TSA





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*Date:* 5 February 2010

*Your ref:*

*Our ref:* RVL/EH

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Amanda Newton  
Statutory Consultation Project Manager  
Tenant Services Authority  
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Dear Amanda

I am writing to formally respond to the consultation on a New Regulatory Framework for Social Housing in England. This response has been considered by the Council's Tenant and Resident Forum, Executive Overview and Scrutiny Committee and approved by the Portfolio Holder for Housing, Councillor V. Hopley. I hope our responses to your questions are helpful in deciding the future shape of regulation for our sector.

**1. Does our approach to co-regulation as expressed through our ten principles seem a reasonable basis on which to develop the new framework from 1 April 2010?**

In the broadest terms West Lancashire Borough Council accepts that the criteria laid out in the consultation are a reasonable basis to develop the new framework. It must also be clearly stated, that the Council support the Local Government Association (LGA) request, that any regulatory framework will be in "total consistency" with the Local Performance Framework (LPF). We would also want to see a principle established which commits the TSA to ensuring that regulation, and the cost of that regulation, is kept to a minimum and that there is a demonstration of the cost benefits, to all stakeholders, of the regulatory framework in place. We would make the following observations:

- We agree that the methodology for developing National Standards should be based on clear criteria. Common expectations, as expressed through the National Conversation, are not necessarily a good or appropriate means of establishing national priorities.

We are concerned that the National Conversation itself was limited, with timescales inappropriate to this level of consultation, and results from this should be treated with a degree of caution.

- Whilst we accept that the TSA is obliged to comply with government directions, such directions may be perceived as being politically motivated towards achieving government objectives and may not accord with local requirements and local circumstances.
- To add to this the setting of criteria to enable the TSA to meet its objectives will, in effect, enable the TSA to set standards across the full range of landlord services. In doing so we have concerns, as outlined in the introduction to this letter that the role of the TSA may grow exponentially and have the effect of increasing the regulatory burden on local authorities.

There is a potential conflict between the setting of national standards and the agreement of local standards if residents do not wish to see a national standard applied locally. It would be helpful if the TSA could set out its view should such a situation arise.

Additionally, any standards must have regard to them being too aspirational and effectively undeliverable either in terms of cost or in terms of what is being required (for example if tenants do not want to be empowered but do want the landlord to concentrate efforts and available funds on delivering better services).

The requirement to publish an annual report on achievement against national and local standards within two months of the close of the financial year is extremely tight if you wish this to be produced and delivered within this timeframe and we would expect to publish any performance information in line with the corporate approach of the Council.

Principle VIII also needs to be expanded to identify the incremental nature of the development of the TSA regulatory role. The TSA will not be fully formed as a regulator at the 1<sup>st</sup> April and this needs to be acknowledged as does the consequences of this.

The use of external validation, whilst a useful tool, should not be mandatory and our view is that, given the likelihood of disparate local standards, this will be difficult to achieve in practice.

With regard to the intention to concentrate on poor performing providers we would query why this is a stated target for 2010-11 only? It would seem appropriate for the majority of the regulators resources to be concentrated on this area for a period of some years in line with the stated aim of intervention on a 'by exception' basis.<sup>1</sup> We would also expect any fee structure to be proportionate to the level of intervention.

**2. Does our approach to setting national and local standards appear reasonable for the requirements that will apply from 1 April 2010?**

We welcome the decision to reduce the number of proposed national standards from 14 to six and for the focus on local standards. We also welcome the decision not to issue any Codes of Practice and the assumption that circulars issued by the predecessor organisation, the Housing Corporation, will not be incorporated in the standards framework as such items work against the presumption of delivering a service to meet local needs and expectations.

We note that you are not proposing to prescribe the definition of the term local. Whilst we appreciate that such terms cannot be prescriptive there is a concern that too open ended or indeed a non definition could lead to demands for local standards where in effect it is not practical or in any way cost effective to set them (e.g. for a particular block or small estate). We would expect the TSA to take a common sense approach to such issues.

**3. Does it seem reasonable to extend the same approach to those providers owning fewer than 1,000 properties, taking into account their size and risk profile in a proportionate approach to compliance?**

We would support a proportionate response to providers owning fewer than 1,000 properties and would not expect the full breadth of standards to be applied.

**4. Do our proposals on how we will approach the regulation of local authorities appear reasonable?**

We welcome the TSA's statement that they wish to avoid unnecessary burdens. However, as stated above we are concerned that as drafted the regulatory framework proposed does not provide sufficient comfort that the TSA will support the LPF and be in conformity with the objectives of the LPF. The TSA has set out its intention to look at a range of performance data and require submission of annual reports. It is also noted that the Comprehensive Area Assessment (CAA) is the last in the listing of information that will be reviewed. It would be helpful if the TSA could explain the rationale for this.

We would wish to see the Memorandum of Understanding between the TSA and the LGA before commenting on the approach to the Local Performance Framework.

In responding to this point we must query some of the statements made in the consultation document. Paragraph 5.8 states that the TSA may refer issues to the Audit Commission 'Where we believe, on the basis of clear evidence, that financial management is not satisfactory...'. We would ask how the TSA expects to make such judgements, without the submission of any financial reporting data?

**5A. Does the proposed text for the Tenant Involvement and Empowerment standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct, and as outcome focused as possible?**

In regard to involvement and empowerment, West Lancashire Borough Council members have been undertaking this for many, many years and completely support the objective of involving and empowering residents **to the level of their choice**. It is important that this standard emphasises that, whilst it is important for the Council to ensure that the opportunities and support are available, involvement and empowerment should not be a requirement in itself. Residents' should be clear that receiving a high level of service should not be dependent upon their involvement. A high level of service should be provided anyway. In this respect perhaps there should be further consideration as to the language used here in terms of the tenant (and leaseholder) being a consumer and customer?

We also have some concern over the use of the word 'choice' in this standard. Within the financial constraints imposed upon local authorities the concept of any choice is severely limited in its application. If this is an attempt to allow residents a greater freedom to choose, for instance, the time and date of appointments then we agree with a move from strict adherence to repair times that do not accord with residents' wishes. However, the definition needs to be more clearly stated for the previously mentioned reason.

With regard to the issue of complaints, we broadly agree with the standard set other than where it requires the landlord service to differ from the corporate standards set as a local authority. Issues such as complaints apply across the range of services provided by a local authority and are monitored by existing arrangements. Given the stated objective of the TSA not to impose additional burdens on local authority landlords we do not believe this is an area where a national standard should be set.

**5B. Does the proposed text for the Home standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

Although we broadly agree with the standards as drafted we would welcome further clarification as to the use of the word 'choice' in terms of the provision of repairs and maintenance services (this is not we assume choice of contractor although tenants are involved in the selection of contractors through the tendering process).

Also in respect of 1.3 setting a local standard that is higher than the standard set out in 1.1 is laudable but dependent on resources being available to set and deliver against such a standard.

Future funding of Local Authorities still remains unclear and to meet National Standards of meeting the Decent Homes Standard may be dependent on decisions outside of the control of tenants or Local Authorities. Consideration needs to be given to this.

**5C. Does the proposed text for the Tenancy standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

The standards on rent and tenure are sufficient as drafted.

We broadly agree with the standard on Allocations but would have welcomed a drive towards a more consistent approach across registered providers, in their approach to working with local authorities as this produces the greatest difficulties in meeting identified housing need. The wording at 1.1 page 54 should also recognise (or it should be acknowledged in the preamble) that local authority landlords will already be co-operating with local authorities in meeting strategic housing objectives. As with 1.4 local authority landlords will also allocate as they are required to meet annual allocation plan requirements and in line with the Council's Allocation Scheme.

Additionally, greater emphasis on addressing the needs of vulnerable people would have been welcome.

**5D. Does the proposed text for the Neighbourhood and Community standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

The standards on neighbourhood management and local area co-operation are reasonable.

However, we would urge the TSA to acknowledge that local authority housing management services will already be co-operating with local strategic partnerships and if they are not this will be picked up in the LAA or CAA assessments. The TSA does not need to separately monitor this area for LA's outside these existing regulatory processes.

We agree with an approach which encourages plans for improving neighbourhoods as this is particularly important for Councils in their place making role.

However, it must be recognised that such activities need to be proportionate to the resources available and the challenges identified and that there are different ways of achieving this, i.e. a one size fits all approach is not appropriate.

With regard to the standard on anti-social behaviour we would refer to our comments in the introduction to this response concerning potential for the exponential growth of regulation. With its reference to the Respect Standard for Housing Management (and implicit acceptance of this standard becoming mandatory) this concern is demonstrated by expecting adherence to a very prescriptive standard. We would expect that the standard should be at a level higher than that drafted. We also understand that the Respect Standard is in the process of being re-drafted which makes it difficult to comment fully until the revised draft is available.

Paragraph 3.2 seems to be focused on registered providers rather than local authorities and therefore not in keeping with the principle of co-regulation. The different challenges facing both sectors is therefore not reflected in this standard.

We believe that this standard requires re-drafting to make it far more succinct and outcome focused than is the case at present.

**5E. Does the proposed text for the Value for Money standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

We are surprised that the TSA feels the need for such a standard when there is already sufficient requirement, related regulation and audit within the local authority sector to both achieve and demonstrate value for money.

This standard therefore should not apply to local authority landlords as it is duplication.



**5F. Does the proposed text for the Governance and Financial Viability standard:**

- **allow registered providers to choose how to conduct their business whilst ensuring the security of social housing assets for current and future tenants?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

We do not propose to comment on this standard as it does not apply to local authorities. We do note that again the TSA states that it will work closely with the Audit Commission if “any issues” arise in your work on service delivery regulation. We would urge the TSA to be mindful to not over stepping its responsibilities and becoming involved in areas of regulation which are not its responsibility and may foster duplication.

**6. Does our approach to monitoring and compliance against the standards and regulatory requirements seem a reasonable basis for ‘how’ we regulate in 2010-11?**

The stated approach to monitoring and compliance is broadly acceptable. We would expect the approach to monitoring and compliance to be proportionate and as stated above to continue to focus on service delivery issues in the poorest performing providers rather than the generality of providers.

However, we would make the following comments.

One consequence of setting non-prescriptive targets as part of the standards is that it may be difficult to compare performances between landlords as methods of delivery may be too diverse to allow for direct comparison.

**7. Does our approach to dealing with complaints seem reasonable?**

We agree that the approach to complaints as drafted appears to be broadly reasonable. There is the question of costs to the TSA, and potentially tenants, of investigating some forms of complaints. There could be a position taken that complaints of any form (other than where there is an immediate threat to life and limb) will only be investigated where internal complaints processes have been exhausted.

Additionally, the TSA will need to demonstrate to providers that they have the ability and skills to investigate such complaints. In this respect we also note that TSA staff roles and directorates are only just being established and that they need to be operational by the 1<sup>st</sup> of April?

**8. Is our general approach to using our formal regulatory and enforcement powers reasonable?**

Whilst we agree that the general approach to using the formal regulatory and enforcement powers is reasonable, we would raise a query over the power to direct a tender of the management service.

**9. Do our proposals for establishing registration and deregistration criteria seem reasonable?**

This section appears to be largely irrelevant to local authorities addressing, as it does, requirements about governance and financial viability over which the TSA has no remit for the local authority sector.

Given the restrictions on the ability of local authorities to raise private finance, we would, again, strongly urge the TSA to rescind the levying of registration fees on the local authority sector.

**10. Does our approach to issuing directions on Accounts and the Disposal Proceeds Fund seem reasonable?**

We do not propose to comment on this question as it does not apply to local authorities.

Yours sincerely



**R V LIVERMORE  
EXECUTIVE MANAGER  
HOUSING AND PROPERTY MAINTENANCE SERVICES**

***UK Council of  
the Year 2009/10  
(LGC Highly Commended)***

Chief Executive: William J. Taylor BA (Hons) M.Soc.Sc.F.C.I.P.D.  
Deputy Chief Executive: Les Abernethy BSc MCD MRTPI

***“Excellent”  
As rated by the  
Audit Commission***







**AGENDA ITEM: 6(10)**

**CABINET: 15 June 2010**

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**Report of: Executive Manager Housing and Property Maintenance Services**

**Relevant Portfolio Holder: Councillor I Ashcroft**

**Contact for further information: Mr P Adamson (Extn. 5241)  
(E-mail: paul.adamson@westlancs.gov.uk)**

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**SUBJECT: HEALTH AND SAFETY STRATEGIC PLAN 2010/12**

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RVL/PA/EH2.926cab  
26 May 2010

Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 This report updates Councillors on the progress made in relation to Health and Safety Strategic Plan.

**2.0 RECOMMENDATIONS**

- 2.1 That the Health and Safety Strategic Plan, attached as an appendix to the report, be approved.
- 2.2 That the current objectives and targets set out in the attached Plan be noted.
- 2.3 That Performance against the Health and Safety Strategic Plan be monitored by Member Updates on a 6 monthly basis.

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**3.0 BACKGROUND**

3.1 A Health and Safety improvement plan was formulated to meet the immediate requirements of HM Inspector of Health and Safety as set out in the recommendations in reports dated March 2000 and 26th September 2001. The plan was designed following the guidance set out in HSG 65 and BS 8800, to set specific, measurable and realistic objectives for developing, maintaining and improving pro-active Health and Safety management systems across all the Council's activities.

- 3.2 The Council has committed considerable time and resource towards the implementation of the original improvement plan which resulted in the initial objectives being met within the timescales set.
- 3.3 The Health and Safety improvement plan has developed in to a realistic and achievable Health and Safety action plan which is regularly monitored by the Corporate Management Board (CMB) and the Councils Health and Safety committee.
- 3.4 The day to day management of Health and Safety has now become accepted as part of the management function and as such the time is right to take a more strategic approach to planning with the introduction of a formal Health and Safety Strategic Plan.
- 3.5 The Health and Safety Strategy has at its heart the concepts of sensible Health and Safety. Being “risk aware, not risk averse” is built into the Council’s whole approach to managing risk in all aspects of its service provision. Sensible Health and Safety awareness is key in ensuring that managers can deliver on their service priorities whilst ensuring the risks are managed in a sensible, proportionate and legal way.
- 3.6 The strategy supports the implementation of the Corporate Health and Safety Policy. It provides the direction for improvement of health and safety performance across all areas of the Council’s activities. Divisions will include, within their own departmental Health and Safety Plans, their contribution to meeting this Strategy.
- 3.7 The aims of the strategy is to deliver improvements to the capacity for the Council to handle risk effectively and produce a performance management framework that will enable it to demonstrate improvements made in the management of health and safety and the contribution that it makes to the overall handling of risk and achieving of outcomes.

#### **4.0 HEALTH AND SAFTY IMPROVEMENT PLAN POSITION STATEMENT MAY 2010**

- 4.1 Attached to this report is the Health and Safety Strategic Plan outlining a wide range of challenging Health and Safety initiatives.
- 4.2 The Health and Safety Strategic Plan has six strategic occupational health and safety objectives:
  - i. To build “Sensible Health and Safety” in to the Council’s health and safety culture;
  - ii. To ensure that the Council is a “learning” organisation by improving the way health and safety incidents are recorded, investigated and how lessons learnt from internal and external organisations are communicated;
  - iii. To improve the way that health and safety performance is measured and monitored;

- iv. To develop leadership skills for managers that improves health and safety performance;
- v. To ensure that all people involved in delivery of the Council services have the appropriate levels of competency to address their health and safety responsibilities;
- vi. To ensure that where the Council contracts out work to other organisations or works in partnership with other organisations the occupational health and safety risks are properly and satisfactorily addressed.

## **5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 5.1 The Health and Safety Strategic Plan is sustainable in accordance with the Community Strategy.

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 The success of the Health and Safety Strategic Plan is dependent upon allocating sufficient resources to this work area.
- 6.2 The Health and Safety Strategic Plan identifies continued Health and Safety training needs which are currently being provided in-house by the temporary Health and Safety Officer at considerable cost savings compared to the use of external providers.

## **7.0 RISK ASSESSMENT**

- 7.1 The implementation of the Health and Safety Strategic Plan reinforces the Council's commitment to provide a safe and healthy working environment for its employees and significantly reduces the risk of future Health and Safety related enforcement action by external bodies.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

Appendix 1 - Health and Safety Strategic Plan





**WEST LANCASHIRE BOROUGH COUNCIL  
OCCUPATIONAL HEALTH AND SAFETY  
STRATEGIC PLAN 2010/2012**

**Appendix 1**

**West Lancashire Borough Council strategy**

This Health and Safety Strategy has at its heart the concepts of Sensible Health and Safety. Being “risk aware, not risk averse” is built into the Council’s whole approach to managing risk in all aspects of its service provision. Sensible Health and Safety awareness will be key in ensuring that managers can deliver on their service priorities whilst ensuring the risks are managed in a sensible, proportionate and legal way.

This strategy supports the implementation of the Corporate Health and Safety Policy. It provides the direction for improvement of health and safety performance across all areas of the Council’s activities. Divisions will include, within their own departmental Health and Safety Plans, their contribution to meeting this Strategy.

The aims of this strategy are to deliver improvements to the capacity for the Council to handle risk effectively and produce a performance management framework that will enable it to demonstrate improvements made in the management of health and safety and the contribution that it makes to the overall handling of risk and achieving of outcomes.

**2009-2011 Strategic Occupational Health and Safety Objectives**

1. To build “Sensible Health and Safety” in to the Council’s health and safety culture;
2. To ensure that the Council is a “learning” organisation by improving the way health and safety incidents are recorded, investigated and how lessons learnt from internal and external organisations are communicated.;
3. To improve the way that health and safety performance is measured and monitored;
4. To develop leadership skills for managers that improves health and safety performance;
5. To ensure that all people involved in delivery of the Council services have the appropriate levels of competency to address their health and safety responsibilities;
6. To ensure that where the Council contracts out work to other organisations or works in partnership with other organisations the occupational health and safety risks are properly and satisfactorily addressed.

**Strategic Objective 1:** To build "Sensible Health and Safety" in to the Council's health and safety culture.

| <b>Key Result 1:</b>                                                                             |                                                                                                              | To raise the awareness of what sensible health and safety consists of.                                                                                                                                                |                                                                                                                                                                                                  |  |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Target</b>                                                                                    | <b>Required Action</b>                                                                                       | <b>Current Actions</b>                                                                                                                                                                                                | <b>Progress Against Plan</b>                                                                                                                                                                     |  |
| Provide all managers with targeted health and safety training relating to divisional activities. | Establish a list of divisional activities and produce a training matrix for managers                         | Send training needs questionnaire to Divisional Managers requesting identification of training requirements.<br><br>Corporate wide training to begin June 2010 covering areas identified by existing risk assessments |                                                                                                                                                                                                  |  |
| Produce a quarterly H&S newsletter for staff                                                     | Obtain sufficient relevant material from internal and external sources for inclusion in the newsletters.     | Articles for the newsletters being sourced.<br><br>Requests being sent to Divisional Managers for specific topics for the newsletter.                                                                                 | A health and Safety Newsletter has been produced in the past but publication has been sporadic it is intended to establish specific publication dates with defined topic areas for each quarter. |  |
| Produce bi-annual H&S awareness campaign                                                         | Consult with divisional managers and the various health and safety committees with regard to campaign topics | Request to be sent to Divisional Managers requesting item to be placed on Divisional H&S meeting agendas.<br><br>Specific request for topic suggestions to be sent to Divisional Managers.                            | Asbestos awareness campaign about to be launched mid June 2010                                                                                                                                   |  |
| Keep the H&S Gateway Intranet site relevant and up to date.                                      | Ensure that all documentation is current and that subject areas are meeting users needs.                     | Request for feedback to be sent to Divisional Managers.                                                                                                                                                               | This is an ongoing task                                                                                                                                                                          |  |

|                                                                                                            |                                                                                                                                                                                         |                                                                                         |                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Key Result 2:</b>                                                                                       | To ensure that adequate safety management systems are implemented at all levels within the organisation and that all parts of the organisation are meeting their statutory obligations. |                                                                                         |                                                                                                                                                                        |
| <b>Target</b>                                                                                              | <b>Required Action</b>                                                                                                                                                                  | <b>Current Actions</b>                                                                  | <b>Progress Against Plan</b>                                                                                                                                           |
| Implement H&S training programme based on training needs analysis.                                         | Evaluate training needs analysis and formulate training programme based on result                                                                                                       | Developing H&S management training programme.                                           | Health and Safety training prospectus to be issued early June 2010                                                                                                     |
| Annual self assessment programme to be in place with targeted detailed audits                              | Refine the H&S management self assessment programme.<br><br>Set programme of detailed audits based on the results of the self assessment findings                                       | Self assessment audit questionnaires to be sent to Divisional Managers for distribution | Compliance Manager database management system implimented                                                                                                              |
| Ensure that all Council H&S related documentation is available electronically to all staff                 | Convert existing H&S documentation to electronic format                                                                                                                                 | Risk assessment conversion in progress.                                                 | The majority of guidance notes, policies, codes of practice and information sheets have been converted and are available. Risk assessments still need to be converted. |
| Implement a help system for managers which is accessible at all times.                                     | Develop an online help system for managers with specific response times for enquiries not adequately covered by the online data.                                                        | Implement a FAQ index<br>Implement an email response system.                            |                                                                                                                                                                        |
| <b>Key Result 3:</b>                                                                                       | Ensure all appropriate staff receives information, instruction and training in health and safety procedures.                                                                            |                                                                                         |                                                                                                                                                                        |
| <b>Target</b>                                                                                              | <b>Required Action</b>                                                                                                                                                                  | <b>Current Actions</b>                                                                  | <b>Progress Against Plan</b>                                                                                                                                           |
| Introduce compulsory focused health and safety risk management training for line managers and supervisors. | Develop short focused courses that can be delivered in 2 hour sessions.                                                                                                                 | Short course programme being developed by H&S Officer for delivery in June 2010         |                                                                                                                                                                        |
| <b>Key Result 4:</b>                                                                                       | Review current legislation and or any research to ensure policies/procedures are up to date.                                                                                            |                                                                                         |                                                                                                                                                                        |
| <b>Target</b>                                                                                              | <b>Required Action</b>                                                                                                                                                                  | <b>Current Actions</b>                                                                  | <b>Progress Against Plan</b>                                                                                                                                           |
| Programme of rolling reviews to be introduced to include consultation with managers and employee           | Introduce time table of review and circulate to interested parties with specific deadlines for comment.                                                                                 | Health & Safety Policy under review<br><br>Fire Safety Policy under review              | Review timetable being formulated                                                                                                                                      |

|                                                                                    |                                                                                                      |                                                                           |                                                                              |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|------------------------------------------------------------------------------|
| representatives.                                                                   |                                                                                                      |                                                                           |                                                                              |
| <b>Key Result 5:</b>                                                               | Ensure the effective use of risk assessments and they reflect best practice.                         |                                                                           |                                                                              |
| <b>Target</b>                                                                      | <b>Required Action</b>                                                                               | <b>Current Actions</b>                                                    | <b>Progress Against Plan</b>                                                 |
| Introduce a managers risk assessment pack                                          | Timetable training programme to compliment the introduction of a manager's guide to risk assessment. | Risk assessment pack being prepared.                                      |                                                                              |
| <b>Key Result 6:</b>                                                               | Review all generic risk assessments contained in the Risk Assessment Policy.                         |                                                                           |                                                                              |
| <b>Target</b>                                                                      | <b>Required Action</b>                                                                               | <b>Current Actions</b>                                                    | <b>Progress Against Plan</b>                                                 |
| Ensure staff are aware of appropriate documentation and how to use it              | Compile a user friendly document suitable for all staff within the organisation                      | Guide being prepared                                                      |                                                                              |
| <b>Key Result 7:</b>                                                               | Maintain a programme of in-house communication for health and safety.                                |                                                                           |                                                                              |
| <b>Target</b>                                                                      | <b>Required Action</b>                                                                               | <b>Current Actions</b>                                                    | <b>Progress Against Plan</b>                                                 |
| Increase awareness for staff of health and safety gateway intranet web-pages.      | Use Staff induction process, team briefing and various divisional committee meetings.                |                                                                           |                                                                              |
| Quarterly newsletter                                                               | Produce electronic and hard copy versions to reach all staff.                                        | The newsletter is being produced in both hard copy and electronic version | Although publication is sporadic the newsletter is published in dual format. |
| Ensure all Health and safety Committee members communicate with appropriate staff. | Re enforce the need to cascade information to all staff.                                             | H&S committee constitution is being reviewed.                             | Constitution ready for consultation process                                  |

**Strategic Objective 2:** To ensure that the Council is a “learning” organisation by improving the way health and safety incidents are recorded, investigated and how lessons learnt from internal and external organisations are communicated.

|                                                             |                                                                                                                                                                                                                                                       |                                                                                                                                     |                              |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| <b>Key Result 8:</b>                                        | To provide improved ways to enable staff to report any safety related incidents to their manager, improve the number of incidents investigated and improve the quality of the investigations undertaken.                                              |                                                                                                                                     |                              |
| <b>Target</b>                                               | <b>Required Action</b>                                                                                                                                                                                                                                | <b>Current Actions</b>                                                                                                              | <b>Progress Against Plan</b> |
| All managers and supervisor to receive appropriate training | Compile a priority list of high risk work areas and implement training based on high to low rating.                                                                                                                                                   | Request being sent to Divisional Manager for nominations to attend training<br><br>List being compiled of priority work activities. |                              |
| <b>Key Result 9:</b>                                        | To develop ways in which any useful lessons learnt either from other divisions or external organisations are communicated to managers within a division and to other divisions so that the maximum value is obtained and safety performance improved. |                                                                                                                                     |                              |
| <b>Target</b>                                               | <b>Required Action</b>                                                                                                                                                                                                                                | <b>Current Actions</b>                                                                                                              | <b>Progress Against Plan</b> |
| Establish regular email alerts to managers                  | Identify specific risk groups.<br>Develop format for delivery                                                                                                                                                                                         | Email H&S “mail shot” being developed                                                                                               |                              |
| Include on all H&S meeting agendas and team briefings       | Develop relevant safety alert format                                                                                                                                                                                                                  | Email H&S “mail shot” being developed                                                                                               |                              |

**Strategic Objective 3:** To improve the way that health and safety performance is measured and monitored.

| <b>Key Result 10:</b>                                          |                                                                                                                           | To identify key areas of health and safety performance.                                                                                                             |                                                                                                     |  |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--|
| <b>Target</b>                                                  | <b>Required Action</b>                                                                                                    | <b>Current Actions</b>                                                                                                                                              | <b>Progress Against Plan</b>                                                                        |  |
| Sensible and easily understood presentation of data            | Produce statistical information in a useful and meaningful format                                                         | Statistical presentation being reviewed.                                                                                                                            |                                                                                                     |  |
| Target areas of activity based on perceived risk for audit     | Establish a programme of effective risk assessment audits                                                                 | Format of audit under consideration to replace current system.                                                                                                      |                                                                                                     |  |
| Development of employee H&S training matrix                    | Extend the current training needs analysis programme to include all employees                                             | Competence assessments underway, starting with senior managers.                                                                                                     |                                                                                                     |  |
| <b>Key Result 11:</b>                                          |                                                                                                                           | To identify the most effective and meaningful data, both reactive and proactive                                                                                     |                                                                                                     |  |
| <b>Target</b>                                                  | <b>Required Action</b>                                                                                                    | <b>Current Actions</b>                                                                                                                                              | <b>Progress Against Plan</b>                                                                        |  |
| To develop a predictive model from accident and incident data  | Carry out deep analysis and further investigation of accident and incident reports received.                              | The H&S management database needs to be updated<br><br>Accident form being revised<br><br>Accident / incident investigation training to be implemented for managers |                                                                                                     |  |
| <b>Key Result 12:</b>                                          |                                                                                                                           | To measure the performance.                                                                                                                                         |                                                                                                     |  |
| <b>Target</b>                                                  | <b>Required Action</b>                                                                                                    | <b>Current Actions</b>                                                                                                                                              | <b>Progress Against Plan</b>                                                                        |  |
| Establish benchmarks for both internal and external monitoring | Gather information from divisions and external organisations of a similar nature in order to establish realistic targets. | Information gathering in progress                                                                                                                                   | Working with Lancashire Local Authorities Safety Group to develop a common approach to benchmarking |  |

|                                                                                                                            |                                                                                                                                                                     |                                                                                                                                      |                                      |
|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>Key Result 13:</b>                                                                                                      | To ensure that the data is used as part of the planning process to improve health and safety performance further.                                                   |                                                                                                                                      |                                      |
| <b>Target</b>                                                                                                              | <b>Required Action</b>                                                                                                                                              | <b>Current Actions</b>                                                                                                               | <b>Progress Against Plan</b>         |
| Active database of potential risks related to work activity/project categories.                                            | Further refine and develop the data gathering and analysis procedures.                                                                                              |                                                                                                                                      |                                      |
| <b>Key Result 14:</b>                                                                                                      | To develop a consistent approach to auditing within and across divisions, focusing on those key areas that influence improvements in health and safety performance. |                                                                                                                                      |                                      |
| <b>Target</b>                                                                                                              | <b>Required Action</b>                                                                                                                                              | <b>Current Actions</b>                                                                                                               | <b>Progress Against Plan</b>         |
| Introduce an intranet based audit system that can be used by managers and supervisors either via a PC or hand held device. | Evaluate available systems and consider possibility of developing an in-house system                                                                                | PC based audit system introduced and accessed via the internet.<br>Electronic form based system being considered for use by managers | Currently being used by the H&S Unit |
| <b>Key Result 15:</b>                                                                                                      | To measure the safety management systems adopted at all levels of the Council against the HSE's Successful Health and Safety Management Guidance HSG 65.            |                                                                                                                                      |                                      |
| <b>Target</b>                                                                                                              | <b>Required Action</b>                                                                                                                                              | <b>Current Actions</b>                                                                                                               | <b>Progress Against Plan</b>         |
| Audit system faithfully follows HSG 65 taking into account the specific needs of the council                               | Evaluate the current system to ensure the HSG 65 model is being adopted                                                                                             | WLBC audit system being compared to HSG 65                                                                                           |                                      |
| <b>Key Result 16:</b>                                                                                                      | As part of a "learning organisation" to establish effective benchmarking with other similar organisations where appropriate.                                        |                                                                                                                                      |                                      |
| <b>Target</b>                                                                                                              | <b>Required Action</b>                                                                                                                                              | <b>Current Actions</b>                                                                                                               | <b>Progress Against Plan</b>         |
| Introduce common benchmark criteria that will compare like with like                                                       | Gather data from other similar organisations as to how performance comparisons are made                                                                             | As in Key Result 12                                                                                                                  | As in Key Result 12                  |

**Strategic Objective 4:** To develop leadership skills for managers that improves health and safety performance.

|                                                                                                   |                                                                                                                                                                                                                                                                                                |                                                                                |                                                             |
|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------|
| <b>Key Result 17:</b>                                                                             | To identify what good leadership in health and safety looks like, and, working with trainers and lead managers, communicate this to managers as part of the leadership competencies drive.                                                                                                     |                                                                                |                                                             |
| <b>Target</b>                                                                                     | <b>Required Action</b>                                                                                                                                                                                                                                                                         | <b>Current Actions</b>                                                         | <b>Progress Against Plan</b>                                |
| Development of a Health and Safety Competency framework base on Knowledge, skills and experience. | Use the IOSH guide "Setting standards in health and safety<br><br>Raising performance through training and competence development" to establish current position                                                                                                                               | Job descriptions required from divisional managers                             | Computer based competency manager introduced and being used |
| <b>Key Result 18:</b>                                                                             | Ensure that health and safety leadership skills and actions are developed for senior managers who operate at a strategic and policy level, for middle managers who operate at a planning and objective setting level and managers who operate at the service delivery or implementation level. |                                                                                |                                                             |
| <b>Target</b>                                                                                     | <b>Required Action</b>                                                                                                                                                                                                                                                                         | <b>Current Actions</b>                                                         | <b>Progress Against Plan</b>                                |
| All managers and supervisors to receive training                                                  | Complete IOSH accreditation for the Managing safely course.                                                                                                                                                                                                                                    | Courses need to be re started after delay due to fire safety risk assessments. | IOSH accreditation received for Working Safely Course       |



**Strategic Objective 5:** To ensure that all people involved in delivery of the Council services have the appropriate levels of competency to address their health and safety responsibilities.

|                                                                                                                                                                   |                                                                                                                                                                                                                                                                                       |                                                                                |                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Key Result 19:</b>                                                                                                                                             | To ensure that all individuals, including elected members, senior managers, employees, volunteers and contractors/partners who help deliver the services have the level of competency to complete their role safely without causing unnecessary risk to others who could be affected. |                                                                                |                                                               |
| <b>Target</b>                                                                                                                                                     | <b>Required Action</b>                                                                                                                                                                                                                                                                | <b>Current Actions</b>                                                         | <b>Progress Against Plan</b>                                  |
| All staff to receive appropriate training in order to raise their level of competency.                                                                            | Corporate H&S training programme to be refined to meet competency needs.                                                                                                                                                                                                              | Training matrix being developed                                                | PC based competency management system introduced.             |
| All elected members to be offered training as suggested in the IOSH guide "Think about health and Safety, What elected members of local authorities need to know" | Member training programme to be established re H&S                                                                                                                                                                                                                                    | Request being made to HR to include H&S in annual appraisal                    | Member briefing given in March.                               |
| <b>Key Result 20:</b>                                                                                                                                             | To ensure that any training or development necessary to achieve this is identified, quantified, planned and resourced to ensure that success in this aim is delivered.                                                                                                                |                                                                                |                                                               |
| <b>Target</b>                                                                                                                                                     | <b>Required Action</b>                                                                                                                                                                                                                                                                | <b>Current Actions</b>                                                         | <b>Progress Against Plan</b>                                  |
| Effective and efficient H&S training programme in place                                                                                                           | Corporate H&S training programme to be developed for next 2/3 years with projected costs for both internal and external training providers.                                                                                                                                           | Training needs analysis being carried out.<br><br>Initial course list compiled | Health and Safety Training prospectus to be release June 2010 |

**Strategic Objective 6:** To ensure that where the Council contracts out work to other organisations or works in partnership with other organisations the occupational health and safety risks are properly and satisfactorily addressed.

|                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                 |                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|------------------------------|
| <b>Key Result 21:</b>                                                                                                                                                                                                          | To ensure that where the Council supports activities undertaken by others, consideration of the adequacy of health and safety arrangements will be part of the process in selecting projects to support.                                                                                                                                                                                                                                                 |                                                                                 |                              |
| <b>Target</b>                                                                                                                                                                                                                  | <b>Required Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Current Actions</b>                                                          | <b>Progress Against Plan</b> |
| Pre tender health and safety checks                                                                                                                                                                                            | All contractors/organisations who carry out work for or on behalf of the council will have been subjected to rigorous H&S check prior to engagement                                                                                                                                                                                                                                                                                                      | Engagement and control of contractor's procedures to be examined and evaluated. |                              |
| <b>Key Result 22:</b>                                                                                                                                                                                                          | To ensure that all work undertaken by or on behalf of the Council (or where activities are led or supported by the Council) that these are undertaken with appropriate levels of health and safety built in. The Council will need to ensure that all contract and partnership documentation adequately addresses health and safety performance and suitable monitoring arrangements are established to ensure the level of performance required is met. |                                                                                 |                              |
| <b>Target</b>                                                                                                                                                                                                                  | <b>Required Action</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Current Actions</b>                                                          | <b>Progress Against Plan</b> |
| The Council ensure that all contract and partnership documentation adequately addresses health and safety performance and suitable monitoring arrangements are established to ensure the level of performance required is met. | Enforce the requirements of the council policy on the control of contractors<br><br>Increase the number of site inspections, particularly on projects where a CDM co-ordinator has been appointed.                                                                                                                                                                                                                                                       |                                                                                 |                              |



**AGENDA ITEM: 6(11)**

**CABINET: 15 June 2010**

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**Report of: Executive Manager Housing & Property Maintenance Services**

**Relevant Portfolio Holder: Councillor Mrs V Hopley**

**Contact for further information: Laura Gee (Extn 5196) or John Ryding (Extn 5022)**  
(E-mail: [laura.gee@westlancs.gov.uk](mailto:laura.gee@westlancs.gov.uk)) /  
[john.ryding@westlancs.gov.uk](mailto:john.ryding@westlancs.gov.uk))

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**SUBJECT: DISABLED FACILITIES GRANTS REVIEW**

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LG/BC/EH2.925cab  
26 May 2010

Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To seek the approval of Members to offering the above service to home owners in a manner which should reduce costs both in terms of the cost of the building work itself and the cost of Officer time in administering the process.

**2.0 RECOMMENDATIONS**

2.1 That a pilot arrangement be put in place, until 30<sup>th</sup> April 2012, whereby the tendered schedule of rates for disabled facilities construction work applicable to Council owned dwellings also be used for non-Council owned dwellings in accordance with the content of this report.

2.2 That a further report on the pilot be considered by Cabinet during 2011 to recommend the way forward when the pilot arrangements terminate.

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**3.0 BACKGROUND**

3.1 The Council has an involvement with the provision of disability adaptations to dwellings both in respect of properties, which it owns (i.e. Council dwellings which are tenanted) and properties, which are owned by others (i.e. owner occupiers, tenants in the private housing sector and tenants of Housing Associations). Whilst the construction work to these two categories of dwellings

(Council owned and non-Council owned) is the same, the way the work has been ordered and administered has been different for the two respective categories.

- 3.2 In respect of Council owned dwellings, a contract was let in 2008 within an end-date of the 30<sup>th</sup> April 2012. The contract involves a standard schedule of rates, which is used to price jobs and has resulted in economically priced schemes since the inception of the contract.
- 3.3 The value of work awarded under this contract during 2009/10 was in the region of £650,000.
- 3.4 Disabled facilities construction work to non-Council owned dwellings has, historically, been dealt with in accordance with the following. The work is means-tested and where a grant is awarded the Council offers a contracts management service to the property owner. This involves obtaining three quotations and recommending to the property owner the acceptance of the most suitable quotation. In this instance the contract is between the property owner and the successful contractor. The Council generally acting in a contract supervisory capacity thereby ensuring the work is undertaken properly and that payments are properly certified.
- 3.5 This approach, for non-Council owned properties, involves substantially more administrative work as each scheme is regarded as a separate project requiring its own unique quotation exercise rather than the use of some comprehensive pre-tendered schedule of rates. This is not considered to be the best use of resources.

#### **4.0 PROPOSALS**

- 4.1 The use of a pre-tendered comprehensive schedule of rates is considered to provide economically priced construction work with a minimum of administrative "process". It is, therefore, proposed that this approach is extended, on a pilot basis, to disabled facilities construction work to non-Council owned dwellings.
- 4.2 The single contractor who now carries out this work to Council dwellings has the capacity to undertake the work to the non Council owned dwellings also. The standard of work provided by this contractor is satisfactory and the contractor is willing to participate in the proposed pilot exercise. Therefore, there are no pragmatic obstacles to the implementation of this pilot.
- 4.3 As the contract for disabled adaptation construction work to non Council owned dwellings is between the contractor and the dwelling owner the involvement of the Council's Contract Procedure Rules does not come into consideration. What is important is that by tendering the work (albeit when it was only intended for Council owned dwellings) the Council can demonstrate that the schedule of rates was the result of a competitive exercise, which produced economic and competitive prices.
- 4.4 It is proposed that the pilot should run until the 30<sup>th</sup> April 2012. This means that in July 2011 (i.e. when the pilot has been operating for around one year) a decision will have to be taken as to how this work will be contracted in future. If

the pilot has been successful then a single contract could be re-tendered. That single contract would embrace the disabled facilities construction work to both Council-owned and non-Council owned dwellings and would produce a priced schedule of rates to be used in the resulting contract, which would run from the 1<sup>st</sup> May 2012. If it was felt that the pilot had not been successful then separate arrangements could be made for the disabled facilities construction work to Council owned and non-Council owned dwellings, respectively, from the 1<sup>st</sup> May 2012. This could involve any appropriate alternative arrangements, including a reversion to the historic systems, as described previously in this report (i.e. a priced schedule of rates for the Council owned dwellings and a separate quotation exercise for each respective scheme to a non-Council owned dwelling).

## **5.0 FINANCIAL RESOURCE IMPLICATIONS**

5.1 The adoption of the recommendations contained in this report should result in more efficient use of Council resources.

5.2 It is anticipated that for 2010/11 the approximately values for the disabled facilities construction work will be: -

|                             |       |
|-----------------------------|-------|
| Council owned Dwellings     | £470k |
| Non-Council owned Dwellings | £430k |
|                             | ————— |
| Total                       | £900k |
|                             | ————— |

## **6.0 SUSTAINABILITY AND COMMUNITY STRATEGY IMPLICATIONS**

6.1 The recommendations in this report should result in Grant Applications being more efficiently dealt with which would be to the benefit of the local community.

## **7.0 RISK IMPLICATIONS**

7.1 The proposals contained in this report should provide economies of scale in undertaking the appropriate construction work, therefore, if the proposals are not adopted those economies of scale will be lost.

## **8.0 CONCLUSION**

8.1 By operating the Disabled Facilities Construction Work Grants system for non-Council owned dwellings in the same way as those for Council owned dwellings should provide a more efficient and economic method of working.

### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

None.



**AGENDA ITEM: 6(12)**

**COUNCIL: 19 May 2010**

**CABINET: 15 June 2010**

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**Report of: Council Secretary and Solicitor**

**Relevant Portfolio Holder: Councillor I Grant**

**Contact for further information: Mrs J Denning (Extn. 5384)**  
**(E-mail: [jacky.denning@westlancs.gov.uk](mailto:jacky.denning@westlancs.gov.uk))**

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**SUBJECT: PETITION SCHEME**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To adopt a 'Petition Scheme' as required by the Local Democracy, Economic Development and Construction Act 2009.

**2.0 RECOMMENDATIONS TO COUNCIL AND CABINET**

2.1 That the 'Petitions Scheme' detailed in the Appendix to the report be approved and brought into effect on 15 June 2010.

2.2 That the 'Petitions Scheme' be published on the Council's website in accordance with the legislation and incorporated in the Constitution.

2.3 That the Council Secretary and Solicitor, in consultation with the Leader, be given delegated responsibility to make any minor amendments to the scheme.

2.4 That the Council Secretary and Solicitor prepare a yearly update to Council in July, providing details of petitions received under the scheme and the steps taken to respond.

2.5 That the Council Secretary and Solicitor and the Assistant Chief Executive, in consultation with the Leader, be authorised to investigate options available and take all necessary steps to implement the e-petitions facility by 15 December 2010.

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### **3.0 REQUIREMENT FOR A PETITION SCHEME**

3.1 The Local Democracy, Economic Development and Construction Act 2009 requires every local authority, from 15 June 2010, to have adopted a 'Petition Scheme' which sets out how it will handle petitions, and by 15 December 2010 every local authority must have an on-line petition facility, under which any one may set up a petition on the Council's website, and other petitioners may 'sign up' to the petition on-line. The statutory guidance to support the petitions duty can be found on the Communities and Local Government website.

3.2 The 'Petition Scheme':

- (a) Must be approved by a meeting of the full Council
- (b) Must be published on the Council's website and by any other appropriate method
- (c) Can be revised at any time subject to 3.2 (a) and (b)
- (d) Must be complied with as adopted.

3.3 The minimum requirements of the scheme are as follows:

- (a) Anyone who lives, works or studies in the area, including under 18s, can sign or organise a petition and trigger a response
- (b) A facility for making electronic petitions is provided
- (c) Petitions must be acknowledged within a specified period
- (d) The following steps must be included amongst the list of options listed in the scheme:
  - (i) taking the action requested in the petition
  - (ii) considering the petition at a meeting of the authority
  - (iii) holding a public meeting
  - (iv) commissioning research
  - (v) providing a written response to the petition organiser with the Council's views on the request
  - (vi) refer to an overview and scrutiny committee
- (e) petitions with a specified number of signatures trigger a debate of full council. The Act states a maximum of 5% of the population which is 5470 in West Lancashire. The number set in the attached scheme is 1500 which is the same number included in the model scheme provided in the Statutory Guidance, that number is based on a population of 150,000. It is for Council to decide the actual number should Members feel that the level is either too high or too low.



- (f) petitions with a specified number of signatures can request a senior local government officer to give evidence at an overview and scrutiny committee (number to be specified by Council and the request must only relate to the officer's job function). The number set in the attached scheme is 750 which is the same number included in the model scheme provided in the Statutory Guidance. It is for Council to decide the actual number should Members feel that the level is either too high or too low.

Officers to include:

- (i) Statutory Chief Officers (Monitoring Officer and Section 151 Officer)
- (ii) Non-Statutory Chief Officers (Other Divisional Managers)
- (iii) The Head of Paid Service (Chief Executive)

The Guidance advises that this could be another more appropriate officer for the purposes of addressing the concerns raised in the petition.

- 3.4 The Guidance advises that the requirements listed above are the minimum set by the 2009 Act, however Local Authorities are encouraged to consider designing a scheme which is wider than these requirements.

Examples given in the Guidance which have been included in the attached scheme are:

- (a) responding to petitions from those who do not live, work or study in the area
- (b) e-petitions which are not made through the authority

- 3.5 Section 18 of the 2009 Act clarifies that local authorities can include other information which they consider to be appropriate in their petition scheme. Examples given in the Guidance which have been included in the attached scheme are how petitions will be dealt with which:

- (a) do not qualify under the scheme
- (b) apply to the functions of another principal authority, particularly in areas with two tiers of local government

- 3.6 Once published the Council must comply with its petition scheme but it can be revised subject to Council approval.

#### **4.0 DESIGNING A PETITION**

- 4.1 When designing a petition scheme, Council's are expected to:

- Take into account local circumstances to ensure that the scheme is locally appropriate
- Ensure that the scheme is accessible for all
- Ensure that the process is easy for citizens to use

## **5.0 EXCLUDED MATTERS**

5.1 Excluded matters include petitions which are:

- vexatious, abusive or otherwise inappropriate
- made under other enactments
- matters excluded by order, e.g. Planning & licensing issues and matters where an individual or entity has a right to review or right of appeal

## **6.0 PETITION REVIEWS**

6.1 If a petition organiser is not satisfied with the way the Council has dealt with a petition, then he/she has the power to ask an overview and scrutiny committee to review the response i.e. the steps taken.

## **7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

7.1 Petitions are another method to enable local people to raise concerns with the Council providing a feedback mechanism for the community and improving access for all.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

8.1 Under the new burdens principles, central Government will meet the costs of the new burdens associated with the petitions duty.

8.2 It is expected that the national cost to the public sector of responding to local petitions will be approximately £4.7 million per year, decreasing over time. These costs arise from increased work for council officers, time at council meetings and overview and scrutiny committees, and set up costs for e-petitions.

8.3 Local authorities are each to receive a grant for 2010/11. This amount will vary by local authority dependent on the local population. It is expected that funding for future years will be incorporated into the revenue support grant. Details of the exact amount to be received by West Lancashire are not known yet.

8.4 Implementation of the scheme will be monitored and any significant increase in workloads will be reported as appropriate.

## **9.0 RISK ASSESSMENT**

9.1 The Council is required to comply with Sections 10 to 22 of the Local Democracy, Economic Development and Construction Act 2009 and the DCLG Statutory Guidance on Handling Petitions.

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## **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

## **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups as the new rules on petitions are intended to enable public access to the decision-making process of the authority and as such contribute towards open and inclusive governance.

## **Appendices**

Petition Scheme





## PETITION SCHEME

A petition is one way in which you can let the Council know your concerns.

### **1.0 What is a petition?**

1.1 A petition is any communication which is signed by 10 or more people either on paper or in electronic format. There are no restrictions on who can submit or sign a petition. For details of the e-Petition scheme, see paragraph 8 below.

### **2.0 What should a petition contain?**

#### **2.1 A clear statement of your concerns**

This must relate to something which is the responsibility of this Council. Where a petition relates to a matter over which the authority has no responsibility or influence, we will return the petition to the petition organiser with an explanation for that decision. Where a petition relates to a matter which is within the responsibility of another public authority (e.g. Lancashire County Council), we will ask the petition organiser whether s/he would like us to redirect the petition to that other authority.

#### **2.2 A statement of what action you would like the Council to take**

What would you like the Council to do?

#### **2.3 The name and contact details of the "petition-organiser"**

Or someone to whom you would like any correspondence about the petition to be sent. Contact details may be either a postal address or an Email address.

#### **2.4 The names of at least 10 petitioners**

This can include the petition organiser. Where the petition is in paper form, this must include the full name, postal address and actual signature from each petitioner. Where the petition is in electronic form, this must include the full name, postal address and e-mail address of each petitioner. A 'Petition for Debate' and a 'Petition to hold an Officer to Account' will need to contain a higher number of petitioners (see paragraphs 5.2 and 5.3).

### **3.0 Who should you send the petition to?**

3.1 Paper petitions should be sent to:

Member Services  
Legal, Democracy & Financial Management Division  
West Lancashire Borough Council

52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Or alternatively you can electronically scan your petition and e-mail it to [member.services@westlancs.gov.uk](mailto:member.services@westlancs.gov.uk)

3.2 Member Services will ensure that an acknowledgement is sent to the 'petition organiser' within 5 working days, that relevant details are entered on the Council's website and that the website is regularly up-dated with information on the progress of the petition. Member Services can also provide advice about how to petition the Council and the progress of a petition, at the postal and e-mail addresses above or by telephone at 01695 585384.

#### **4.0 What steps can the Council take to deal with my petition?**

How we deal with a petition depends on which type of petition you submit. Steps that may be taken, in consultation with the relevant Cabinet Portfolio Holder, include:

- Take the action requested
- Give a written response setting out the Council's views about the request
- Refer to the relevant overview and scrutiny committee
- Refer to Cabinet (executive functions)
- Consider at a meeting of the Council
- Hold an inquiry
- Undertake research
- Hold a public meeting
- Hold a consultation
- Hold a meeting with petitioners
- Call a referendum

#### **5.0 Types of petition**

##### **5.1 'Active Petition'**

For a petition to be 'active' it must meet the criteria in paragraph 2 above. When a petition is received by Member Services it will be circulated to the relevant Divisional Manager(s), the relevant Cabinet Member(s) and relevant Ward Councillors. The relevant Divisional Manager(s), in consultation with the relevant Cabinet Member(s) will consider what steps should be taken to deal with the petition request and advise Member Services accordingly.

Member Services will write to the 'petition organiser' within 15 working days of receipt to advise on what steps the Council will take to deal with your petition, copies of the formal response will also be sent to the relevant Cabinet Member(s) and the relevant Ward Councillors.

In the period immediately before an election or referendum we may need to deal with your petition differently and if this is the case we will explain the reasons and discuss the revised timescale that will apply. If a petition does not follow the

guidelines set out, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

## 5.2 'Petition for Debate'

If you want your petition to be reported to and debated at a meeting of the Council, it must meet the criteria in paragraph 2 above and must contain at least 1,500 signatories/petitioners. The petition must not be a 'Petition to Hold an Officer to Account' identified in paragraph 5.3 below.

Member Services will write to the 'petition organiser' within 15 working days of receipt to notify him/her at what meeting of the Council the petition will be debated. Copies of the notice will also be sent to the relevant Divisional Manager(s), relevant Cabinet Member(s) and relevant Ward Councillors. The 'petition organiser' or his/her nominee, will be given three minutes to present the petition at the meeting if they so wish, it will then be open to all Councillors to debate. Petitions will not be submitted to Annual Council or Extraordinary meetings.

## 5.3 'Petition to Hold an Officer to Account'

If you want your petition to be considered at a meeting of the Executive Overview and Scrutiny Committee, where an officer as specified in the next paragraph, identified either by name or by post title, will be required to answer questions on a particular matter, your petition must meet the criteria in paragraph 2 above and must contain at least 750 signatories/petitioners.

The Council has determined that such petitions must only relate to the Chief Executive, a Divisional Manager or the Treasurer. Please note that petitions raised in this category must relate to something for which the officer is responsible as part of their job. In some instances another more appropriate officer may give evidence to the Committee. The relevant Portfolio Holder could also be in attendance at the meeting to answer questions.

Member Services will write to the 'petition organiser' within 10 working days of receipt to notify him/her of the time, date and place of the Committee, copies of the notice will also be sent to the relevant Divisional Manager(s), relevant Cabinet Member(s) and relevant Ward Councillors. The 'petition organiser' will be advised that any questions from signatories/petitioners should be submitted to the Chairman, via Member Services, by 12 noon on the Monday of the week of the meeting. Councillors will be able to ask questions at the meeting. With the permission of the Chairman the 'petition organiser' and relevant Ward Councillors may be allowed to address the committee under usual procedures.

The Committee may decide to refer the matter for investigation and report back, or to refer it to a meeting of Council, Cabinet or a Committee of the Council for determination. Any report or recommendations from the Committee will be sent to the 'petition organiser' and the website will be updated accordingly.

#### 5.4 Duplicate Petitions

Where more than one petition is received each supporting the same outcome on one matter, the petitions will be combined and the 'petition organiser' of the first petition received will be the person invited to address any relevant meetings.

#### 5.5 Repeat Petitions

Petitions received within 6 months of another petition being considered by the Council on the same matter will not normally be considered.

#### 5.6 Rejected Petitions

Petitions will not be taken forward if they are rude, offensive, defamatory, scurrilous or time wasting, or if they do not relate to something which is the responsibility of the Council, or to something over which the Council has some influence.

### **6.0 How will I know what stage my petition is at?**

Information on petitions and up-to-date information on what stage your petition is at will be available on the Council's website or alternatively you can contact Member Services (contact details at paragraph 3).

The website will give details of:

- When the petition was received
- The subject matter of the petition
- Date of receipt
- Number of signatories/petitioners
- The petition organiser's name and contact details, if s/he so requests
- The Council's decision, once the petition has been considered

### **7.0 What petitions are not included in this scheme?**

#### 7.1 Planning and Licensing Decisions

Any matters relating to a licensing decision or a planning decision are excluded from the scheme unless the petition consists of an allegation that a function for which the Council is responsible has not been discharged or there has been a systematic failing.

#### 7.2 Appeals

Any matter relating to an individual or entity that has a right of review or appeal under any other enactment is excluded from the scheme unless the petition consists of an allegation that a function for which the Council is responsible has not been discharged or there has been a systematic failing. This exclusion does not include any right to complain to the Local Government Ombudsman.

#### 7.3 Consultation Petitions

Where petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal the petition will be referred to the



relevant officer dealing with that consultation and Member Services will notify the 'petition organiser' accordingly.

#### 7.4 Statutory Petitions

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly elected Mayor which are not included in the scheme and are subject to other statutory provisions. However, a petition which has been submitted but does not meet those statutory provisions of the relevant Act (e.g. Not enough signatures) will be considered under this scheme.

#### 7.5 Vexatious, abusive or inappropriate petitions

Petitions that are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.

### 8.0 **E-Petition**

From 15 December 2010 people will be able to create, submit and sign petitions through the Council website. E-petitions will follow the same guidelines as paper petitions as detailed above. The 'petition organiser' will need to provide their name, postal address and email address. S/he will also need to decide how long the petition should be open for signatures. Six months would probably be sufficient, but a shorter or longer timeframe can be chosen, up to a maximum of 12 months.

Once you have created your online petition, you will then submit it. When you submit an e-petition, it may take up to 5 working days before it is published online before other people can sign it. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you to explain. You will then be given 15 working days to change and resubmit your petition if you wish. After these 15 working days, if you do not resubmit, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to Member Services and will be dealt with in the same way as a paper petition as detailed above. However, the 'petition organiser' will be contacted via e-mail and copies will also be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

### 9.0 **How do I 'sign' an e-petition?**

From 15 December 2010 any e-petitions available for signature will be available on the website. Petitioners will be asked to provide their name, postcode and a valid email address. When this information is submitted an email will be sent to the email address provided. This email will include a link which must be clicked on in order to confirm the email address is valid. Once this step is complete the petitioners 'signature' will be added to the petition. People visiting the e-petition

will be able to see the petitioner's name in the list of those who have signed it but their contact details will not be visible.

#### **10. What can I do if I feel my petition has not been dealt with properly?**

If you feel that we have not dealt with your petition properly, the 'petition organiser' has the right to request, within 20 working days of being notified of the Council's decision on the petition, that the Executive Overview and Scrutiny Committee review the steps that the Council has taken in response to the petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

On receipt of the review request, Member Services will write to the 'petition organiser' within 5 working days to notify him/her of the time, date and place of the Committee, copies will also be sent to relevant Divisional Manager(s), relevant Cabinet Member(s) and relevant Ward Councillors. Councillors will be able to ask questions at the meeting. With the permission of the Chairman the 'petition organiser' may be allowed to address the committee under usual procedures on why s/he considers that the authority's decision on the petition is inadequate.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting.

At that meeting, the Committee may decide either that the petition was dealt with adequately or it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Cabinet or if appropriate arranging for the matter to be considered at a meeting of the full council.

Once the appeal has been considered the 'petition organiser' will be informed of the results within 5 working days. The results of the review will also be published on our website.

Gill Rowe  
Council Secretary & Solicitor  
11 May 2010

(Note: Any significant amendments to this scheme will be subject to Cabinet/Council approval.)



**AGENDA ITEM: 6(13)**

**CABINET: 15 June 2010**

**COUNCIL: 21 July 2010**

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**Report of: Council Secretary and Solicitor**

**(Relevant Portfolio Holder: Councillor I Grant)**

**Contact for further information: Mrs G L Rowe/Mr G Martin (Extn. 5004/5065 )**  
**(E-mail: [gill.rowe@westlancs.gov.uk](mailto:gill.rowe@westlancs.gov.uk)**  
**or : [gary.martin@westlancs.gov.uk](mailto:gary.martin@westlancs.gov.uk) )**

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**SUBJECT: CHANGES TO EXECUTIVE ARRANGEMENTS**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To outline the implications of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) in relation to the Council changing its governance arrangements, and to seek approval to the process of consulting on a preferred governance option, in accordance with its provisions.

**2.0 RECOMMENDATIONS TO CABINET AND COUNCIL**

- 2.1 That the Council's preferred governance model be confirmed, subject to the outcome of the consultation, to be to move to the "Leader and Cabinet Executive (England) model" for the reasons outlined in Section 6 of this report;
- 2.2 That consultation on the Council's future governance arrangements should be undertaken as outlined in paragraphs 7.4 and 7.5 of this report.
- 2.3 That a report on the outcome or the consultation be submitted to Council at its meeting on 20 October 2010.
- 

**3.0 BACKGROUND**

3.1 Part 2 of the Local Government Act 2000 (the 2000 Act) introduced a new decision-making framework, which required the majority of local authorities to put in place executive arrangements involving the creation and operation of one of three different forms of executive. The Council subsequently considered the options and opted to undertake a consultation exercise seeking views on a proposal to introduce a "Leader and Cabinet " form of executive arrangements. The majority of those responding supported the Council's proposals.

- 3.2 The “Leader and Cabinet” model started to operate on 15 May 2002, and has continued since that time.
- 3.3 The 2007 Act came into force on 30 December 2007 and its effect is to amend the provisions of the 2000 Act, and to compel local authorities to adopt one of two new governance models - either a ‘new style’ Leader and Cabinet executive or a Mayor and Cabinet executive.
- 3.4 In terms of governance arrangements, ‘no change’ is not an option for the Council. Whilst the ‘new style’ Leader and Cabinet executive is very similar to that currently in operation within West Lancashire, the Council must pass a resolution to move to one of the two models outlined. The decision on which of the two models to adopt must be taken prior to **31 December 2010**, following a consultation period. The new model is to come into effect on the third day after the ordinary election of councillors in May 2011.

#### **4.0 LEADER AND CABINET EXECUTIVE (ENGLAND) MODEL**

- 4.1 The features of the Leader and Cabinet model are very similar to those currently being operated by the Council, in that the Council would appoint a Leader for a term of office. However, whereas the term is currently annual, the 2007 Act now requires that the Leader of the Council would be appointed until the Annual Meeting after a Leader’s normal day of retirement as a Councillor.
- 4.2 The 2007 Act therefore provides for a Leader to remain in office for four years or for the remainder of his/her term of office as a Councillor. However, the 2007 Act also provides for the Constitution to be amended to enable the Council to pass a resolution to agree that a Leader ceases his/her term of office before this statutory period has come to an end. This provision would be applicable in circumstances such as a Leader wishing to retire or step down, political change, or a Council wishing to remove a Leader from office.
- 4.3 Under the 2007 Act the Leader (rather than as at present, the Council) would appoint his/her own Cabinet of two or more Members up to a maximum of ten (including the Leader). He would be responsible for allocating Cabinet Members’ Portfolios and decision-making powers and removing and replacing Cabinet Members. At present these functions are the responsibility of the Council itself (although in practice, of course, these decisions are put forward by and likely to be in accordance with the wishes of the Leader).

#### **5.0 MAYOR AND CABINET EXECUTIVE MODEL**

- 5.1 The Mayor and Cabinet model comprises a directly elected Mayor who appoints two or more Councillors to the Cabinet (again up to a maximum of ten members). The Mayor would then hold office for four years.
- 5.2 There have been national attempts to develop the directly elected Mayor model as the mechanism to engage the local electorate, However, only a small number of authorities work under the directly elected Mayor model. Indeed, in June 2009 Stoke-on-Trent returned to the ‘Leader and Cabinet’ model, leaving only 11 Councils operating under a directly elected Mayor arrangement.

- 5.3 It could be argued that the directly elected Mayor model provides for a transparent decision-making individual who may be more accountable to the electorate that has appointed him/her. However, in the new 'Leader and Cabinet' model, a Leader is equipped with the same powers as a directly elected Mayor and is also accountable to the public via the local elections (and indeed to the Council itself should it chose to remove the Leader from office – see above). Furthermore, there is a risk that a public disengaged with the democratic process may not approach the election of a Mayor in a serious manner.

## **6.0 CONCLUSION**

- 6.1 The Leader and Cabinet model closely resembles the Council's current arrangements and could be introduced at minimal cost and with minimal adjustment to existing systems.

## **7.0 CONSULTATION**

- 7.1 The 2007 Act sets out a number of specific requirements regarding consultation etc, before the Council can pass the requisite motion, as follows:
- (a) the local authority must draw up proposals for the change;
  - (b) the proposals must include:-
    - i. a timetable with respect to the implementation of the proposals;
    - ii. details of any transitional arrangements which are necessary for the implementation of the proposals;
    - iii. the arguments in favour of making the proposed change;
    - iv. any arguments against making the proposed change; and,
    - v. the Council's reasons for wishing to make the proposed change;
  - (c) before drawing up its proposals, the Council must take reasonable steps to consult the local government electors for, and other interested persons in, its area;
  - (d) in drawing up the proposals, the Council has to consider the extent to which the proposals, if implemented, would be likely to assist in securing continuous improvement in the way in which the local authority's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;
  - (e) after drawing up the proposals, the Council must:-
    - i. secure that copies of a document setting out the proposals are available at its principal office for inspection by members of the public at all reasonable times; and,
    - ii. publish in one or more newspapers circulating in its area a notice which:-
      - states that the Council has drawn up the proposals;
      - describes the main features of the proposals;
      - states that copies of a document setting out the proposals are available at its principal office for inspection by members of the public at such times as may be specified in the notice, and,
      - specifies the address of the principal office.
- 7.2 Although the Government has previously stated that formal guidance would be produced in relation to the introduction of new governance models, none has been forthcoming to date. As the Council must make a formal resolution on the model it is to adopt by 31 December 2010, and, as consultation must first be undertaken,

the Council needs to determine its approach if it is to meet the statutory deadline of a resolution by 31 December 2010.

- 7.3 In the absence of formal guidance, the period and form of consultation is for the Council to decide. Your officers have therefore reviewed how other authorities have consulted on the governance arrangements issue and this has shown a range of methods, including:
- a notice on the Council's website, linked to an online response form to be completed and returned;
  - a notice in the local press, libraries and one-stop shops (Customer Services offices); and
  - press releases
- 7.4 Having examined the methods set out above, and in light of the Council's previous experience when consulting on the original executive proposals, it is suggested that the consultation on this matter take the form of:
- an article on the homepage of the Council's website highlighting the issue and the governance options, with the ability for users to be diverted to an on-line response form;
  - a notice placed in the local press and on the Council noticeboards together with Press releases;
  - notices in public libraries in the Borough; and,
  - a report to the Local Strategic Partnership (LSP).

This approach would ensure that members of the public, and other relevant bodies via the LSP, would have the opportunity to feed into the consultation process, whilst keeping costs associated with the consultation at a minimal level. It would be prudent for the Council to consult on the basis that it would prefer, subject to the outcome of the consultation, to move to a particular model.

- 7.5 As indicated at paragraph 7.3 above, the consultation period is for the Council to decide and, in view of this, it is suggested that:
- i. consultation on the Council's preferred form of governance run for a six-week period from 1 September to 14 October 2010;
  - ii, a further report be submitted to Council on 20 October 2010, outlining the outcome of the consultation process and seeking approval of the formal proposal drawn up in accordance with the Government's requirements; and
  - iii. the proposal be published in accordance with paragraph 5.1(e) above and kept on deposit for a period of four weeks.

## **8.0 PROPOSALS**

- 8.1 On balance, after looking at the two options available, it is recommended that the Council should indicate its preferred option to be the Leader with Cabinet executive model, and that this be reflected in the consultation exercise undertaken in accordance with paragraph 7.4 above.
- 8.2 It is then suggested that at its meeting on 15 December 2010 the Council confirm the form of governance to be adopted and pass the appropriate resolution to implement the process to comply with the provisions of the 2007 Act.

- 8.3 Should the Council accept the recommendation in this report to opt for the “Leader and Cabinet Executive (England) model, there should be no need for transitional arrangements to be introduced, as the changes required to switch to the new system would be minimal.

## **9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 9.1 The proposals in the report will enable the Council to reach stakeholders and enable stakeholders, via the feedback received, to influence the outcome.
- 9.2 There are no significant sustainability implications arising from this exercise.

## **10.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 10.1 The costs associated with the consultation exercise outlined at 7.4 above will be met from existing resources.

## **11.0 RISK ASSESSMENT**

- 11.1 The Council must ensure that it has an appropriate governance framework in place to comply with legal requirements. Failure to do this could have potentially significant consequences for the Authority in relation to external assessments and public confidence.
- 11.2 Proceeding in the absence of the promised guidance on consultation is a potential risk, particularly if the guidance is subsequently published after the Council has commenced its consultation. It is, however, unlikely that such guidance will be forthcoming, particularly as the Metropolitan areas and County Councils have already gone through the exercise described in this report (their deadline was 31 December 2010).
- 11.3 There is also a risk in the Council not taking action now, as this could result in the Council being unable to make its decision within the permitted resolution period. On balance, it is considered prudent to commence consultation in the absence of the guidance.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

**Appendices:** none







**Cabinet: 15 June 2010**

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**Report of: Assistant Chief Executive**

**Relevant Portfolio Holders: Councillor I Grant  
Councillor D Westley**

**Contact for further information: Cath McNamara (Extn 5380)  
(E-mail: [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk) )**

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**SUBJECT: PERFORMANCE REWARD GRANT – SPENDING DECISIONS**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

- 1.1 To formalise the Council's approach to its ratification of spending decisions made by the West Lancashire Local Strategic Partnership in respect of the allocation of Performance Reward Grant (PRG)
- 1.2 To seek endorsement for the use of PRG to fund a 'Strengthening and Supporting CCTV Provision' project.

**2.0 RECOMMENDATIONS**

- 2.1 That authority to allocate PRG in accordance with the recommendation of the West Lancashire Local Strategic Partnership be delegated to the Assistant Chief Executive.
  - 2.2 That the 'Supporting and Strengthening CCTV' project be endorsed, as it meets with the requirements of the PRG Protocol, (Appendix A).
- 

**3.0 BACKGROUND**

- 3.1 One of the provisions of Local Public Service Agreement 2, now the Local Area Agreement (LAA), is the availability of Performance Reward Grant (PRG) from Central Government for the achievement of LAA stretch reward targets for the first LAA (2006/09). The dates for achieving the stretch targets were from 31 March 2009 until 31 December 2010. PRG is being paid in two instalments by Central Government to the accountable body for LAA, Lancashire County

Council (LCC). The first payment was received in April 2010 and the second is expected between February and May 2011.

- 3.2 LCC is the accountable body and banker of the funds received from Central Government in relation to PRG and is responsible for ensuring money is properly accounted for. It has now been agreed by the Lancashire Partnership that any PRG received should be distributed by LCC at the agreed rate of 40% to the Lancashire Partnership, with the other 60% being divided equally and paid to the 12 districts in Lancashire. This Council will receive the PRG payable to the West Lancashire LSP and will act as the accountable body for this, "Local", element of the grant and will be responsible for ensuring that funds are spent in accordance with the agreed protocol.
- 3.3 The amount of Local PRG payable will be wholly dependent upon the success in achieving individual reward targets during the above period but, whatever amounts are payable, they will be split 50% as capital and 50% as revenue.
- 3.4 Claims for the PRG are likely to be submitted by LCC after Christmas in each financial year with the expectation that the funds will be paid to LCC before 31 March. It is expected that the second tranche of funds will be released to the District Partnerships shortly after receipt by LCC, as has been the case this year.
- 3.5 It is estimated that there will be circa £954k in total to be paid to the West Lancashire LSP. PRG can be carried forward from the financial year in which it is paid and there is no final date set by which PRG must be spent.
- 3.6 At a meeting on 13 March 2010, the LSP Executive Group considered a proposal for a project aimed at supporting and strengthening CCTV provision in West Lancashire and agreed that it should be recommended to the Council for endorsement, as it meets with the PRG Protocol.

#### **4.0 CURRENT POSITION**

- 4.1 The Protocol states that PRG can be used to provide reasonable additional administrative and financial support for District Councils undertaking responsibilities related to PRG.
- 4.2 At its meeting on 16 June 2009 the Cabinet agreed that the Council would act as the accountable body for the PRG funds awarded to the West Lancashire LSP, subject to sufficient funding being available for the Council to cover its costs (administration and financial support) in undertaking these responsibilities in respect of the PRG programme.
- 4.3 As the accountable body for the local element of the performance reward grant the Council will essentially be undertaking a "rubber stamping" role. The Council would have a right of veto if it was believed that money was being allocated to projects which did not meet with the protocols agreed between LCC and the Department for Communities and Local Government (DCLG). Decisions on the fund can only be made by the LSP. This Council cannot suggest or prioritise projects through the ratification process (although it will continue to have a crucial role in identifying priorities as a key member of the partnership).

4.4 The LSP Executive includes the Council's Leader (or a substitute for the meeting) and Chief Executive (or substitute).

4.5 Given the level of Chief Officer and senior Member involvement and the limited powers of the Council in selecting projects in order to prevent any unnecessary delays in commencing projects it would seem appropriate to use delegated authority in this instance.

## **5.0 ISSUES**

5.1 If I felt unable to ratify a decision because the project did not meet the LCC protocol, I would refer the matter to the LSP's Executive Group in the first instance.

## **6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

6.1 Projects funded through PRG will directly contribute to the achievement of the Sustainable Community Strategy.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 This Council's role as the accountable body is to oversee decisions to ensure that funding is used for suitable schemes. A small element of PRG will be used to support the Council's costs in undertaking additional related administrative and financial responsibilities.

## **8.0 RISK ASSESSMENT**

8.1 The decision will ensure that there is a formally agreed mechanism for ratifying Performance Reward Grant spending decisions.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendix: PRG Protocol**



### **The Lancashire Local Area Agreement – Distribution of the Performance Reward Grant Protocol**

This Protocol is made in respect of payment of the Performance Reward Grant under a Local Public Service Agreement now commonly known as a Local Area Agreement.

This Protocol regulates the Governance and Financial Management of the Performance Reward Grant

This Protocol is agreed by Lancashire County Council and the 12 District Councils; Burnley Borough, Chorley Borough, Fylde Borough, Hyndburn Borough, Lancaster City, Pendle Borough, Preston City, Ribble Valley Borough, Rossendale Borough, South Ribble Borough, West Lancashire District and Wyre Borough.

The protocol is supported by all members of the Lancashire Partnership.

#### **1. Background**

1. Performance Reward Grant (PRG) is money payable by Central Government for the achievement of Local Area Agreement stretch reward targets. A wide range of partners has been involved in and responsible for the achievement of the targets.
2. The dates for achieving the stretch targets covered by this Protocol are from 31<sup>st</sup> March 2009 to the 31<sup>st</sup> December 2010 and, if achieved, PRG will be paid in instalments mainly over the 2 financial years 2009/10 and 2010/11 with a final payment in the financial year 2011/12
3. PRG will be paid by Central Government to Lancashire County Council as 50% capital and 50% revenue
4. PRG can be carried forward from the financial year in which it is paid
5. There is no final date by which PRG must be spent
6. The level of PRG available is dependent upon the success of individual reward targets

#### **2. Accounting Arrangements**

## Performance Reward Grant Protocol

1. Lancashire County Council (LCC) is the accountable body and banker of the funds received from Central Government
2. LCC will be responsible for ensuring that money spent through the Lancashire Partnership and the District Local Strategic Partnerships (LSPs) is properly accounted for and will monitor this through the application of this Protocol
3. PRG will be distributed by LCC at the agreed distribution rate of 40% to the Lancashire Partnership and 60% to be divided equally and paid to the District Councils who will receive the money on behalf of the 12 Local Strategic Partnerships
4. PRG funds will be paid by LCC upon receipt from Central Government
5. LCC on behalf of Lancashire Partnership and the District Councils on behalf of the district LSPs will create and maintain clearly identifiable accounting structures for the PRG funds
6. The District Councils on behalf of the LSPs shall prepare, in October of each year, an interim monitoring report on LSP spending to 30 September, projected spend for the remainder of the year and any planned use of PRG funds in future years. Each District will present the report to their district LSP. Copies of District reports are to be forwarded to LCC. A combined District and County report will be presented to the Lancashire Partnership Board.
7. The District Councils on behalf of the LSPs shall also prepare a final year-end report for the PRG funds expenditure on a similar basis as the interim report.
8. The interim and final year-end reports shall have a form and content which is to be agreed by the District Council and the County Council, in consultation with the LSPs, and which will be consistent across the county
9. Unused funds arising from the current and earlier years' contributions may be carried forward into the following financial year.
10. Funds must not be committed by the district LSP or Lancashire Partnership in excess of the budget available. The District Councils and County Council shall be responsible for ensuring that there are sufficient funds in their partnership's budget to cover all outgoing payments and any overspend will be the responsibility of the District Council and County Council respectively
11. It is a requirement of Central Government that PRG funding is used on a 50% capital 50% revenue basis and this applies to the proportion of PRG payable to each District Council, an initial approval letter will be issued to which outlines the amount of capital and revenue payable to each District Council.

## Performance Reward Grant Protocol

However, within this overall requirement, the capital and revenue allocations can be exchanged between LSPs, for example, district A may swap all or some of its capital allocation for district B's revenue allocation.

In cases where LSPs wish to swap capital and revenue funding, an application setting out the details of the proposed swap should be made to the County Council in order that we can maintain the 50/50 rule. A revised approval letter will then be issued to the relevant LSPs. All applications for swaps should be made to Rachel Parker at [rachel.parker@lancashire.gov.uk](mailto:rachel.parker@lancashire.gov.uk).

### **3. Use of the Performance Reward Grant**

1. Performance Reward Grant should be invested in the future of Lancashire with the over-riding aim of "narrowing the gap". The use of PRG should follow the golden thread of priorities which set out the outcomes needed to achieve this over-riding aim in:-

- Ambition Lancashire
- The Local Area Agreement
- Sustainable Community Strategies (District level).

2. The district LSPs shall make recommendations to the District Councils as to the allocation of the PRG and all funding decisions should be made through this route. These recommendations shall be in accordance with their work programme encompassing the above plans and strategies and allowing the principle to be addressed at different spatial levels and as appropriate for different communities across the county.

The councils have responsibility for the proper use of the funds and therefore for formally approving the allocation of the funds. However, the recommendations on the allocation of funds should be made by the LSPs.

3. In order to add value with this funding, all partners when making funding decisions will need to be able to set those decisions in the context of:-

- What is being commissioned at both county and district level
- How this activity helps to achieve the outcomes
- How the gaps and risks are being addressed

Use of PRG funds should be supported by clear business cases which provide this context in order to maximise the outcomes from the use of the resources. Recommendations of the district LSPs and Lancashire Partnership shall be supported by clear reasons

## Performance Reward Grant Protocol

4. In principle the funding should be used to provide services for the people of Lancashire but PRG can also be used to provide reasonable administrative and financial support to the District and County Councils and partners in carrying out their additional responsibilities in relation to the Local Area Agreement. LSPs will determine what is reasonable in relation to any particular activity or function.

5. Recommendations of the LSPs shall be communicated to the District Councils and shall be ratified by that authority through its usual executive process. This may be by the full Cabinet, by a Cabinet member, by a Chief Officer under a scheme of delegation or by any other means within the district council's constitution. The County Council shall delegate its executive function in respect of ratifying the district LSP expenditure to the District Councils

6. After executive ratification, the District Council shall make the payment or payments to implement the decision as and when necessary on behalf of the LSP.

7. Spending recommendations agreed by the Lancashire Partnership Board will be subject to agreement by the LCC Cabinet member for Resources.

8. No decision shall be taken by the District Council or County Council which gives rise to a commitment to make payments in future years unless those payments are covered by currently available funds, either those carried forward for the specific purpose or if sufficient funds are already forecast as being available in the future financial year ie from the second payment instalment.





**AGENDA ITEM: 7**

**CABINET: 15 June 2010**

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**Report of: Council Secretary and Solicitor**

**Relevant Portfolio Holder: Councillor I Grant**

**Contact for further information: Mr G Martin (Extn. 5065)**  
**(E-mail: [gary.martin@westlancs.gov.uk](mailto:gary.martin@westlancs.gov.uk) )**

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**SUBJECT: KEY DECISION FORWARD PLAN - QUARTERLY REPORT ON  
SPECIAL URGENCY DECISIONS – 1 JANUARY – 31 MARCH 2010**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To advise Cabinet of decisions made using Special Urgency Procedure Rule 16 for the period 1 January to 31 March 2010.

**2.0 RECOMMENDATIONS**

2.1 That it be noted that Procedure Rule 16, Special Urgency, was exercised once during the quarter period ending 31 March 2010.

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**3.0 BACKGROUND**

3.1 Access to Information Procedure Rule 17.3 requires the Leader of the Council to submit a quarterly report on the decisions taken by Cabinet or a member of the Cabinet using the Special Urgency Procedure Rule 16 in the preceding three months.

3.2 Members will recall that Procedure Rule 15, General Exception, requires Officers to follow the following procedure:

If a matter, which is likely to be the subject of a key decision, has not been included in the Forward Plan, then subject to Rule 16, Special Urgency, the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included on the Forward Plan and until the start of the first month to which the next Forward Plan relates;

- (b) the Chief Executive has informed the Chairman of the Overview & Scrutiny Committee, or if there is no such person, each member of that Committee in writing, by notice, of the matter to which the decision is to be made;
- (c) the Chief Executive has made copies of that notice available to the public at the offices of the Council;
- (d) at least five clear days have elapsed since the Chief Executive complied with (b) and (c).

Over the last quarter, 3 notices were served on the Chairman of the Executive Overview and Scrutiny Committee and steps (a) – (d) above were followed in relation to this.

- 3.3 Procedure Rule 16, Special Urgency states that “If by virtue of the date by which a decision must be taken Rule 15, General Exception, cannot be followed, then the decision can only be taken if the decision taker (if an individual), the Leader (if Cabinet is making the decision) or the Chairman of the body making the decision, obtains the agreement of the Chairman of the Executive Overview & Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chairman of the Executive Overview and Scrutiny Committee, or if the Chairman of the Executive Overview & Scrutiny Committee is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice Chairman will suffice”.
- 3.4 I can advise Cabinet that Procedure Rule 16 was not exercised during the last quarter.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

### **Appendices**

None