

## MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest <b>because</b> it affects my financial position or the financial position of a person or body described in 10.1(1)(i) and (ii) <b>and</b> 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 10.1(1)(i) and (ii) <b>and</b> 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 5 or 6 below</i>          <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but 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.  (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.  (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.  (iv) An allowance, payment or indemnity given to Members  (v) Any ceremonial honour given to Members  (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>	<i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies.	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary 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>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

### Interest

Employment, office, trade, profession or vocation

Sponsorship

### Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;*

*"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;*

*"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;*

*"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI; "relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;*

*"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**'non pecuniary interest'** means interests falling within the following descriptions:

- 10.1(1)(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 (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) 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 easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) 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 connected 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 connected 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 10.1(1)(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) 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: 19 MARCH 2013**

Start: 7.30pm

Finish: 8.45pm

## PRESENT

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

Councillors		<u>Portfolio</u>
Mrs Hopley		Landlord Services and Human Resources
A Owens		Deputy Leader & Housing (Finance), Regeneration and Estates
D Sudworth		Health, Leisure and Community Safety
D Westley		Resources and Transformation

In attendance Councillor J Hodson  
Councillors: Councillor Pendleton

Officers  
Managing Director (People and Places) (Mrs G Rowe)  
Managing Director (Transformation) (Ms K Webber)  
Assistant Director Housing and Regeneration (Mr B Livermore)  
Assistant Director Community Services (Mr D Tilleray)  
Borough Treasurer (Mr M Taylor)  
Borough Solicitor (Mr T Broderick)  
Borough Planner (Mr J Harrison)  
Transformation Manager (Mr S Walsh)  
Strategic Housing Manager (Mr S Jones)  
Principal Member Services Officer (Mrs S Griffiths)

### 104. APOLOGIES

Apologies for absence were submitted on behalf of Councillor Forshaw.

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

There were no items of special urgency.

### 106. DECLARATIONS OF INTEREST

Councillor Westley declared a non-pecuniary interest in agenda item 5(k) "Cycling in West Lancashire – Final Report of the Corporate & Environmental Overview and Scrutiny Committee" as a member of Lancashire County Council.

**107. MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 15 January 2013 be approved as a correct record and signed by the Leader.

**108. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2669 – 2978 of the Book of Reports.

**109. USE OF SECTION 106 MONIES IN DOWNHOLLAND**

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and the Borough Planner which considered proposals regarding the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision within Downholland.

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 proposed project to provide enhancements to Haskayne Parish Fields as detailed in Section 6 of the report, be approved and the Section 106 commuted sum of £85,416 generated in Downholland be made available for this project.

**110. TENANT'S CASH BACK SCHEME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which provided an update on the Government's proposals for tenants involvement in the repair and maintenance of their homes, and advised on the outcome of consultations with the Tenant's Task & Finish Group on the introduction of a cash back scheme for the Council.

Minute no. 46 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee and the details set out in the report before it and accepted the reasons contained therein.

RESOLVED: A. That the report be noted.  
B. That the suggestions made by the Tenant's Task & Finish Group be noted, and that a further report be submitted to Cabinet following the findings of the three pilot schemes referred to in the report.

**111. TENURE POLICY**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which sought approval of the draft Tenure Policy.

Minute no. 43 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Assistant Director Housing and Regeneration circulated revised recommendations.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That, having considered the comments from the consultation exercise at Appendix B, the Tenure Policy attached as Appendix A be approved, subject to the Assistant Director Housing and Regeneration, in consultation with the relevant Portfolio Holder, being authorised to present an updated Tenure Policy to Council on 17 April 2013.
  - B. That implementation of the policy from 1 July 2013 be noted.
  - C. That call-in is not appropriate for this item as this item has been considered by the Executive Overview and Scrutiny Committee on 31 January 2013.

**112. HOUSING ALLOCATIONS POLICY**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which sought consideration of the comments arising from the consultation exercise on the updated Housing Allocations Policy.

Minute no. 44 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Assistant Director Housing and Regeneration circulated revised recommendations and Councillor Mrs. Hopley circulated a motion, which was seconded, which was based on the revised recommendations.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations, the motion circulated by Councillor Mrs. Hopley and the details set out in the report before it and accepted the reasons contained therein.

RESOLVED: A. That, having considered the comments from the consultation exercise at Appendix B, the Housing Allocations Policy attached as Appendix A be approved, subject to the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holder being authorised to present an updated Housing Allocations Policy to Council on 17 April 2013, to include the following amendments:-

- i) removal of bullet point 3, paragraph 28 (local connection criteria)
- ii) amendment to paragraph 1, Appendix 3 (lettings criteria) as follows:-

“Sheltered housing is reserved for those over 60 years of age who need the added benefits of a safe and secure environment that supports and sustains their long term health and wellbeing. For those people with some levels of support needs the Council will work with appropriate agencies to achieve independent and sustainable tenancies”

And also add

“In exceptional circumstances applicants under 60, with identified support needs which cannot be met in general needs accommodation, may be considered for Category 1 sheltered housing. This decision will be taken in consultation with the manager responsible for the management of the Councils sheltered housing schemes.”

- iii) references to “Armed Forces” being amended to “British Armed Forces”

- B. That the implementation of the policy from 1 July 2013 be noted.
- C. That call-in is not appropriate for this item as it has been considered by the Executive Overview and Scrutiny Committee on 31 January 2013.

### **113. REVIEW OF ANTI- MONEY LAUNDERING POLICY**

Councillor Westley introduced the report of the Borough Treasurer which outlined the findings of a review of the Council’s Anti-Money Laundering Policy and Guidance and Procedure Notes.

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 updated Anti-Money Laundering Policy and Guidance and Procedure Notes as set out in Appendix 1 & 2 to the report, be endorsed for agreement.

**114. QUARTERLY PERFORMANCE INDICATORS (Q3 2012/13)**

Councillor Westley introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 December 2012.

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 Council's performance against the indicator set for the quarter ended 31 December 2012 be noted.
- B. That call-in is not appropriate for this item as it has been considered by the Corporate & Environmental Overview and Scrutiny Committee on 21 February 2013.

**115. CORPORATE PERFORMANCE MANAGEMENT 2013/14**

Councillor Westley introduced the report of the Transformation Manager which sought approval for the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2013/14.

Referring to target TS1-BV66a, the Assistant Director Housing and Regeneration proposed that the annual target for % rent collected be set at 97%.

In reaching the decision below, Cabinet considered the comments of the Assistant Director Housing and Regeneration, the details set out in the report before it, and accepted the reasons contained in it.

- RESOLVED: A. That the draft Suite of Performance Indicators 2013/14 (Appendix A) and targets be approved as being the most important in terms of delivering the Council's Corporate Priorities and adopted as the Council's Corporate PI Suite 2013/14, subject to B, below.
- B. That target TS1-BV66a (rent collected) be amended to 97% for 2013/2014.
- C. That the Managing Director (Transformation), in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise and amend the suite having regard to comments from Executive Overview and Scrutiny Committee made on 4 April 2013, and to amend the finalised suite in year (with the exception of agreed targets) in response to any issues that may arise, for example government policy or collection mechanisms.

- D. That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 4 April 2013.

#### **116. STRATEGIC ASSET MANAGEMENT PROGRAMME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which updated Members on the progress of the Strategic Asset Management Project and advised on the outcomes of the Derby Ward, proposals relating to the Digmaor Ward, and sought authority for the disposal of assets.

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, including the work undertaken by officers to date, and the progress on the assets previously identified for disposal be noted.
- B. That the Assistant Director Housing and Regeneration be authorised to take the actions recommended in Appendix A and B in relation to the 34 sites in the Derby ward, and the Garage Court to the south of 80 Abbeywood, Digmaor, and be authorised to take any other steps necessary to secure disposal of the sites.
- C. That the sites set out in Appendix C are no longer required for their current uses as set out in that Appendix and that they be appropriated as required for regeneration purposes for the reasons set out in the report.
- D. That the Assistant Director Housing and Regeneration be authorised to take all necessary steps to appropriate the sites referred to in Appendix C and sign the memoranda of appropriation.

#### **117. HOUSING OMBUDSMAN SERVICE AND RELATED CHANGES TO THE COUNCIL'S COMPLAINTS PROCEDURE**

Councillor Mrs. Hopley introduced the joint report of the Borough Solicitor and Assistant Director Housing and Regeneration which proposed amendments to the Council's complaints procedures following changes to the Housing Ombudsman Service with effect from 1 April 2013.

Minute no. 45 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Borough Solicitor/Assistant Director Housing and Regeneration circulated revised recommendations.



In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That the changes brought about by the Localism Act to the Housing Ombudsman Service be noted.
  - B. That the revised Council complaints procedure, set out at appendix 2, be adopted with effect from 1 April 2013.
  - C. That the Assistant Director Housing and Regeneration and Transformation Manager in consultation with the Leader and Portfolio Holder for Landlord Services and Human Resources be given authority to amend the Council's complaints procedure set out at appendix 2 in relation to information to be given to Council tenants wishing to refer their complaint to a designated person/Housing Ombudsman Service.
  - D. That the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder for Landlord Services and Human Resources be given authority to agree the Council's policy with regard to recognition criteria for tenant panels and to review and update the policy as required.
  - E. That the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder for Landlord Services and Human Resources be given authority to determine whether tenant panels requesting recognition should be so recognised.
  - F. That the Assistant Director Housing and Regeneration offer guidance and training to members and tenant panel members on their new role as designated persons and that an invitation be extended to Rosie Cooper MP and Lorraine Fulbrook MP to attend training sessions .
  - G. That call-in is not appropriate for this item as this matter is one where urgent action is required due to the need to introduce an amended complaints procedure and agree the Council's policy with regard to recognition criteria for tenant panels in advance of 1 April 2013.

#### **118. UNREASONABLY PERSISTENT COMPLAINANTS**

Councillor Grant introduced the report of the Borough Solicitor which sought adoption of a revised "Unreasonably Persistent Complainants and Unreasonable Complaint Behaviour" Policy following recent refreshed Local Government Ombudsman guidance.

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 revised “Unreasonably Persistent Complaints and Unreasonable Complaint Behaviour” Policy, set out at appendix 2, be adopted.
- B. That the Borough Solicitor, in consultation with the Leader, be given authority to amend the Policy in the future in light of any further guidance from the Local Government Ombudsman/Housing Ombudsman or subsequent changes in the Council’s organisational structure.

#### **119. CYCLING IN WEST LANCASHIRE - FINAL REPORT CORPORATE & ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Grant introduced the report of the Assistant Director Community Services, as Lead Officer, which presented the final report and recommendations of the Corporate and Environmental Overview & Scrutiny Committee following an in-depth review conducted entitled ‘Cycling in West Lancashire’.

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 “Cycling in West Lancashire”, attached at Appendix A to the report, be approved and the Committee be thanked for its work.
- B. That following recommendations contained in the final report be endorsed:
- (1) That Lancashire County Council (LCC), as the Highway Authority, give due consideration to the following:
    - (i) Take account of cyclists safety on the highways, particularly at junctions when re-surfacing and upgrading road markings.
    - (ii) When considering highways changes, consider making the following adjustments:
      - (a) Cycle priority signals at traffic lights.
      - (b) Cycle priority through traffic.
      - (c) Cycle junction improvements.
    - (iii) When reviewing the cycling network in the Borough and, prior to any future exercise, seek the views of Ward Councillors in respect of proposed cycle routes or maintenance of existing routes.
    - (iv) When examining widening access within the Borough through its proposed cycle hire initiative also look at the possibility to extend this to the hire of electric powered cycles.
    - (v) When considering the Travel Plans for West Lancashire College, Skelmersdale, give due consideration to any cycling options coming through the Skelmersdale Vision Project.

- (vi) That during future consideration of the Lancashire Local Transport Plan and associated documents, the potential to extend cycle recreation and other routes, particularly eastward, be considered.
- (vii) For a pilot period, consider an amendment to the Traffic Order that currently prohibits cyclists from cycling in the pedestrian area of Ormskirk Town Centre in order to permit cyclists to cycle in that area.
- (2) That Council (subject to resource availability) work with our partners to:
  - (i) encourage the potential to recycle otherwise discarded bicycles through established mechanisms.
  - (ii) through Members links with schools in their Wards, encourage the continuation of initiatives adopted within their School Travel Plans.
  - (iii) through established mechanisms with Edge Hill University and other education establishments, encourage the use of cycles as an alternative mode of transport and safe cycling through opportunities available to undertake cycling proficiency courses.
- (3) That the final report of the Corporate and Environmental Overview and Scrutiny Committees review 'Cycling in West Lancashire' be circulated to external contributors to the review, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.
- (4) That the Corporate and Environmental Overview and Scrutiny Committee:
  - (i) consider the results, when available, of the Travel Survey being undertaken by Edge Hill University.
  - (ii) review its recommendations in December 2013.
- C. That the final report and recommendations (approved, subject to resources) be submitted to Council for approval on 17 April 2013.
- D. That call in is not appropriate for this item as it has previously been considered by the Corporate and Environmental Overview and Scrutiny Committee.

## **120. CAPITAL PROGRAMME MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which updated Members on the current position in respect of the 2012/2013 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 2012/2013 Capital Programme be noted.
- 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 4 April 2013.

## **121. REVENUE BUDGET MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which provided a projection of 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 including the position on reserves and balances.
- 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 4 April 2013.

## **122. RISK MANAGEMENT**

Councillor Westley introduced the report of the Borough Treasurer which set out details on the Key Risks facing the Council and how they are 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 proposed amendment to the Risk Management Policy set out in section 4 be approved.
- B. That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

**123. GREENSHOOTS PROJECT: REMODELLING OF 18 - 24 GORSEY LANE, GORSEY PLACE BUSINESS PARK, SKELMERSDALE**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which advised of the options for the remodelling of 18-24 Gorsey Place, Skelmersdale.

The Assistant Director Housing and Regeneration circulated revised recommendations.

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

- RESOLVED: A. That the Assistant Director Housing and Regeneration, be authorised to carry out the remodelling of 18 – 24 Gorsey Place in accordance with the option discussed under paragraphs 4.3 and 4.7.1 of the report.
- B. That the Assistant Director Housing and Regeneration be authorised, in consultation with the relevant Portfolio Holder to take all necessary steps, enter into all appropriate documentation and to obtain all necessary consents to facilitate the scheme referred to in 2.1 above.

**124. TENANT DOWNSIZING SCHEME**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which proposed the relaunch of the Transfer Incentive Scheme in a revised format as the Tenant Downsizing Scheme.

Minute no. 47 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

In reaching the decision below Cabinet considered the minute of the Landlord Services Committee and details set out in the report and accepted the reasons contained therein.

- RESOLVED: A. That the Tenant Downsizing Scheme be approved.
- B. That the Assistant Director Housing and Regeneration be authorised, in consultation with the Landlord Services and Human Resources Portfolio Holder, to make minor alterations to the Scheme in order to make it appropriate and relevant.
- C. That call-in is not appropriate for this item as the Scheme will be brought into effect on 1 April 2013.

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LEADER



## CABINET

**HELD: 16 MAY 2013**

Start: 6.35pm

Finish: 6.45pm

## PRESENT

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

Councillors	Forshaw	<u>Portfolio</u>
	Mrs Hopley	Planning and Development
	A Owens	Landlord Services and Human Resources
	D Westley	Deputy Leader & Housing (Finance), Regeneration and Estates Resources and Transformation

In attendance Councillors:	Bell	Furey
	Cropper	Pryce-Roberts
	Dereli	Pendleton

Officers

- Managing Director (Transformation) (Ms K Webber)
- Managing Director (People and Places) (Mrs G Rowe)
- LDF Team Leader (Mr P Richards)
- Principal Planning Officer (Ms G Whitfield)
- Principal Planning Officer (Mr S Bengé)
- Principal Member Services Officer (Mrs S Griffiths)

### 1. APOLOGIES

Apologies for absence were submitted on behalf of Councillor Sudworth.

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

There were no items of special urgency.

### 3. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 4. MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matter requiring a decision as contained on pages 1 to 233 of the Book of Reports.

#### 5. WEST LANCASHIRE LOCAL PLAN 2012-2027

Councillor Forshaw introduced the report of the Assistant Director Planning which brought Cabinet up to date on progress with the Local Plan Examination and sought delegated authority for key actions that may need to be undertaken in a very short timescale at the request of the Inspector of the Local Plan Examination.

He also referred to the "Supplementary Late Information" report which had been circulated prior to the meeting which provided an update on the interim views of the Local Plan Inspector on the strategic and land allocation matters of the Local Plan, received by the Council on 15 May 2013, and an update on the development management modifications as set out in Appendix A to the "Supplementary Late Information" report (now referred to as Appendix E).

Cabinet, in considering the recommendations at 2.2 and 2.3 of the original Cabinet report for 16 May 2013 had regard to the Inspector's letter regarding the strategic and land allocation modifications to the Local Plan as attached as Appendix B to the "Supplementary Late Information" report (now referred to as Appendix F).

A copy of revised recommendations of the Assistant Director Planning was circulated at the meeting, together with a copy of a motion from Councillor Forshaw.

In reaching the decision below, Cabinet considered the revised recommendations of the Assistant Director Planning, the motion from Councillor Forshaw and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED: A. That the request made by the Assistant Director Planning to the Local Plan Examination Inspector, in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004, to recommend such modifications to the Local Plan that are necessary to ensure that it is sound and legally compliant be endorsed.
- B. That the updated development management modifications to the Local Plan set out in Appendix E (which replaces Appendix D in the original Cabinet report) already raised and discussed with the Inspector at Examination be endorsed.
- C. That the Assistant Director Planning bring to Cabinet on 18 June 2013 further modifications at the request of the Inspector together with proposals for public consultation and modifications to the Local Plan required by the Inspector during the Examination.



- D. That the updated Local Development Scheme 2013 provided at Appendix B, including the preparation of a separate Development Plan Document for the Provision of Travellers' Sites, and that the Local Development Scheme 2013 to have effect from 17 May 2013 be approved.
- E. That call-in is not appropriate for this item as this matter is one where urgent action is required in order to maintain progress of the Local Plan towards adoption in 2013.

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LEADER





**AGENDA ITEM: 5**

**CABINET: 18 June 2013**

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**Report of: Borough Solicitor**

**Relevant Managing Director: Managing Director (People and Places)**

**Relevant Portfolio Holder: Councillor I Grant**

**Contact for further information: Mrs C A Jackson (Extn. 5016)  
(E-mail: [cathryn.jackson@westlancs.gov.uk](mailto:cathryn.jackson@westlancs.gov.uk))**

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**SUBJECT: ITEM REFERRED FROM THE EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE – TENANTS CASH BACK SCHEME**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To advise on the decision of the Executive Overview and Scrutiny Committee, at its meeting on 4 April 2013, in relation to the item - Tenants Cash Back Scheme.

**2.0 RECOMMENDATIONS**

2.1 That the report on the Tenants Cash Back Scheme be considered by the Executive Overview and Scrutiny Committee prior to it being considered by Cabinet.

2.2 That call-in is not appropriate as it relates to an item already considered by the Executive Overview and Scrutiny Committee.

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**3.0 DETAILS**

3.1 At its meeting on 4 April 2013, as part of the call-in process, the Executive Overview and Scrutiny Committee, considered the item 'Tenants Cash Back Scheme' and resolved as follows:

“RESOLVED: That, when written, the subsequent report (referred to at resolution B (Cabinet Minute 110), be referred to this Committee prior to consideration by Cabinet.”

## **4.0 COMMENTS OF THE ASSISTANT DIRECTOR HOUSING AND REGENERATION**

- 4.1 There is no issue in the report being referred to the Executive Overview and Scrutiny Committee prior to its consideration by Cabinet and therefore I am in agreement with the suggestion of the Committee.

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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**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

### **Appendices**

None.



**AGENDA ITEM: 6(a)**

**CABINET: 18 June 2013**

**CORPORATE & ENVIRONMENTAL  
OVERVIEW & SCRUTINY  
COMMITTEE: 11 July 2013**

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**Report of: Transformation Manager**

**Relevant Managing Director: Managing Director (Transformation)**

**Relevant Portfolio Holder: Councillor I Grant**

**Contact for further information: Helen Morrison (Extn. 5091)  
(E-mail: [helen.morrison@westlancs.gov.uk](mailto:helen.morrison@westlancs.gov.uk))**

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**SUBJECT: COMPLAINTS MONITORING**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To present data on complaints received by the Council from April 2012 to March 2013.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the complaints data for April 2012 to March 2013 be noted.

2.2 That the call in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate Overview and Scrutiny Committee on 11<sup>th</sup> July 2013.

**3.0 RECOMMENDATION TO CORPORATE OVERVIEW & SCRUTINY COMMITTEE**

3.1 That the report be noted.

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**4.0 BACKGROUND**

- 4.1 Types, numbers and trends in complaints provide a valuable insight into the quality of services and can make a valuable contribution to improving them. In this respect they should also be considered alongside other information such as performance indicators and securing value for money.
- 4.2 In order to contextualise this report and particularly the number of complaints recorded, the reader's attention should be drawn to the vast number of interactions the Council has with its customers/stakeholders across all of its service areas in any one year. For example, within Customer Services alone, there are around 204,000 contacts made each year. As a further means of scale, Street Scene Services are responsible for carrying out 3,715,764 domestic refuse and recycling collections per annum. Further detailed information can also be found at 5.4 below. It should also be noted that consultation with residents reveals a positive level of satisfaction with the services the Council provides and this is also during times of higher levels of interaction with certain service areas and within the climate of rising customer expectations.
- 4.3 The Council has defined a complaint as being a written expression of dissatisfaction with the quality of a service provided by the Council. Or to put it another way, when someone claims the Council has:
- failed to do something they should have done;
  - done something badly or in the wrong way,
  - or the complainant feels they have been treated unfairly or discourteously

The complaints procedure is therefore not simply logging initial service requests, e.g. – for pest control, missed refuse collections, housing repairs etc.

- 4.4 The Customer Services team is responsible for managing overall co-ordination of the corporate complaints process.
- 4.5 If a complainant wishes to pursue an issue further after the Council's own internal procedures have been exhausted, this can be raised with either the Local Government Ombudsman or the Housing Ombudsman, depending on the nature of the complaint. The Ombudsman will then carry out their own investigations.

## **5.0 CURRENT POSITION**

- 5.1 The principal purpose of monitoring and responding to complaints is always to improve services. On the occasions where the Council acknowledged service should have been better, the focus is on putting the matter right AND preventing any re-occurrence. Even in those instances where actions have been in line with policies and procedures trends are now further examined corporately with input from staff, in order to improve service delivery.
- 5.2 This report provides Members with an update of complaints received during 2012/13. Data on the number of complaints, received by each section during this period is set out in Appendix 1 to this report. The numbers recorded are all written expressions of dissatisfaction and are not necessarily substantiated.

5.3 The figures for 2012/13 show an increase of 15 in the number of complaints received, when compared with 2011/12, i.e. from 107 in 2011/12 to 122 in 2012/13. Following investigation, it was established that 61 of the 122 received were without merit i.e. the Council had complied with its own policies and procedures. Further details regarding the nature of the specific complaints are provided at Appendix 1.

5.4 Whilst the number of complaints received has increased slightly, these statistics should be put into perspective. As an example Street Scene Services received 16 complaints regarding refuse & recycling collections, although given that there are approximately 50,000 residential properties in the borough, this shows that 99.9% of residents are satisfied with the collection service. In relation to Planning services, 1148 applications were determined during this period and 14 complaints were received, which represents 1.21%. In 13 of these cases, it was found that correct procedures were followed.

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

6.1 The information set out in this report aims to help the Council to improve service performance and helps to further improve good quality services that are easily accessible to all.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 There are no current financial or resource implications arising from this report. Improving service delivery will prevent any unnecessary additional expenditure associated with 'putting things right', particularly if the problem is a recurring one.

## **8.0 RISK ASSESSMENT**

8.1 Monitoring and managing complaints identifies areas where improvement to services may be required to prevent re-occurrence and helps to prevent these issues being escalated to the Ombudsman.

## **9.0 CONCLUSIONS**

9.1 The figures demonstrate that were there have been genuine complaints/issues these have been dealt with accordingly and wherever possible, improvements have been made to prevent re-occurrence. Regular meetings will continue to be held with service Complaints co-ordinators to help further ensure that additional improvements to service delivery are introduced wherever possible.

9.2 By taking complaints seriously the Council is ensuring that all genuine grievances are recognised and action taken to address the issue.

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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**

The decision does not have any direct impact on members of the public, employees, elected Members and/or stakeholders. Therefore no Equality Impact Assessment is required.

### **Appendices**

1. Complaints Received April 2012 to March 2013
2. Minute of Cabinet – 18 June 2013 (Corporate Overview and Scrutiny Committee only)



**Appendix 1**

<u>SERVICE</u>	<u>No. of Complaints 2008/09</u>	<u>No. of Complaints 2009/10</u>	<u>No. of Complaints 2010/11</u>	<u>No. of Complaints 2011/12</u>	<u>No. of Complaints 2012/13</u>	<u>Comments</u>
<b>Transformation</b>	3	2	1	4	<b>5</b>	<p>All 5 complaints received were regarding Customer Services; 4 regarding customers waiting times and 1 regarding the conduct of a member of staff. Were appropriate apologies/explanations were given. In relation to the complaint regarding the conduct of a member of staff, following investigation it was established that the member of staff had acted appropriately.</p> <p>The number of complaints received represents 0.002% of the total number of interactions this year with our customers.</p>
<b>Planning Services</b>	8	8	12	13	<b>18</b>	<p>In relation to Development Control 1148 planning applications were determined and 295 enforcement breaches were reported, the complaints received therefore represent 1.2%.</p> <p>In 13 of the 14 cases, correct procedures were followed. The remaining one was in relation to delay</p>
Development Control					14	
Planning Policy					4	

						<p>to a pre-app decision caused by staff absence which was unavoidable, however a refund was provided to the applicant.</p> <p>In relation to Planning Policy, there were 1335 representations made during consultations (preferred options); the complaints received, therefore represents 0.3%. All 4 cases involved public consultation where correct procedures were followed. Whilst figures have increased slightly during 2012/13, correct procedures were followed in all cases.</p>
<b>Community Services</b>	7	5	3	6	<b>3</b>	<p>Out of the 3 complaints received for Community Services in 2012/13, one was regarding Environmental Protection and two were regarding Technical Services. Correct procedures had been followed regarding all complaints. In comparison to the previous year, the number of complaints received has decreased by half.</p> <p>In relation to the complaint relating to Environmental Protection, the customer wasn't satisfied with the speed of our response to his initial complaint. Unfortunately, however,</p>

						<p>there wasn't a quick resolution to the problem, procedures set in place were adhered to and therefore this complaint was due to unrealistic customer expectation.</p> <p>In relation to Technical Services, one complaint was regarding lack of assistance from the Council in relation to provision of sandbags when a ditch flooded a Customer's property. An initial investigation was carried out and the matter was then referred to LCC Highways for further investigation in accordance with our normal policies and procedures in relation to land drainage. The other complaint was regarding the introduction of parking charges at Sandy Lane – this complaint is ongoing.</p> <p>Community Services received approximately 23,305 requests for service in 2012/13, therefore the number of complaints received should be taken into account in comparison with the number of customer interactions.</p>
<b>One Connect Limited Revenues and Benefits</b>	10	19	19	22	<b>17</b>	<p>In relation to customer contact, the Revenues and Benefits Service have:</p> <ul style="list-style-type: none"> <li>dealt with 7,600 face to face customer interviews</li> </ul>

						<ul style="list-style-type: none"> <li>• handled over 30,000 inbound telephone calls</li> <li>• received and processed over 120,000 external documents</li> <li>• issued over 145,000 documents</li> </ul> <p>Out of the 17 complaints received, it was established that:</p> <ul style="list-style-type: none"> <li>• 6 were evidenced to have complied with existing policies and procedures</li> <li>• 9 resulted in written apologies issued to customers</li> <li>• 2 resulted in case records being amended due to further information being provided</li> </ul>
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<b>Housing &amp; Regeneration</b>	37	28	34*	50	<b>60</b>	The service has seen a small increase in complaints this year. It is encouraging that tenants feel able to give us feedback and let us know when they think we could do things better. In nine instances, we received feedback that highlighted areas where we can make improvements to service. It should also be noted that 80 customers expressed satisfaction with the service.
Property Services					30	Approximately 29,000 repair orders are issued each year. The 30 complaints equates to 0.1% of transactions. A tenant led group has been established to look at the quality aspect of the service.
Voids & Allocations					13	Last year the Council let approximately 760 properties and processed approximately 1800 housing applications. The complaints equate to 0.5% of recorded interactions. A feedback questionnaire is used to improve service and a group of “tenant inspectors” has been established to ensure that the letting standard is being achieved.
Rent & Money Advice					3	There are approximately 6200 tenancies. The complaints here relate

<p>Estate Management &amp; Anti Social Behaviour</p> <p>Sheltered Housing</p>					<p>9</p> <p>5</p>	<p>to the speed at which credit balances are refunded. This will however be reviewed in the near future to see if the process can be improved.</p> <p>Estate Management and issues of ASB are always difficult to manage and in particular customer expectations. The 9 complaints represent approximately 0.1% of tenancies and are as a result of frustration with the situation.</p> <p>The complaints were in relation to a small number of issues with agency staff not being fully aware of procedures. These issues have now been resolved and the issue of agency staff stabilised.</p>
<p><b>Borough Solicitor</b></p>	<p>1</p>	<p>0</p>	<p>2</p>	<p>0</p>	<p><b>1</b></p>	<p>The complaint was in respect of a Housing Benefit overpayment which the Council sought to recover through the Courts, as regular instalment payments had not been made by the complainant. Although, as a result of Court action payment in full was eventually received, the complainant complained that the Council had acted unreasonably in pursuing the debt and had not stopped Court action promptly when payment had been made in full. The Council responded that Court</p>

						<p>action was not unreasonable and that proceedings were stopped as soon as the Council was able to confirm to the Court that the complainant's cheque had cleared in circumstances where an earlier cheque had bounced. The complainant complained to the Local Government Ombudsman. The Ombudsman found no evidence of fault, but recommended that the Council should look at its systems and procedures to ensure cleared cheques are noted on accounts as soon as possible, and as a result operational arrangements have been streamlined.</p>
<p><b>Borough Treasurer (Accounts, Treasury Management, Audit, Insurance)</b></p>					<p><b>0</b></p>	

<p><b>Street Scene</b></p> <p>Refuse/Recycling  Cleansing  Grounds Maintenance  Civic (Bulky Refuse)  Collection Service  Abandoned Vehicles  Medical Collections  Highways (LCC)  Fly Tipping  Bonfire Removal  Trade Waste</p>	4	3	5	11	<p><b>18</b></p> <p>16</p> <p>2</p>	<p>Street Scene experienced an increase of seven complaints compared to the previous year. However, the number of complaints received should be viewed in relation to the extent of the services provided –</p> <ul style="list-style-type: none"> <li>• Weekly collection service to approximately fifty thousand properties.</li> <li>• manual and mechanical cleansing of 3 million metres of roadway and the 3.5 million square metres of hard landscaping</li> <li>• provision, maintenance and emptying of over 800 litter bins and over 250 dog waste bins</li> <li>• Respond to, collect and dispose of fly tip incidents from public land across the Borough</li> </ul> <p>The increase mainly relates to customer dissatisfaction in the waiting time for a replacement container (box/bin). A new system for delivering containers has been devised and will be implemented in May.</p> <p>There has been a reduction in complaints regarding missed</p>
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						<p>collections for refuse/recycling and containers not being correctly returned to the customer's property.</p> <p>The other complaints relate to a variety of issues including weed and graffiti removal from private land, a full dog bin, and an overhanging branch.</p> <p>Out of the 18 complaints received, 4 were without merit.</p>
<b>Total</b>	71	65	76	107	<b>122</b>	





**AGENDA ITEM: 6(b)**

**CABINET: 18 JUNE 2013**

**CORPORATE & ENVIRONMENTAL  
OVERVIEW & SCRUTINY  
COMMITTEE:  
11 JULY 2013**

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**Report of: Transformation Manager**

**Relevant Head of Service: Managing Director (Transformation)**

**Relevant Portfolio Holder: Councillor D Westley**

**Contact for further information: Ms A Grimes (Extn. 5409)  
(E-mail: [alison.grimes@westlancs.gov.uk](mailto:alison.grimes@westlancs.gov.uk))**

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**SUBJECT: QUARTERLY PERFORMANCE INDICATORS (Q4 2012/13)**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To present performance monitoring data for the quarter ended 31 March 2013.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Council's performance against the indicator set for the quarter ended 31 March 2013 be noted.

2.2 That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 11 July 2013.

**3.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE**

3.1 That the Council's performance against the indicator set for the quarter ended 31 March 2013 be noted.

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## **4.0 CURRENT POSITION**

4.1 Members are referred to Appendix A of this report detailing the quarterly performance data for the Corporate Service Priorities.

4.2 Of the 32 indicators:

- 14 are on target
- 4 have data currently unavailable (*NI195a-d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting)*)
- 6 indicators narrowly missed target; 7 were 5% or more off target
- 1 is data only.

As a general comparison, Q4 performance within the 2011/12 suite showed 17 indicators were on target.

4.3 Improvement plans are already in place for those indicators where performance falls short of the target by 5% or more for this quarter if such plans are able to influence outturn.

4.4 These plans provide the narrative behind the outturn and are provided in Appendices B1-B8. Where performance is below target for consecutive quarters, plans are revised only as required, as it is reasonable to assume that some remedial actions will take time to make an impact.

4.5 For those PIs that have flagged up as 'amber' (indicated as a triangle), an assessment has been made at head of service level based on the reasons for the underperformance and balancing the benefits of implementing an improvement plan versus resource implications. This is indicated in the table.

4.6 Although the purpose of this report is to comment on quarterly information, a brief reference on the draft annual performance is also given in Appendix A where available. Performance against the full corporate suite of indicators 2012/13 will be reported within the Business Plan Annual Report.

## **5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

5.1 The information set out in this report aims to help the Council 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 direct 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 the key performance indicators from the full suite of indicators for 2012/13 as agreed by Cabinet in March 2012. Indicators are aligned as appropriate to Corporate and Service Priorities contained in the Business Plan.

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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**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

### **Appendices**

Appendix A – Quarterly Performance Indicators for Q4 January-March 2012/13










Appendix B – Current Improvement Plans

- B1: WL01 No. bins missed per 100,000 collections
- B2: NI 192 Percentage of household waste sent for reuse, recycling and composting
- B3: HS13-WL114 % LA properties with CP12 outstanding
- B4: TS24a-BV212 GN Average time taken to re-let local authority housing (days) – General Needs
- B5: TS24b-BV212 SP Average time taken to re-let local authority housing (days) – Supported Needs
- B6: BV12 Working Days Lost Due to Sickness Absence
- B7: WL19b(ii) % Direct Dial calls answered within 10 seconds
- B8: WL108 Average waiting time for callers to the contact centre (seconds)





Appendix C – Minute of Cabinet 18 June 2013 (Corporate O&S only)





# APPENDIX A: QUARTERLY PERFORMANCE INDICATORS



Icon key					
PI Status			Performance against same quarter previous year		
	OK (within 0.01%) or exceeded	14		Improved	8
	Warning (within 5%)	6		Worse	16
	Alert (by 5% or more)	7		No change	0
	Data only	1	/	Comparison not available	4
	Awaiting data	4		Awaiting data	4
N/A	Data not collected for quarter	0			
Total number of indicators		32			

## Balancing the budget and providing the best possible services within the resources available





PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
OCL-BV10 % of Non-domestic Rates Collected	99.05%	32.48%	60.38%	87.87%	95.97%	32.31%	61.41%	88.04%	95.4%	97.77%*	Performance impacted in Q4 by planned downtime following data migration to new core system. Recovery plans now in place.  Issues discussed at monthly Quality of Service meetings. No improvement plan beyond detail above.  Annual performance of 95.4% narrowly missed target of 97.77%		
OCL-BV9 % of Council Tax collected	98.19%	30.61%	58.35%	86.96%	98.06%	30.59%	58.07%	86.77%	96.4%	98.06%*	Performance impacted in Q4 by planned downtime following data migration to new core system. Recovery plans now in place.  Issues discussed at monthly Quality of Service meetings. No improvement plan beyond detail above.  Annual performance of 96.4% narrowly missed target of 98.06%		

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
TS1-BV66a % Rent collected (excluding arrears brought forward)	98.41%	97.95%	97.84%	98.34%	98.42%	98.02%	98.15%	98.63%	98.41%	98.41%	Annual performance of 98.41% met target of 98.41%.		
















### Focusing upon sustainable regeneration and growth within the Borough

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI151 Overall Employment Rate (working age)		76.0%	79.3%	75.9%	71.9%	73.0%	69.8%	70.9%	71.7%	74.4%	<p>Due to lag in information being released by ONS figure relates to Oct 2011-Sept 2012. Data collected quarterly and covers previous 12 months.</p> <p>The average in this period for all North West LA's is 70.5%<sup>1</sup> No improvement plan as data largely beyond control of Council.</p> <p>Annual performance of 71.7% missed target of 74.4%.</p>		

### Caring for our Borough - delivering the small improvements that can make a big difference

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL01 No. bins missed per 100,000 collections	46.61	65.31	147.93	68.38	44.94	49.96	63.36	65.40	87.09	81.64	<p>Annual performance of 65.94 bettered target of 81.64.</p> <p>Improvement plan attached as Appendix B1.</p>		
WL06 Average time taken to remove fly tips (days)	1.02	1.04	1.05	1.07	1.19	1.18	1.10	1.12	1.05	1.09	Annual performance of 1.13 narrowly missed target of 1.09.		

















PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg)	120.58	120.78	125.26	123.97	124.36	121.91	122.3	131.59	116.8	123.48	Annual performance of 490.26 kg bettered target of 493.91 kg.		
NI 192 Percentage of household waste sent for reuse, recycling and composting	45.68%	52.49%	49.62%	44.65%	42.52%	51.48%	52.74%	44.17%	40.73%	47.58%	Traditionally Q1 and Q2 provide the highest composting figures.  Annual performance of 47.75 % bettered target of 47.58%.  Improvement plan attached as Appendix B2.		
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	2.33%	N/A	1.83%	.83%	2.17%	N/A	.33%	1.00%		1.61%	300 surveys are required for this data. Staff need to be trained to undertake the field work and the full number has not been completed due to a vacant post. The vacancy is currently being recruited to.		
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	5.31%	N/A	4.64%	13.43%	4.15%	N/A	6.49%	3.10%		7.33%	<i>As for NI195a</i>		
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	.00%	N/A	2.33%	.67%	.33%	N/A	.67%	.00%		1.11%	<i>As for NI195a</i>		
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	0.00%	N/A	0.00%	0.00%	0.00%	N/A	0.00%	0.00%		0.00%	<i>As for NI195a</i>		

**Combat crime and the fear of crime**








PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL08a Number of Crime Incidents	1,416	1,565	1,628	1,488	1,395	1,444	1,392	1,351	1,253	1,395	Annual performance of 5,440 bettered target of 6,076		







**Improve housing and deliver housing that meets the needs of local people, including affordable housing**







PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL24 % Building regulations applications determined within 5 weeks	77.60%	66.67%	75.74%	80.60%	87.18%	79.29%	79.51%	66.20%	73.33%	70.00%	Annual performance of 75.98% bettered target of 70%.		
NI 157a Processing of planning applications: Major applications	83.33%	28.57%	33.33%	61.54%	22.22%	55.56%	80.00%	33.33%	80.00%	65.00%	Annual performance of 60.61% missed target of 65%.		
NI 157b Processing of planning applications: Minor applications	84.00%	78.33%	76.47%	84.42%	85.46%	81.33%	82.09%	73.13%	75.86%	75.00%	Annual performance of 78.28% bettered target of 75%.		
NI 157c Processing of planning applications: Other applications	89.06%	92.16%	96.77%	93.13%	99.20%	92.53%	92.54%	91.78%	89.23%	85.00%	Annual performance of 91.10% bettered target of 85%.		
HS1-WL111 % Housing repairs completed in timescale	93.84%	85.51%	89.92%	95.79%	92.98%	94.62%	98.18%	98.66%	97.90%	95.00%	Annual performance of 97.34% bettered target of 95%.		
HS13-WL114 % LA properties with CP12 outstanding [Lower is Better]	0.17%	0.11%	0.04%	0.19%	0.07%	0.01%	0.09%	0.08%	0.11%	0%	Target based on legal requirement for all eligible properties to have certificate. Annual performance of 0.11% missed target of 0%.  Improvement plan attached as Appendix B3.		

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
TS24a-BV212 GN Average time taken to re-let local authority housing (days) - GENERAL NEEDS	Not previously measured					21.32 <sup>2</sup>	19.70 <sup>2</sup>	21.75 <sup>2</sup>	29.67	17.50	Performance over target due to measures introduced to control spending. Annual performance of 23.36 missed target of 17.5 days. Improvement plan attached as Appendix B4.	/	
TS24b-BV212 SP Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	Not previously measured					47.59 <sup>2</sup>	73.29	167.57 <sup>2</sup>	50.23	45.00	Performance over target due to measures introduced to control spending plus allocation of some long term voids has also skewed the figure.  Annual performance of 77.9 missed target of 45 days. Improvement plan attached as Appendix B5.	/	



### Operational

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
OCL-B1-NI181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	6.72	10.95	8.99	9.06	7.19	12.34	11.4	12.08	10.31	12.00*	Annual performance of 11.27 bettered target of 12 days.		
OCL-B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	N/A	N/A	£88,460.0	£127,047	£186,926	£48,269.0	£90,397.0	£130,250	£170,882	 *	Quarter outturn reported as data only.  Annual performance of £170,882 bettered target of £170,000.		
OCL-R4 Sundry Debtors (cash collected and write offs)	N/A	1,236,117	2,615,231	3,817,022 <sup>3</sup>	5,814,105 <sup>3</sup>	1,134,242	2,718,863	4,031,803	5,675,860	5,768,616*	Senior Revenues and Benefits staff are working closely with WLBC Legal		

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
											<p>Services to progress a number of long-standing, high-value, complex cases. Some of these cases have been delayed pending decisions on appropriate legal action by the Council.</p> <p>Figures for Q3/Q4 2011/12 restated following change in calculation method reflecting payment relationship with JVC.</p> <p>Issues discussed at monthly Quality of Service meetings. No improvement plan beyond detail above.</p> <p>Annual performance of 5,675,860 narrowly missed target of 5,768,616</p>		
OCL-ICT1 Severe Business Disruption (Priority 1)	N/A	N/A	N/A	N/A	N/A	100%	100%	100%	100%	99%*	Annual performance of 100% bettered target of 99%	/	
OCL-ICT2 Minor Business Disruption (P3)	N/A	N/A	N/A	N/A	N/A	97%	98%	100%	100%	95%*	Annual performance of 99% bettered target of 95%	/	
BV12 Working Days Lost Due to Sickness Absence	2.53	1.97	2.24	2.28	1.90	2.26	2.42	2.14 <sup>2</sup>	2.31	2.02	<p>Figures from October 2012 onwards do not include staff seconded to OCL.</p> <p>Annual performance of 9.14 missed target of 8.08 days.</p> <p>Improvement plan attached as Appendix B6.</p>		
BV8 % invoices paid on	97.45%	95.72%	97.47%	98.20%	97.84%				97.82%	98.24%	Annual performance of		

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
time						97.46%	96.98%	96.71%			97.22% narrowly missed target of 98.24%		
WL19b(ii) % Direct Dial calls answered within 10 seconds	82.36	81.62	81.53	82.49	83.17	79.2	78.49	78.38	79.47	82.21	The facility to log data from OCL seconded staff is currently unavailable. Figures for 2012-13 do not include these staff to allow for in-year comparison.  Annual performance of 78.91% narrowly missed target of 82.21% (does not include OCL seconded staff).  Improvement plan attached as Appendix B7.		
WL90 % of Contact Centre calls answered	69.8%	91.9%	92.0%	90.9%	87.8%	84.7%	85.7%	88.8%	89.9%	90.6%	Annual performance of 87.2% narrowly missed target of 90.6%  Head of Service's amber assessment: improvement plan not required.		
WL108 Average waiting time for callers to the contact centre (seconds)	148.00	19.00	21.00	19.00	46.00	38.00	46.00	26.00	36.00	26.25	Annual performance of 36.5s missed target of 26.25s  Improvement plan attached as Appendix B8.		

Provide opportunities for leisure and culture that together with other council services contribute to healthier communities

PI Code & Short Name	Q4 2010/11	Q1 2011/12	Q2 2011/12	Q3 2011/12	Q4 2011/12	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Current Target	Comments	Q4 12/13 vs Q4 11/12	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL18 Use of leisure and cultural facilities (swims and visits)	318,935	284,845	287,724	268,446	341,024	296,315	280,865	241,569	321,278	295,510	Figures from Q3 reflect the closure of Skelmersdale Sports Centre.  Annual performance of 1,140,027 narrowly missed target of 1,182,039.		

Notes: \*Managed through One Connect Limited contract. Contractual targets are annual and set via SLA. Quarter targets are provided as a gauge for performance but are not contractual; "NI" and "BV" coding retained for consistency/comparison although national reporting no longer applies;  
<sup>1</sup> Data taken from LG Inform; <sup>2</sup> Restated.

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	WL01: missed bins per 100,000 collections
<b>Reasons for not meeting target</b>	
<p>During this period the section encountered mechanical/electrical problems associated with the age and condition of several refuse collection vehicles. Such instances had a detrimental impact upon the completion of collection rounds and resulted in the schedule being completed the following day.</p>	
<b>Brief Description of Proposed Remedial Action</b>	
<p>It is anticipated that as the new collection vehicles come into service this will result in a reduction in vehicle downtime. This assists in reducing the number of missed collections. Weekly performance monitoring will continue.</p>	
<b>Resource Implications</b>	
None	
<b>Priority</b>	
High	
<b>Future Targets</b>	
Continue with existing performance target .	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b>	<b>Completion Date</b>
Weekly performance monitoring	September 2013

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	NI 192 Percentage of Household Waste sent for reuse, recycling and composting.
<b>Reasons for not meeting target</b>	
<p>In quarter four there was an increase in residual waste collected and a reduction in compost material (green waste). This has resulted in a drop in the recycling rate for the quarter.</p> <p>Weather conditions during the quarter also influences the quantity of green waste presented for collection.</p>	
<b>Brief Description of Proposed Remedial Action</b>	
Options for increasing the tonnage of recyclable/compost material are limited as we are subject to collecting what is presented.	
<b>Resource Implications</b>	
None	
<b>Priority</b>	
Low	
<b>Future Targets</b>	
Continue with existing performance target.	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b>	<b>Completion Date</b>
Monitor monthly tonnage figures	September 2013



<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	<b>WL114:</b> % LA properties with CP12 outstanding
<b>Reasons for not meeting target</b> Properties requiring a gas certificate alter on a daily basis and are monitored weekly at service management team level. A very small number of tenants still refuse to give access.	
<b>Brief Description of Proposed Remedial Action</b> We continually work to reduce the number of properties that do not have a current CP12, this is monitored weekly at the service management team.  We will continue to work with our contractor to reduce the number of properties without a current CP12 and cater for individual tenant needs. In addition we continue to maximise publicity utilising our own newsletters / leaflets and the local media emphasising the importance of allowing access and publicising evictions.  We will continue to fit gas restriction devices on properties with a history of repeat “no access”, this device restricts the delivery of gas to the boiler which will prompt the tenant to phone us for access.	
<b>Resource Implications</b>  A small cost is associated with fitting gas restriction devices, which is met from existing budgets.	
<b>Priority</b> High	
<b>Future Targets</b> No change	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b> As outlined above	<b>Completion Date</b> On-Going

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	TS24a Average time taken to re-let local authority housing (days) - GENERAL NEEDS
<b>Reasons for not meeting target</b>	
Performance has been above target due to delays in advertising properties whilst awaiting cost of repair work. This measure was introduced to control spending in 2012/13 which has resulted in a backlog.	
<b>Brief Description of Proposed Remedial Action</b>	
Increased turnaround times have been an inevitable result of measures taken to reduce projected overspend in 2012/13, and therefore will be a constraint in this financial year.	
Void properties placed on hold over the last few months due to budgetary pressures, have now started to be released for letting. This will be done on a phased basis in liaison with the Council's maintenance contractors. It is important to note however that the release of long term voids will result in an increase in void turnaround times when the properties are subsequently let and will impact on performance in 2013/14.	
<b>Resource Implications</b>	
None	
<b>Priority</b>	
Low	
<b>Future Targets</b> <i>(these will not be changed mid-year)</i>	
<b>Action Plan</b>	
Ensure that all new voids are relet within target.	June 2013
Work towards advertising all properties as soon as notice is received from outgoing tenant.	June 2013
Work with contractors to minimise delays with kitchen refurbishment works.	Ongoing
Release all voids on hold, where it is economically viable to do so.	Aug 2013

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	TS24b - Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS
<b>Reasons for not meeting target –</b>  Several long term voids have been relet during the quarter which results in average number of day being skewed.	
<b>Brief Description of Proposed Remedial Action</b>  Options Appraisals of two sheltered schemes have now been commissioned.  All investment in Category II sheltered schemes will be considered in light of the councils Asset Management Plan.	
<b>Resource Implications</b>  None	
<b>Priority</b>  Medium	
<b>Future Targets</b> <i>(these will not be changed mid-year)</i>	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b>	<b>Task Completion Date</b>
<ul style="list-style-type: none"> <li>▪ Options Appraisals</li> <li>▪ Asset Management Planning</li> </ul>	<p>Ongoing</p> <p>Ongoing</p>

<b>PERFORMANCE IMPROVEMENT PLAN</b>					
<b>Indicator</b>	<b>BVPI 12 Sickness Absence</b>				
<p><b>Reasons for not meeting target</b>            The Council's target for 2012/13 is to achieve (not more than) 8.08 working days lost per employee, measured on a rolling 12 month basis. Sickness increased from 8.39 days in 2011/12 to 9.14 days in 2012/13.</p> <p>Members may be aware that the HR team has been under resourced for a period of approximately 12 months now due to several changes in personnel, together with unavoidable long term sickness of two members of staff.</p> <p>In addition, the team has played a vital and fundamental role in successfully implementing the new Payroll arrangements with Wigan Council and clearly this has had a major impact upon other areas of service delivery, given the need to secure alternative arrangements due to the previous Payroll system effectively coming to the end of its life.</p> <p>The revised calculations in respect of sickness levels have been calibrated and represent the attendance figures excluding secondees to One Connect Limited.</p>					
<p><b>Brief Description of Proposed Remedial Action</b></p> <ul style="list-style-type: none"> <li>• The HR team will focus on providing improved management information which will assist managers to effectively identify all short term cases of sickness absence which have exceed the agreed 'trigger' levels and all on-going long term cases of sickness absence.</li> <li>• The HR team will return to full complement in June and this will help address the issue.</li> <li>• HR will continue to meet with individual Heads of Service to provide advice and support to ensure managers have the continued skills and confidence to address absence issues appropriately.</li> <li>• The revised Management of Sickness Absence Policy was implemented in January 2012. A review of the effectiveness of the Policy is ongoing which will result in improved guidance for managers.</li> </ul>					
<p><b>Resource Implications</b></p> <p>Timely interventions and practical support will continue to be needed from managers, which can make a real positive difference to attendance levels.</p> <p>The HR team will provide support and guidance to managers on the implementation of the revised policy.</p>					
<p><b>Priority</b> High</p>					
<p><b>Future Targets</b> Continue with existing target.</p>					
<p><b>Action Plan</b></p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 60%;"><b>Tasks to be undertaken</b></th> <th><b>Completion Date</b></th> </tr> </thead> <tbody> <tr> <td>See proposed remedial action (above)</td> <td>Ongoing with sickness absence levels continuing to be reported on a monthly basis</td> </tr> </tbody> </table>		<b>Tasks to be undertaken</b>	<b>Completion Date</b>	See proposed remedial action (above)	Ongoing with sickness absence levels continuing to be reported on a monthly basis
<b>Tasks to be undertaken</b>	<b>Completion Date</b>				
See proposed remedial action (above)	Ongoing with sickness absence levels continuing to be reported on a monthly basis				

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	WL19b(ii) % Direct dial calls answered within 10 seconds
<b>Reasons for not meeting target</b>	
Performance dipped in the first three quarters of last year, however it improved during the last quarter and is slightly higher than at the start of the last financial year.	
<b>Brief Description of Proposed Remedial Action</b>	
<p>A number of actions have been/continue to be put in place in order to improve performance.</p> <ol style="list-style-type: none"> <li>1. Detailed monthly monitoring reports are issued to each Head of Service to enable them and their managers to scrutinise individual section/officer performance.</li> <li>2. A further data cleansing exercise is to be carried out in order to remove extensions which should not be included in the reports, for example fax machines, redundant extensions etc. This also ensures accuracy of information in line with data quality. .</li> <li>3. Managers to further consider the use of Voicemail for those officers who spend time away from the office and whose telephone performance is giving cause for concern as a result of this.</li> </ol>	
<b>Resource Implications</b>	
None	
<b>Priority</b>	
High	
<b>Future Targets</b>	
<i>There are no proposals to change the targets at this stage.</i>	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b>	<b>Completion Date</b>
See above remedial action	Ongoing as part of performance monitoring and good practice

<b>PERFORMANCE IMPROVEMENT PLAN</b>	
<b>Indicator</b>	WL108 Average waiting time for callers to the Contact Centre (seconds)
<b>Reasons for not meeting target</b>	
<ul style="list-style-type: none"> <li>• Resource issues within Customer Services</li> <li>• Increase in call volume in the lead up to the introduction of Welfare Reform</li> </ul>	
<b>Brief Description of Proposed Remedial Action</b>	
<ul style="list-style-type: none"> <li>• Recruitment of additional staff in line with the vacancy approval process.</li> <li>• Monitoring call volumes and working with our partners OCL to improve service delivery.</li> </ul>	
<b>Resource Implications</b> Additional resources met from within existing budgets	
<b>Priority</b> High	
<b>Future Targets</b> The outturn for 2012/13 is 36.5 seconds, however the previous target of 26.25 will remain for 2013/14.	
<b>Action Plan</b>	
<b>Tasks to be undertaken</b>	<b>Task Completion Date</b>
<ul style="list-style-type: none"> <li>▪ See above comments.</li> </ul>	Recruitment process commenced and ongoing.



**AGENDA ITEM: 6(c)**

**CABINET:  
18 JUNE 2013**

**AUDIT & GOVERNANCE  
COMMITTEE:  
25 JUNE 2013**

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**Report of: Borough Solicitor**

**Relevant Managing Director: Managing Director (People and Places)**

**Relevant Portfolio Holder: Councillor I Grant**

**Contact for further information: Mr T P Broderick (Ext 5001)  
(E-mail: [terry.broderick@westlancs.gov.uk](mailto:terry.broderick@westlancs.gov.uk))**

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**SUBJECT: REGULATION OF INVESTIGATORY POWERS ACT – ANNUAL  
SETTING OF POLICY AND REVIEW OF USE OF POWERS**

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Borough Wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To review and set the Policy on the use of the Regulation of Investigatory Powers Act 2000 (RIPA) and to review the use of covert surveillance and the acquisition of communications data by the Council over the last year.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the RIPA Guide and Guidance on Completing RIPA Authorisation Forms be approved.

2.2 That the Council's RIPA activity be noted.

2.3 That Managing Directors and Heads of Service be authorised to appoint officers to attend the Magistrates' Court to seek orders approving the grant or renewal of authorisations for directed surveillance, covert human intelligence sources and acquisition of communications data.

**3.0 RECOMMENDATION TO AUDIT & GOVERNANCE COMMITTEE**

3.1 That the Annual update report and review of use of powers, be noted.

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## **4.0 BACKGROUND**

- 4.1 The Council employ a number of investigative techniques including surveillance, which assist its regulatory functions. Relevant areas of activity include investigations by Internal Audit, Benefits Fraud Team, Environmental Health, Licensing, CCTV Services and MAPs Team.
- 4.2 In accordance with RIPA, its subordinate legislation and Codes of Practice, the Council regulates its relevant surveillance activities. As well as robust systems for internal control the Council is also subject to external inspections by the Office of Surveillance Commissioners (which monitors the use of directed surveillance and covert human intelligence sources) and the Interception of Communications Commissioner's Office (which monitors the acquisition of communications data). The Council was last inspected by the OSC on 21 July 2010 and the findings from that inspection were reported to the members of cabinet on 14 September 2010. A further inspection has been scheduled and is to take place on Thursday 27 June 2013.
- 4.3 The statistical information on the use of RIPA powers during the last year is set out in paragraph 6.1 below.
- 4.4 As was presaged in last years' report to Cabinet the Protection of Freedoms Act 2012 ("the 2012 Act") came into force within the last year. The 2012 Act and related changes requiring (amongst other things) judicial approval to activate the grant or renewal of an authorisation to obtain communications data, to conduct directed surveillance or to use covert human intelligence sources. Provisions also further regulate CCTV and other surveillance camera systems operated by public authorities, including Councils. Relevant steps have been taken in that regard. The Council can now only grant authorisations for directed surveillance where one or more criminal offences carrying a minimum sentence of 6 months imprisonment are suspected. No urgent oral authority may be obtained by local authorities.
- 4.5 In order to give effect to the requirement to seek approval of authorisations or renewals of authorisations for relevant surveillance activities from the Magistrates' Court, officers will need to be appointed by Heads of Service or Managing Directors for that purpose. This would allow investigating officers the opportunity to attend and explain the circumstances/give evidence when seeking approval.

## **5.0 POLICY APPROVAL**

- 5.1 As a requirement of the RIPA Code of Practice the Council considers its policy in this area on an annual basis, as well as reviewing its use of the powers through quarterly reports to Audit and Governance Committee. The Council's RIPA Guide forms the Council policy in this area and has been commended in earlier inspections. A link to the draft updated Guide and the associated Guidance to Officers is available through the following link [http://www.westlancs.gov.uk/council\\_and\\_democracy/legal\\_statements\\_and\\_foi/ripa.aspx](http://www.westlancs.gov.uk/council_and_democracy/legal_statements_and_foi/ripa.aspx) At paragraph 5 the Guide stresses that grantors must believe the authorised activity is:

(1) necessary for preventing and detecting crime; and



(2) proportionate to what is sought to be achieved in carrying out the surveillance activity (e.g. the 24/7 watching of premises, where private individuals may go about their lawful business, for the possibility of gaining collateral evidence for a very minor technical infraction of an offence would not in all likelihood be proportionate). If it fails either test, authorisations should not be granted.

5.2 The Guide includes provisions regulating the process for Management of CHIS (covert human intelligence sources) by the Borough Solicitor.

5.3 The forms guidance provides a step-by-step guide to officers in the use of the policy for relevant activity. These documents are monitored throughout the year to ensure they are up to date and 'fit for purpose' and may be amended in accordance with delegated arrangements.

5.4 In the current year an amended version was prepared to cater for the changes brought about by the 2012 Act.

## **6.0 MONITORING OF RIPA ACTIVITY**

6.1 Since April 2012 no covert surveillance has been authorised.

## **7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

7.1 There are no significant sustainability implications arising directly from this report, although properly authorised RIPA activity may assist in delivering safer communities.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

8.1 There are no additional significant financial and resource implications arising from this report.

## **9.0 RISK ASSESSMENT**

9.1 The Council could be in breach of the relevant legislation if it does not follow the procedures set out in the RIPA and its Codes. This could result in the inadmissibility of evidence and the possibility of breach of the Human Rights Act 1990.

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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**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required

## **Appendices**

Appendix 1 – RIPA Guide and Forms Guidance dated available at:

[http://www.westlancs.gov.uk/council\\_and\\_democracy/legal\\_statements\\_and\\_foi/ripa.aspx](http://www.westlancs.gov.uk/council_and_democracy/legal_statements_and_foi/ripa.aspx)



**AGENDA ITEM: 6(d)**

**CABINET: 18<sup>th</sup> June 2013**

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**Report of: Assistant Director Housing and Regeneration**

**Relevant Managing Director: Managing Director (Transformation)**

**Relevant Portfolio Holder: Councillor Mrs V Hopley**

**Contact for further information: Mr S Jones (Extn. 5208)  
(E-mail: [steve.jones@westlancs.gov.uk](mailto:steve.jones@westlancs.gov.uk))**

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**SUBJECT: TENANT INVOLVEMENT STRUCTURE**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

- 1.1 To seek approval to the updated structure for Tenant Involvement and the new role for the Tenants and Residents Forum (TRF).

**2.0 RECOMMENDATIONS**

- 2.1 The new structure for Tenant Involvement at Appendix C be approved.
- 2.2 The new role for the Tenants and Residents Forum at Appendix D be approved, and the Assistant Director Housing and Regeneration be given delegated authority to update the Tenants and Residents Forum Constitution as appropriate.

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**3.0 BACKGROUND**

- 3.1 Cabinet will be aware that the social housing regulator required all registered social landlords to have in place governance and scrutiny arrangements to allow tenants to be part of the co-regulation shaping of landlord services. Originally

this was developed by the Tenants Services Authority but this was abolished in April 2012 and the function of social landlord regulation was absorbed by the Homes and Communities Agency.

- 3.2 Cabinet will recall that at their meeting on the 16<sup>th</sup> March 2011 approval was given to the recommendations made by the former Corporate Overview and Scrutiny Committee to establish a tenant involvement structure. This structure is shown at Appendix A. At this stage, as the change was complicated enough, it was agreed that there would be no alteration to the existing TRF and additionally, as the Estate Management Boards were transitioning into Tenant and Resident Associations (TRA's), these too were excluded at that time.
- 3.3 As a consequence of the new arrangements, Cabinet agreed to also establish the Landlord Services Committee (LSC) as a Cabinet Working Group. This evidenced Councillor and tenant involvement in co-regulation throughout landlord services. The LSC is a cross member and tenant working group that ensures that we meet the regulators requirements.
- 3.4 The regulator's regulatory focus has been amended in 2012 to primarily ensure value for money and financial viability and risk, but the existing regulatory consumer standards are still in force. It remains important therefore that we have in place effective tenant/member scrutiny and co-regulation arrangements.
- 3.5 There is therefore, a continuing need to review and refresh the current arrangements the Council has adopted to meet the regulator's requirements and reflect the evolution of the structure to remain fit for purpose

#### **4.0 CURRENT POSITION**

- 4.1 The existing arrangements allowed tenants to be trained and provided a good structure to develop the knowledge and skills needed for tenants to effectively be part of the governance and scrutiny process.
- 4.2 However, over the period, although there were minor alterations to the structure, and as the knowledge of tenants increased, there were issues of duplication. Also the initial period of developing arrangements had subsided and there was a view that the structure needed to be reviewed and rationalised. This was a natural reaction to the organic development of this area of work and is seen in almost all other social landlords. Additionally it was also felt that there was some confusion between the role of the TRF and the Tenant Involvement structure and the need to locate the TRA's into this relationship that was beneficial to all parties.
- 4.3 Therefore it was agreed to seek an external review of the current arrangements and Helena Partnerships were chosen to undertake this task. Helena has previously worked closely with the Council on tenant related matters and has been identified as one of twelve national co-regulatory champions. They have significant experience in this area and have developed a constructive critical friend relationship with us. A copy of the Helena Review is attached at Appendix B.

## **5.0 WAY FORWARD**

- 5.1 Those tenants involved in the Tenant Involvement structure have reviewed Helena's report and undertaken a day session on how to move forward. They have agreed that the existing structure is now too cumbersome and bureaucratic and does not represent good value for money. They therefore believe that a single tenant group supported by appropriate task and finish groups and tenant inspectors is the best way forward at this time. This new structure is shown at Appendix C.
- 5.2 Additionally the TRF has agreed to a new focus and will now meet only once or twice per year with other meetings as required and that the focus of the TRF should be on assisting with wider consultation and a broader community focus. The TRF will also undertake the impact assessment of the tenant involvement structure arrangements and will have more regularised links to the TRA's. This will mean the existing TRF constitution will be superseded by the new remit. The new remit for the TRF is shown at Appendix D.
- 5.3 The Assistant Director Housing and Regeneration already has delegated powers to support the TRF and TRA's and officers will continue to support these bodies in making the necessary changes.

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

- 6.1 The continuing formalised involvement of tenants will add value to our community led improvements and link tenants directly into the shaping and scrutiny of our landlord services.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 There are no additional financial or resource implications arising from this report as the current tenant involvement arrangements are funded through the HRA. The expected delivery of efficiencies in the streamlined arrangements will allow us to extend our current arrangements to encompass those harder to reach groups such as younger tenants and other poorly represented groups.

## **8.0 RISK ASSESSMENT**

- 8.1 The new arrangements will mitigate the risk of adverse assessment by the housing regulator. The arrangements are also necessary to ensure we comply with the regulatory framework.
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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 a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

## **Appendices**

Appendix A - Existing Tenant involvement structure

Appendix B - Helena Review

Appendix C - Proposed new structure for Tenant involvement

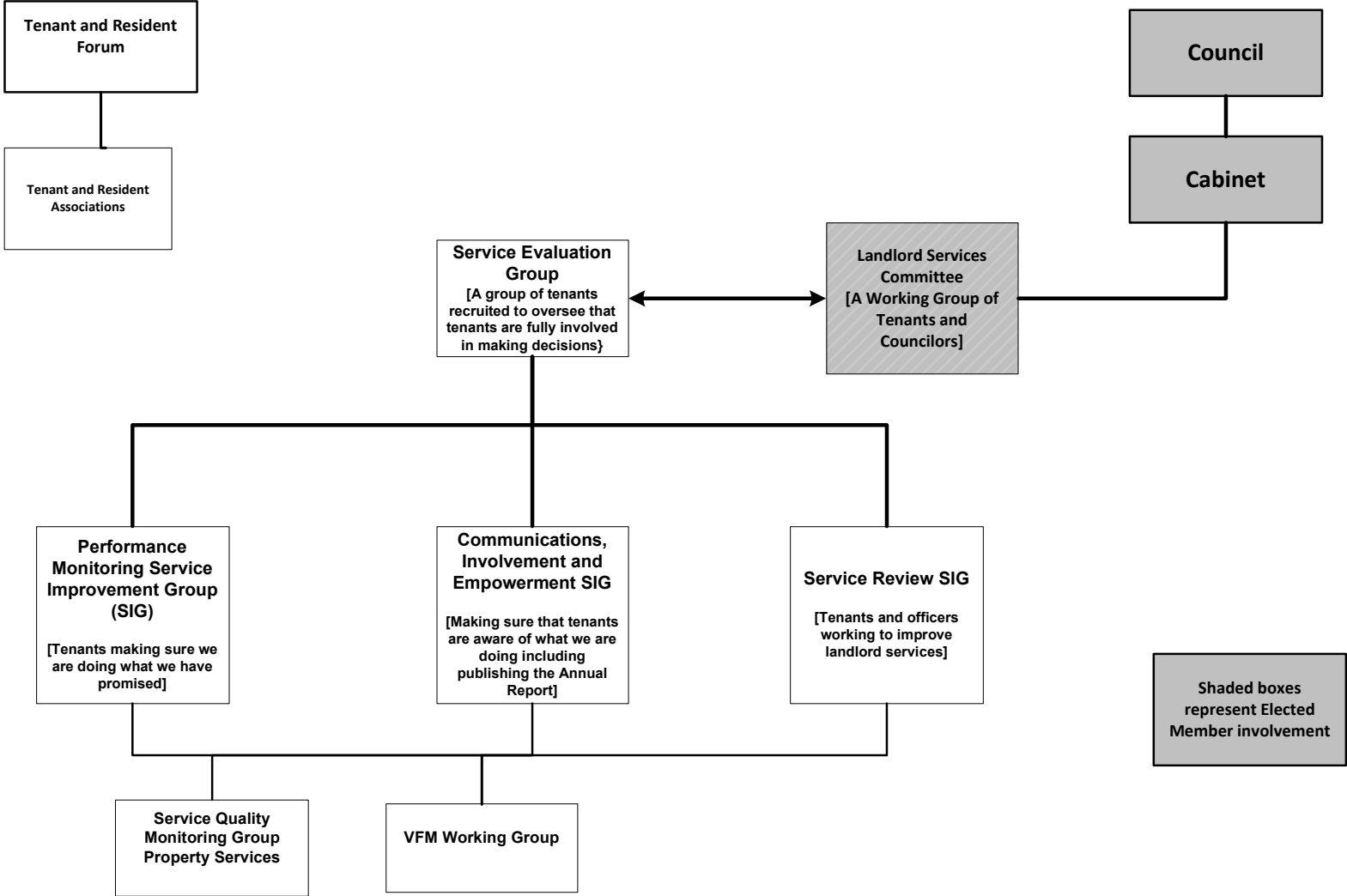
Appendix D - New remit for the TRF

Appendix E – EIA

Appendix F – Minute of Landlord Services Committee 12 June 2013 (to follow)

**APPENDIX A**

**EXISTING TENANT INVOLVEMENT STRUCTURE**









**Helena Partnerships**

# Review of Tenant Involvement Structure WLBC Housing Service

**Review findings**

**December 2012**

Nina Peters  
Performance and Intelligence Manager  
Helena Partnerships

## **Acknowledgements**

This review was carried out by the following staff at Helena Partnerships:

- Nina Peters; Performance and Intelligence Manager
- Graham Jones; Customer Excellence Advisor
- Danielle Tatlock; Performance and Intelligence Apprentice

**A special thanks to all staff, tenants, members and other stakeholders at West Lancs Borough Council Housing Services who contributed to this review.**

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## Introduction

WLBC Housing Services is reviewing its tenant involvement and scrutiny arrangements. As one of 10 national co-regulatory champions, Helena Partnerships was asked to undertake an assessment of the existing involvement structures, making recommendations for improvement.

The remit of the review is to assess the tenant involvement and scrutiny structure at WLBC Housing Service, in particular to:

- Undertake a desk based review of the existing structures
- Consult with tenants, residents, staff, and Council members
- Consider best practice examples for involving and empowering tenants and residents
- Suggest an effective tenant involvement and scrutiny model for WLBC Housing Service
- Ensure that WLBC Housing Service is meeting HCA standards and regulatory requirements regarding tenant involvement and empowerment
- Evaluate the effectiveness of the current tenant involvement structure in regards to opportunities to participate in tenant led scrutiny activities and wider tenant participation in the services customers receive.
- Review the value for money (VFM) of the current arrangements.

## Background

WLBC Housing Service would like to further strengthen its approach to tenant involvement and empowerment, giving significant focus on tenant scrutiny arrangements. It has therefore commissioned Helena Partnerships to act as a 'critical friend' in the review of its involvement structure.

## National Context

The Localism Act 2011, together with changes to the regulatory framework and National standards, place greater importance on the way in which housing providers engage and empower tenants and residents.

Responsibility for the regulation of social housing providers passed from the former Tenant Services Authority (TSA) to the Homes and Communities Agency (HCA) on 1<sup>st</sup> April 2012.

The HCA have a statutory duty to reduce the regulatory burden of past frameworks. In response to this, the new approach is based strongly on the principles of co-regulation. There is a clear expectation that landlords should be accountable to tenants for the quality of their services.

The new framework requires all housing providers to meet the National Standards. Councillors and board members who govern housing are responsible for meeting the standards, as well as being transparent and accountable for the organisations delivery of social housing objectives.

Providers must support tenants to both shape and scrutinise service delivery and to hold Councillors and Boards to account. Landlords must ensure that they support tenant panels, or equivalent, to scrutinise performance, complaints and service delivery.

The regulators proactive role will focus on compliance with the economic standards:

- VFM, (although the 2013 self-assessment is not a requirement of Local Authorities)
- Governance
- Financial Viability
- Rents

Councillors (and Boards for housing associations) remain responsible for compliance against the consumer standards:

- Tenant Involvement and Empowerment,
- Home,
- Tenancy,
- Neighbourhood and Community

It should be noted that **only the consumer standards apply** to Local Authorities.

The Regulator will only get involved with the consumer standards if it becomes necessary to address failure. Significant emphasis is being given to co-regulation, with tenants playing an increasingly important role in scrutinising performance and value for money. A continuous focus on improving VFM remains at the core of the revised principles of co-regulation.

## Local Context

WLBC Housing Service owns 6200 properties (source: Housemark). Properties are dispersed across the Borough, with the majority of homes concentrated in the Skelmesdale area.

WLBC Housing Service is committed to ensuring that all tenants can choose how they want to be involved. The Road to Improvement, WLBC's Tenant Involvement Strategy, outlines how the Council places tenants and residents at the heart of service delivery and improvement.

The Council's former Corporate Overview and Scrutiny completed a special project in early 2011 to propose a tenant governance arrangement. The final project report was submitted and approved by Cabinet in March 2011 and subsequently endorsed by Council. The structure was heavily influenced by the Salix Homes governance model.

The structure was reflective of the need to drive forward change in the Council approved Landlord Services Improvement Plan and to meet requirements agreed with the TSA.

The structure was informally reviewed in September 2011 when some changes were agreed and approved by Cabinet in November 2011 and subsequently by Council. In essence those changes reflected the completion of work arising out of initial TSA requirements.

It is important to note these above structures did not seek to change either the function or structure of the Tenants & Residents Forum. It was felt that to do so at that stage, with the introduction of the new arrangements, would have been too disruptive. The only link to the new arrangements was the nomination of four tenant representatives to the Landlord Services Committee (a cross member working group of the Cabinet) as at that time no other formal tenant group existed.

As the governance and scrutiny structures began to operate more effectively the balance and relationships between the TRF and SEG & SIG's and the LSC began to create uncertainty. Additionally as we had achieved further progress on our work programmes it was felt by all parties that this was a natural opportunity to review the structures, frequency and focus of the arrangements to support tenants over the medium term. The Groups themselves had also benefited from training and were now becoming more independent of officer management. It was also felt that Helena's expertise in this area and their external assessment was a vital consideration in undertaking a review.

Additionally along with the TRF it was agreed also not to consider at that time the relationship and future involvement of the TRA's. Some of the TRA's had only just changed from Estate Management Boards to TRA's and any further change would have been counterproductive.

It was stated from the outset that any recommended changes did not emanate from a wish to reduce current HRA provision for tenant participation and involvement rather to seek to rationalise and focus resources to support the wider tenant involvement strategy initiatives.

## Tenant Involvement Structure

The tenant involvement structure outlines a range of mechanisms for tenants to get involved. This includes tenant led scrutiny groups, and the Tenant and Residents Forum who play a role in determining how the Council makes changes for the benefit of all tenants and residents.

The tenant involvement structure is made up of:

- **Tenant and Residents Forum (TRF)** – contribute to how the Council makes changes for the benefit of all tenants and residents
- **Service Evaluation Group (SEG)** – the main tenant scrutiny body that is supported by the Service Improvement Groups (SIGs) and Task and Finish Groups.
- **Service Improvement Groups (SIGs)** – who have an in-depth view of service delivery and performance in order to scrutinise and challenge WLBC housing service
- **Working groups** – VFM group and Property Service Quality Monitoring Working Group (SQWMG)
- **Task and Finish groups** – who are commissioned by the SEG or SIGs as needed to work on service specific time bound projects.

And wider tenant involvement activities such as:

- Armchair Army
- Tenant Champions
- Satisfaction surveys

- Tenant Void Inspectors
- Tenant and Resident Associations
- Comments, complaints, and compliments etc.

## Methodology

The review of the Tenant Involvement structure included:

- A desk-based review of key documents
- Consultation with tenants, staff and councillors
- Tenant meeting observations
- A survey of tenants who are not involved in the structure

With this in mind, the review focuses on the state of play of WLBC's tenant involvement structure and looks to assess how well the structure complies with the HCA tenant involvement and empowerment standard and how well it can move forward in the line with the new regulatory focus.

## Definitions

Reference is made throughout this report to tenant led scrutiny activities and wider tenant involvement initiatives.

For the purpose of this report, the following definitions apply:

The focus for a **scrutiny** group is to hold landlords to account where performance is poor or it fails to meet agreed service standards. Scrutiny is a different level of involvement. It requires a high level of commitment and new skills such as research, presentation skills, and report writing. A scrutiny group is not a consultative body that meets to gather information and is reported to. Scrutiny groups provide critical friend challenge, enable the voice of tenants to be heard, and are tenant led. The overall aim is to improve services.

**Tenant Involvement** enables tenants to share their views about the services they receive. This may include asking customers to participate in consultation surveys, attend meetings to comment on policy and strategy, and help to shape the services they receive. Tenant involvement will contribute to service improvement but it is not its primary focus to challenge service delivery.

## Executive summary

Overall, significant improvements have been made to the tenant involvement service over the last 18 months. A few notable points include:

- The current structure is based on the Salix model, which was highlighted as best practice under the previous regulatory regime of the TSA. For the past two years this structure has served the organisation well with high satisfaction and demonstrable outcomes. These include:
  - Increased number of tenants involved within housing services
  - Tenants who are empowered to challenge the service and act as a critical friend
  - An enhanced skills base amongst tenants involved in the structure
  - Established mechanisms to ensure that the housing service is open and accountable, such as making the minutes of tenant led scrutiny meeting available to all
  - Enhanced culture for tenant involvement through improved communication and staff briefings
  - Established clear process for tenants to challenge services and scrutinise performance issues
  - Ensured that tenant groups have direct access to senior management
  - Achieved high tenant satisfaction (82%) that WLBC Housing Service is listening to tenant's views and acting upon them (an improvement of 2% since 2010).
  - In addition, 83% agreed that WLBC Housing Services keep them informed. (STAR survey 2012)
  - Ensured that involved tenants feel valued for their role and contribution. Tenants stated that they have seen significant improvement to the service over the last 18 months. This was identified as a key strength in STAR 2012.
  - Developed the Task and Finish Groups as effective mechanisms for improvement which are highly valued by both tenants and staff.

The housing world is currently experiencing a period of significant change. Key risks facing the sector and therefore WLBC housing service include:

- Changes to the contractual arrangement for Supporting People funding in 2015 and Housing Benefit eligible services
- Introduction of Welfare Reform changes, associated costs, and potential loss of revenue
- Reduction in available funding to develop new homes
- Delivering significant investment in homes improving services within the new HRA Self Financing Regime.

The Council and its members more than ever need to be aware of the risks, and the means by which to mitigate them. Councils are still responsible for providing quality services, and therefore it is a balancing act between cost and quality. The clear HCA expectation is that co-regulation will remain at the heart of assessing the risk and managing finite resources.



With this in mind, it is no longer sustainable for WLBC Housing Service to maintain the tenant involvement structure in its current format. It is therefore at a natural point for change. Value for money, efficiency and outcomes delivered should be the key drivers.

The new structure could

- In light of regulatory changes consider streamlining the structure to ensure a more efficient process, and make certain that mechanisms reflect the management of key risks and tenant requirements.
- Empower groups to become self-sufficient and develop their levels of autonomy to allow staff roles to move more towards a mentor/critical friend role. This would reduce staff resource required to service the groups and help to foster an improved co-regulatory culture.
- Further explore opportunities for community initiatives that reflect local needs and link into the wider welfare reform agenda.
- Refresh the role of the TRF, giving it a 'community champions' focus. This will enable tenant participation and consultation activity to be clearly distinguished from that of tenant led scrutiny.
- Use of customer insight to ascertain the best time to hold meetings and consider how tenants would like these structured. This would enable WLBC Housing Service to diversify the range of customer groups they engage with.
- Refresh staff and tenant awareness of the purpose of tenant involvement to achieve goal congruence and achievement of objectives. Ensure outcomes are well communicated to all stakeholders using a variety of mechanisms.
- Ensure that tenants have access to cost information regarding tenant involvement activities in order to assess the impact, measure social value, and target resources.
- Merging of some existing groups within the tenant led scrutiny structure to utilise the strong skill base of tenants involved, and ensure more 'bang for the buck'.
- Continue to adopt an open and honest approach, ensuring a high level of integrity and transparency across the board. Detailed minutes should be well documented with actions and responsible officers agreed. Measures to be identified in order to monitor recommendations. These should continue to be made available to all.
- Implement an annual appraisal system for all involved tenants linked to the Tenants Knowledge Circle to further build capacity within the groups.
- Clarifying roles and responsibility within the new structure, making a clear distinction between tenant led scrutiny and wider involvement mechanisms.

- An annual review schedule of the terms of reference of all groups would be beneficial and would enable the service to be flexible and fleet of foot in its approach.
- As mentioned previously, the recent key driver analysis from the STAR 2012 survey identifies listening and acting on the views of tenants as a key strength at WLBC Housing Service. The service should therefore continue to demonstrate how tenant involvement is shaping and improving services.
- There is an appetite amongst tenants, residents, staff and members to have a more flexible approach to tenant involvement, enabling efficiency savings and improved VFM to be achieved.
- Our recommendation is Option 3 (see page 17 for details)

## Detailed findings:

A review of key documents was carried out in advance of consultation with tenants, staff and council members. Documents reviewed included:

- Minutes of tenant meetings held in the past few months
- The current involvement structure, terms of reference for some groups
- Latest STAR survey findings (2012)
- Recent publications such as the annual report and tenant newsletter
- The Tenant Involvement Strategy – The Road to Improvement.
- Complaints performance information
- Information regarding how to get involved on WLBC's website.

In addition, a number of tenant meetings were observed by Nina Peters during October and November 2012. The aim was to get an informed idea of how the meetings work, what works well, and areas for improvements.

Focus groups without officers present were held at the end of all meetings observed to ensure that involved tenants had the opportunity to contribute fully to this review.

The aim of the focus groups was to consider the following:

- What works well?
- Areas for improvement
- SWOT analysis
- Roles and responsibilities of individual groups
- How scrutiny activities and wider tenant involvement mechanisms fit together
- VFM
- Outcomes achieved – do tenants feel that they have 'teeth' and make a real difference?
- Transparency and accountability
- Wider tenant consultation
- Involvement in housing policy and strategy
- Whether customers are at the heart of WLBC Housing Service.

Separate staff focus groups were also held to discuss the above bullet points.

To avoid survey fatigue (given that the STAR survey had only just been carried out) and to keep costs to a minimum, the views of uninvolved tenants were sought at the two WLBC customer access points over a three day period by Danielle Tatlock and Graham Jones.

Caution should be taken when interpreting these results due to the low response rate achieved, however they provide an indication of the view of some uninvolved tenants with some tenants indicating an interest in getting involved in WLBC Housing Services.

## Recommendations:

### Aim

### Suggested improvements in response to changes in regulation and current risks facing the housing sector:

#### Existing mechanisms for involvement and scrutiny

- Clearly define the roles of all groups making the distinction between tenant led scrutiny and wider tenant consultation and involvement.
- Establish the TRF as a key consultation group for the development of housing policy and strategy. In addition, this group could play a key role in assessing the impact of tenant involvement activities and associated VFM (of tenant involvement activities only).
- Reduce the number of groups included within the tenant led scrutiny element of the involvement structure (see Option 3). This will help to remove duplication of effort and reduce expenditure. In addition, it will provide a clear focus which will ultimately help to ensure a greater number of outcomes are achieved.
- Clearly define the SEG and SIG as mechanisms for co-regulation and tenant led scrutiny activities **only**.

#### Effectiveness and associated VFM of the current structures

- Ensure that the costs of implementing tenant and resident involvement can be monitored
- Identify mechanisms for evaluating the impact of all tenant and resident involvement activities, ensuring that tenants play a key role in this function.
- Ensure that all outcomes achieved have monitoring mechanisms established to evaluate impact of the changes made.
- Maintain an outcomes log and regularly report this to tenants, staff and members.
- Reduce the number of groups within the structure (specifically the SIGs).
- As mentioned above, clearly define the roles of all groups making the distinction between tenant led scrutiny and wider tenant consultation and involvement.
- Review the menu of mechanisms for getting involved in WLBC housing services considering the five levels of involvement outlined on page 15.
- Limit the number of staff attending meetings where the purpose is only to provide a brief verbal update.
- Review the frequency of TRF meetings as part of the revised role.
- Review frequency of SEG and SIG meetings as part of

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revised role.

### **Co-Regulation**

- Ensure that WLBC Housing Services can demonstrate that the tenant involvement service is providing good value for money
- As mentioned above, keep an outcomes log to demonstrate how the views of tenants and residents have led to change and improvement. This will help to demonstrate VFM as well as empowering tenants by clearly demonstrating that tenants influence services and can hold the department to account for poor performance
- Involve tenants in clearly defining the roles of all mechanisms for involvement. As mentioned previously, separate out wider consultation and involvement from tenant led scrutiny activities.
- Communications to staff and tenants involved on roles and responsibilities of each group.
- Wider communication of the menu of opportunities to get involved as part of recruitment work planned by Tenant Involvement Team.
- Review how tenant representatives are voted onto the LSC. Currently, only members of the TRF have the right to vote tenant representatives onto the LSC. WLBC may wish to consider widening voting rights to allow all tenants involved in scrutiny activity to also vote.
- Ensure that VFM is an integral part and key consideration of all scrutiny reviews. WLBC Housing Service may wish to also consider the 'social value' of tenant involvement and tenant led scrutiny activities in order to ascertain and maintain that the service is providing good VFM. (See information on Housemark and the National Housing Federation for further information on Social Value.)

### **Culture of involvement throughout the housing service**

- Continue to build a positive 'culture' for involvement throughout WLBC Housing Service.
- Ensure frontline staff are regularly informed and updated of the structure, its aims, and objectives.
- Ensure that the tenant involvement service is transparent, open and accountable. This may be achieved by defining roles and responsibilities, continuing to openly publish meeting minutes, and monitoring and reporting the impact of

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recommendations made as a result of tenant involvement.

**Open and Accountable**

- As mentioned above, reduce the number of formal groups within the structure. This will help to reduce the burden of ensuring all groups are kept fully informed and remove suspicion amongst some that some know more than others.
- Continue to ensure that all minutes are readily available and accessible.
- As previously stated, establish effective mechanisms to monitor the impact of tenant involvement initiatives. Report the outcomes regularly so that tenants can clearly see how their views are shaping services.

**Opportunities for involvement that are inclusive**

- Look at new mechanisms for engaging with young people. This may require less formal means of involvement, such as opinion polls, use of Smart Apps, focus groups and linking into young people events. Reducing the number of groups in the formal structure will free up time within the tenant involvement team to resource this.
- Use customer insight and profiling to identify customer preferences for involvement in order to tailor the menu of mechanisms.

**Adequate provision of support, learning and development opportunities**

- Carry out annual appraisal of involved tenants and tailor the training programme accordingly.
- Ensure that a log of all training activities is maintained and assessed in regards to impact and VFM
- Continue to develop and implement Tenants Knowledge Circle
- Review course content of external training events to be held and agree agenda with tenants in advance (in response to recent TPAS training)

**Involvement and scrutiny at the heart**

- Run a series of staff briefings following implementation of the new structure
- Consider the development of a staff toolkit to complement the menu of opportunities for involvement
- As already stated, establish effective mechanisms for assessing the impact of resident involvement and ensure the outcomes are feedback to throughout WLBC housing services department regularly

**Menu of opportunities to get involved**

- Review the menu of opportunities ensuring that wider mechanisms for involvement feed into the formal structure.
- Consider mechanisms for engaging with young people

**Effective mechanisms to measure the impact of involvement and scrutiny activities**

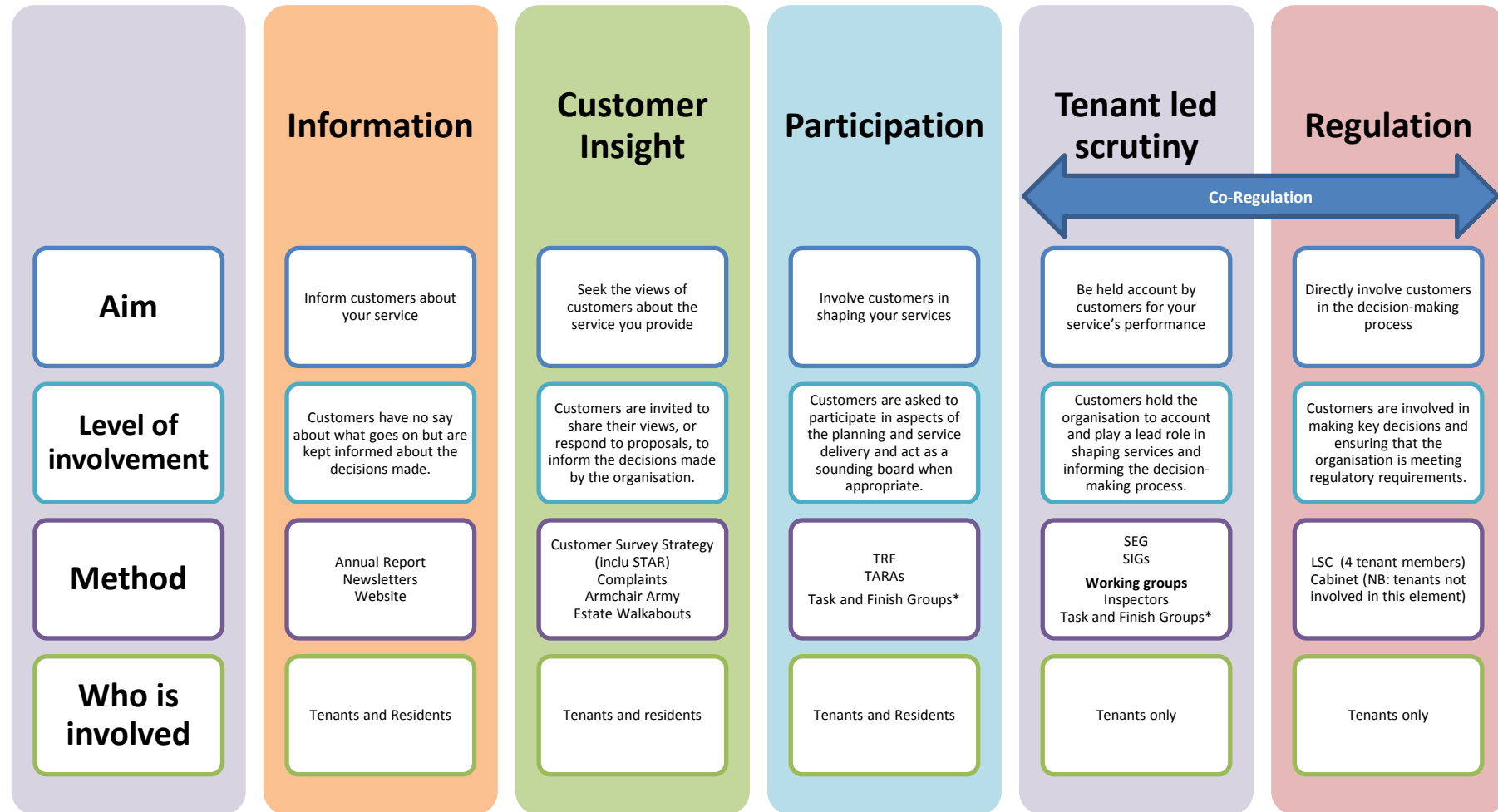
- Ensure that effective mechanisms are developed to monitor the inputs, outputs and outcomes of all resident involvement activities.
- Consider the role of the TRF in relation to assessing the impact of tenant and resident involvement.

**Effective performance and reporting mechanisms are established**

- Consider reducing the number of SIGs so that one group can make an assessment of the overall quality, timeliness and cost of services provided.
- Ensure that any recommendations made via the formal tenant involvement structure have performance measures or agreed success criteria identified. This will enable the SEG to monitor progress against the actions agreed and for impact to be assessed.

**Suggested changes: Clarify the purpose, roles and responsibilities of all groups**

There are a number of different methods, tools and techniques for engaging with customers and communities. It can therefore be confusing when considering which method is most suitable. The diagram below identifies five levels of involvement, and how the tenant involvement structure can fit within this framework. This framework will help to clarify the roles and responsibilities of all groups.



\*Level of involvement required in a Task and Finish group could differ depending on the purpose of the group.



## Suggested changes to the tenant involvement structure

The findings of the desk based review and consultation exercise, together with recent changes to the regulatory framework (with a focus on VFM), indicate that a more streamlined and less formalised structure for tenant involvement would be of benefit.

Three options have been identified below:

Proposal	Recommendation:
<p><b>Option 1</b> The tenant involvement structure to remain the same with no changes to the structure implemented.</p>	<p>In commissioning this review, WLBC and tenants, has already identified the need to change. With current changes to regulation the</p> <p>The current structure appears to be high cost (based on administrative costs, staff time etc). The structure needs to deliver good value for money and maximise outcomes achieved.</p> <p>It is therefore not recommended that the structure remains static in its current form.</p>
<p><b>Option 2</b> Incremental changes to be made over time. Starting with the TRF in the initial phase, with the aim of streamlining the tenant led scrutiny structure over the next 12 to 24 months.</p>	<p>Providing a clear focus and remit for the Tenant and Resident Forum should be a key priority.</p> <p>WLBC housing service should clearly define roles of all groups involved separating tenant led scrutiny from wider tenant involvement and consultation initiatives. See page 15 above for suggested levels of involvement and how this can be applied to WLBC’s involvement structure.</p> <p>It is recommended that the TRF is utilised to assist in the development and consultation of housing strategy and policy issues. The meeting should include an element of ‘work’ for those in attendance. Tenant and residents views should be sought on matters of interest and the sessions used as a problem solving forum as and when necessary.</p> <p>The venue used for TRF meetings may need to change to enable group work to be carried out. The frequency of meetings could be reduced, or meetings called on an ad-hoc basis as and when issues for resolution occur. Meetings could be held as an when agenda items are requested by its members as opposed to set</p>

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times within the year.

The focus of the TRF should be on policies for the wider benefit of all living in WLBC and not focused on individual neighbourhood or individual tenant issues, (which are already dealt with at TRAs and daily on an individual level).

Once the new role for the TRF has been embedded, focus should be given to reviewing tenant led scrutiny activities, with the aim of reducing the number of groups in place. This will help to remove duplication of effort, free resources to deliver a wider range of initiatives and improve VFM across the service.

This approach to reform is incremental and may therefore take up to 2 years to implement.

**Option 3** Radically change the structure. Reducing the number of formal groups in place, providing a clear focus to the TRF, and freeing up resource to deliver wider and/or more localised involvement initiatives.

Make radical changes to the tenant involvement structure as outlined on page 24.

As outlined in Option2, the focus of the TRF should be to assist in the development of wider housing policy and strategy. The meeting should include an element of 'work' in which tenant and residents views are sought and the sessions seen as a problem solving forum as and when necessary.

The number of groups within the tenant led scrutiny element to be significantly reduced. This will remove duplication, reduce the administrative burden of supporting the groups and provide greater VFM.

Option 3 represents the biggest gain in regards to VFM, and will help to improve the level and frequency of outcomes achieved.

Resources could then be directed towards the wider menu of opportunities and more informal methods of involvement, for example engagement with young people.

Based on the findings of this review, our recommendation is Option 3.

## Options appraisal

### Option 1

The table below outlines the impact and implications of the current tenant involvement structure remaining the same.

Option 1	Remain the same – Impact:
<b>Existing mechanisms for involvement and scrutiny</b>	Overly formalised. Duplication of efforts. Limited outcomes. No mechanisms for evaluating impact.
<b>Effectiveness and associated VFM of the current structures</b>	Poor. Resource intensive. Limited outcomes achieved.
<b>Co-Regulation</b>	Structure is in place for co-regulation. However, outcomes are limited. Impact cannot be assessed and VFM is not clearly demonstrable.
<b>Culture of involvement throughout the housing service</b>	Lack of understanding and clarity of the involvement structure.
<b>Open and Accountable</b>	Difficult to keep all people fully informed of all elements within the structure. This has led to suspicion amongst some and a feeling that WLBC is not open and transparent. Tenants do not feel that they have ‘teeth’ or fully recognise the positive impact they have made on improving services.
<b>Opportunities for involvement that are inclusive</b>	The current structure is resource intensive and therefore limits opportunities for wider and more inclusive mechanisms for involvement to be developed.
<b>Adequate provision of support, learning and development opportunities</b>	Tenants referred to recent external training which they rated as poor. There was no mention of the knowledge circle. Tailored training was stated as both a positive within WLBC housing service and an area for improvement by tenants.
<b>Involvement and scrutiny at the heart</b>	It is clear that structure aims to place tenant involvement at the heart of the housing service. However lack of clarity amongst staff regarding the range of groups, and the absence of impact assessment and monitoring mechanisms is barrier to achieving this.
<b>Menu of opportunities to get involved</b>	Whilst a menu of options is in place, focus is directed toward tenant led scrutiny in the main. The structure is very resource intensive and therefore wider involvement is not being addressed.
<b>Effective mechanisms to measure</b>	Effective mechanisms are not well defined or applied. WLBC

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**the impact of involvement and scrutiny activities**

housing service may therefore not be able to fully demonstrate how it is achieving good value for money in regards to tenant involvement as required by the HCA Tenant Involvement and Empowerment standard.

**Effective performance and reporting mechanisms are established**

An assessment of the cost, quality and timeliness of services is split between various groups. Tenants stated that the SEG having overall responsibility for pulling it all together. It is therefore difficult for tenants to accurately determine whether the balance between cost and quality of services is right. Duplication of effort in achieving this is also evident.

## Option 2 – Incremental change

Option 2 recognises that change may need to be made incrementally over a 12 to 24 month period.

Focus for change should begin with the TRF ensuring a clear role and remit is agreed with all involved. Reference should be made to the five levels of involvement as outlined on page 15. There is a potential role for the TRF to play in shaping the wider housing strategy and policies within WLBC Housing Services.

There is currently a gap in regards to monitoring and assessing the impact of involvement activities. As mentioned previously, this could be a potential role for the TRF which would help to improve communication, and ensure greater transparency around scrutiny activities.

The tenant led scrutiny structure will continue to be resource intensive in its current format. Once work regarding development of the TRF is completed, it is recommended that WLBC housing service looks to review and reduce the number of groups involved in scrutiny activities.

Incremental steps may make the change management process easier to accomplish. However, improved outcomes and reduced expenditure, and ultimately VFM, would not be met to its full potential for some time.

Option 2	Incremental change
<b>Existing mechanisms for involvement and scrutiny</b>	Some areas of duplication will remain within the tenant led scrutiny activities. Lack of clarity will therefore remain whilst the incremental changes are being implemented.
<b>Effectiveness and associated VFM of the current structures</b>	VFM will be improved incrementally.
<b>Co-Regulation</b>	Structure is in place for co-regulation. Duplication of efforts impacting on VFM. Outcomes likely to be limited.
<b>Culture of involvement throughout the housing service</b>	Clarity around the structure will be improved over time, which in turn should help to further improve the culture for involvement.
<b>Open and Accountable</b>	<p>The proposed changes to the TRF will help to improve levels of transparency and accountability.</p> <p>Issues are likely to remain within the tenant led scrutiny element of structure due to the number of groups involved until the service is streamlined.</p>
<b>Opportunities for involvement that are inclusive</b>	The tenant led scrutiny element of the structure will continue to be resource intensive in the short term. It will therefore be difficult for WLBC Housing Service to focus on wider involvement initiative such as engaging with young

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people.

**Adequate provision of support, learning and development opportunities**

Tailored training programmes should be developed for all involved. Those involved in scrutiny may need additional training and/or regular refresher training around the skills required for this role.

**Involvement and scrutiny at the heart**

Further clarification of roles and a clear distinction between scrutiny and tenant involvement is required.

**Menu of opportunities to get involved**

Whilst a menu of options is in place, focus will continue to be directed toward tenant led scrutiny in the main (due to the number of groups in place). The structure is very resource intensive and therefore wider involvement will be difficult to address.

**Effective mechanisms to measure the impact of involvement and scrutiny activities**

Effective mechanisms are not in place. WLBC housing service may therefore not be able to demonstrate how it is achieving good value for money in regards to tenant involvement as required by the HCA Tenant Involvement and Empowerment standard. If the number of groups involved in the structure continues as is, monitoring the impact may become an administrative burden.

**Effective performance and reporting mechanisms are established**

An assessment of the cost, quality and timeliness of services is split between various groups. Tenants stated that the SEG having overall responsibility for pulling it all together. It is therefore difficult for tenants to accurately determine whether the balance between cost and quality of services is right. Duplication of effort in achieving this is also evident. Whilst the number of groups remains, this will continue to be an issue.

### Option 3 – Radical change

The current structure is resource intensive, and relies on a small number of tenants to contribute to a large number of groups. With reduced outcomes being achieved, the service does not appear to be providing good value for money.

The findings of this review suggest that a more streamlined structure for involvement would be of a benefit to WLBC Housing Services. This would reduce the administrative burden on staff, enabling greater scope for the tenant involvement team to focus on additional priorities as outlined within the tenant involvement strategy.

The new structure would ensure that all groups have a clear purpose. This would be of particular benefit to the TRF, ensuring that the group has a clear remit which does not duplicate the work of other existing groups.

In addition, managers were often confused as to which group they needed to meet with and for what purpose. There was a feeling amongst some staff/managers that the new structure had made it difficult to identify where to go for general consultation around service specific issues.

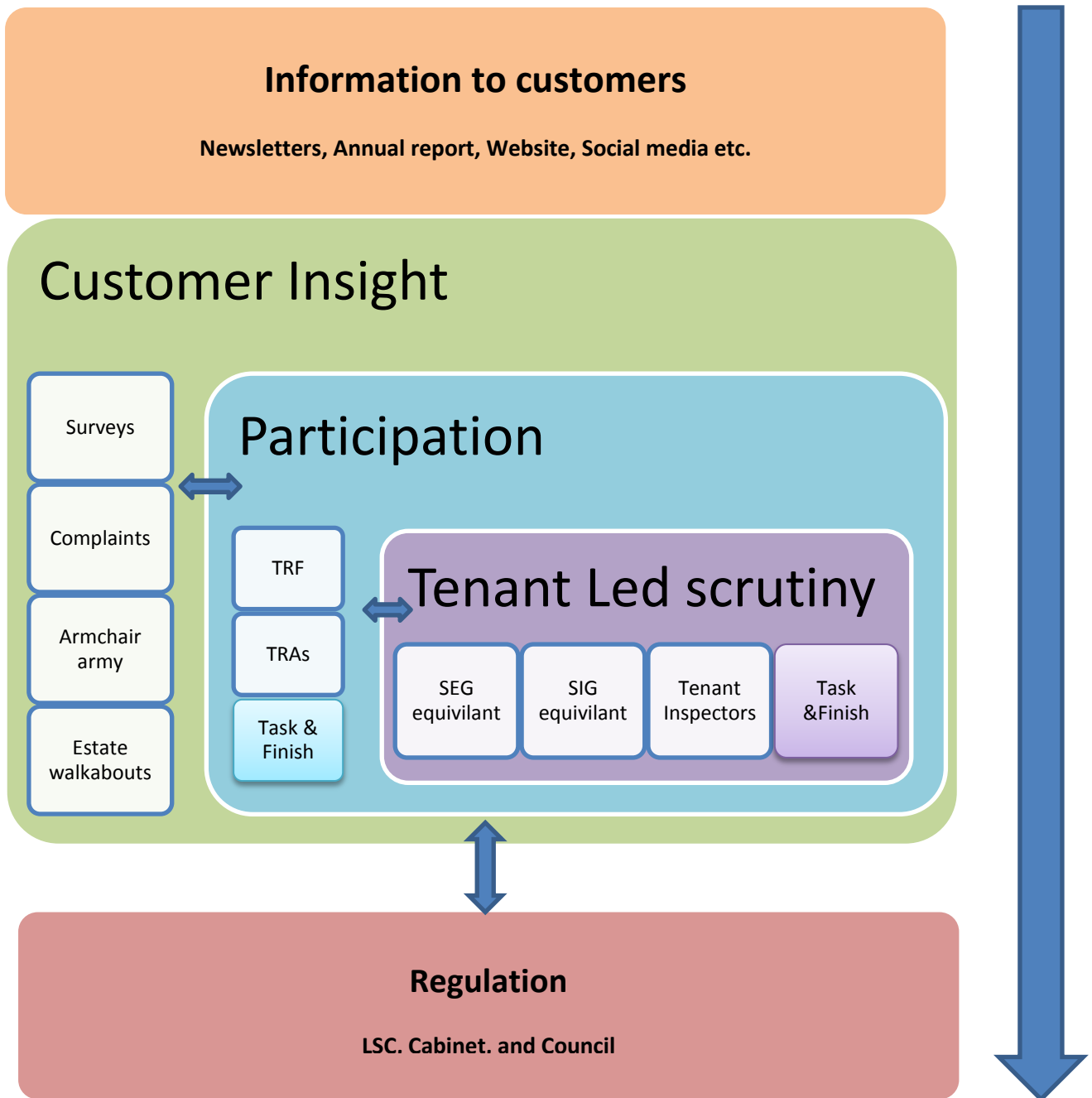
The structure proposed on page 24 will help to clarify roles and responsibilities and provide a guide to staff as to which group they need to work with depending on the overall objectives they seek to achieve.

Option 3	Radical Change
<b>Existing mechanisms for involvement and scrutiny</b>	Clear roles and responsibilities defined. Effective monitoring mechanisms established to regularly review impact and VFM, and to hold WLBC housing service to account.
<b>Effectiveness and associated VFM of the current structures</b>	Good. Reduced costs and improved outcomes.
<b>Co-Regulation</b>	Clear involvement structure. Co-regulation requirements achieved and tenant involvement service providing good value for money.
<b>Culture of involvement throughout the housing service</b>	Improved understanding of the structure, its aims and roles within it, will help to improve the culture for involvement within WLBC housing service.
<b>Open and Accountable</b>	A more streamlined structure will make it easier to keep all adequately informed.  Effective monitoring mechanisms will enable to tenants to hold senior staff and council members to account as required in the HCA Tenant Involvement and

	Empowerment Standard.
<b>Opportunities for involvement that are inclusive</b>	Resource will be made available to focus on additional mechanisms for involving tenants and residents and wider consultation.
<b>Adequate provision of support, learning and development opportunities</b>	Reducing the number of groups in place will make it easier to manage and administer a tailored training programme. The programme should be directly linked to individual annual appraisals of all tenants involved in scrutiny. A training programme should also be offered to the TRF, however the skills required will differ to that of the scrutiny groups.
<b>Involvement and scrutiny at the heart</b>	A simplified structure will make it easier for WLBC housing service to place involvement at its heart. Clearly distinguishing between the scrutiny and tenant involvement will also assist in achieving this.
<b>Menu of opportunities to get involved</b>	Resource will be made available for focus to be given to alternative methods of involvement and engagement.
<b>Effective mechanisms to measure the impact of involvement and scrutiny activities</b>	An effective mechanism should be developed to monitor the impact of involvement activities. Reducing the number of groups involved will reduce the administrative burden of completing the assessments.
<b>Effective performance and reporting mechanisms are established</b>	<p>A reduction in the number of groups will allow for cost, quality and timeliness of services to be assessed overall. Ensuring that there is an appropriate balance.</p> <p>Measures should be identified and effective monitoring mechanisms established following all tenant led scrutiny reviews in order to assess whether it has led to a service improvement. This will enable WLBC housing service to clearly demonstrate outcomes achieved.</p>



Option 3 – Proposed structure



### **Option 3 - Expected outcomes:**

By implementing the above structure WLBC can expect to achieve:

- Streamlined approach. Clarity of roles and responsibilities
- Remove duplication and eliminate waste.
- Improve efficiency and effectiveness (VFM)
- Focused approach – greater emphasis on outcomes.
- Staff resource/time can be made available to focus on wider workload e.g. recruitment and local involvement initiatives
- Remove ambiguity – staff can be clear where to go to consult with tenants, and who is responsible for holding their service to account.
- Improved transparency around involvement initiatives.
- Clear outcomes – tenants will be able to see how their contribution has helped to make a difference.

### **Key changes:**

#### **Role of the TRF:**

- Focus on wider housing policy and strategy issues that impact on borough as a whole.
- Tenants and residents involved.
- Frequency of meetings reduced.
- Meetings only held as and when agenda items are requested by tenants and residents.
- Could play a role in evaluating the impact of tenant involvement activities and rating them accordingly. This would also help to improve communication between different elements of the involvement structure.

#### **Tenant led scrutiny structure:**

- Reduction in the number of groups (maximum of two) who are supported by the tenant inspectors. This will remove duplication and free up resource to be focused on widening involvement elsewhere.
- Within the proposed structure, as an evaluation group, the SEG could be responsible for monitoring performance information regarding cost, quality and timeliness of services on a quarterly basis.
- It is best practice to ensure that any changes as a result of scrutiny and involvement have appropriate monitoring mechanism and performance measures identified in order to assess the success of change. The SEG could also, therefore, play a role in monitoring success measures on a regular basis to ensure it is leading to improvement and to hold WLBC housing service to account if necessary.
- The SIG's role could be to carry out detailed service reviews where a failure to meet service standards or poor performance has been identified.

## **Task and Finish Groups:**

- Feature as both a method for participation and tenant led scrutiny.
  - Participation Task and Finish Groups – may be a one off focus group/ consultation exercise e.g. to review a policy.
  - Scrutiny Task and Finish Groups – may be commissioned by the scrutiny groups if required. However, the new role proposed by the SIG may mean that the need to establish scrutiny task and finish groups will reduce.

## **Use of social media**

Many housing providers are now recognising the clear customer service and business benefits that social and digital engagement can bring. Online communities can broaden participation, and help to engage harder to reach groups.

Social media can be a useful tool enabling you to reduce the number of meetings required to engage with your customer base. It also enables participation over evenings and weekends so can be more inclusive.

Customers are already online, but many housing providers think that they're not. Research indicates that with the use of smart phones, the number of customers who have internet access is a lot higher than is often perceived; and over 50% in some areas. More people are now going online via smartphones or tablets than fixed PCs, which has led to an increased need for mobile friendly websites. The over 65's are the fastest growing market for ipads, dispelling the myth that the internet is not only for the young.

In addition, many customers will not realise that they are online. Lots of housing providers are asking their customers if they have access to the internet and are told no. However, when asked if they use Facebook the answer is yes. Many people do not realise that by pressing an app on their smart phone they are accessing the internet.

Starting points for introducing social media are often Facebook presences with a corporate look, feel and name. You can use these to post news updates, ask questions and gather feedback, promote events etc.

Housing providers using social media have found that overtime customers start to bypass traditional customer service channels to get a quicker response. Social media enables you to engage a cross section of staff – It is not a standalone communications team function although there needs to be a robust policy with sensible guidelines. You will need staff ready and willing to provide answers when a customer has posed an awkward question or made a negative comment.

Many younger customers or the children of your primary customer base do not even use email – they expect social media to be available as a mechanism for communication and engagement. Social media may therefore not only be a useful tool for engaging with younger tenants, but an expectation of younger tenants.

### **Issues for resolution:**

Ensuring that the service is providing good value for money is a critical requirement of the HCA tenant involvement and empowerment standard. To ensure regulatory compliance, WLBC Housing Service must ensure that costs can be identified, outcomes from involvement are logged and monitored, and that tenants have a role to play in evaluating the impact of the service.

WLBC Housing Service could face opposition from tenants when attempting to streamline the structure. However, involved tenants agree that the structure should provide good value for money and that there needs to be a balance between costs incurred and outcomes achieved. Any changes should be made in partnership with all tenants involved. It may help to provide tenants with actual costs incurred through the current structure in order for them to make an informed opinion on how the new structure could be streamlined.

The current work programme for tenant led scrutiny is shaped around what those tenants involved in the structure feel is of importance or have a keen interest in. WLBC would benefit from introducing an annual planning day. All tenants involved in scrutiny groups and the inspectors, should be invited to attend. The group should determine the annual work schedule at the planning day based on:

- performance information (where performance is poor),
- service standards that are not being met,
- benchmark information (such as that gathered by Housemark) and
- customer feedback (e.g. the STAR survey 2012).

This would ensure that the service review program is based on improvements aimed at wider benefit of all tenants at WLBC and remove any suspicion that involved tenants are only in it for their own gain.

The number of reviews should be kept to a maximum of 4 per annum in order to allow in-depth analysis/scrutiny to be carried out.

Performance measures to monitor impact and improvements made should be identified and regularly reported. This will help tenants to see and understand how their contribution has helped to shape services and make a difference.

## Implementation – ten steps to change

The changes proposed within this document (whether incremental change or radical change) will require the following action:

1. **Feedback** – to all involved in this review on the outcomes and the next steps
2. **VFM and impact assessment** of current structure– WLBC housing service should aim to establish costs for delivery of each element within the resident involvement structure. It is recognised that actual costs are not currently available, however estimates based on average salary cost per staff member attending or supporting meetings, together with tenant expenses should be gathered. This would enable staff, tenants and residents to evaluate the level of resource that is currently involved in administering this service in comparison to outcomes achieved, in order to fully appreciate the need for change.
3. **Consultation and negotiation** - Tenants, staff and members should have the opportunity to comment on the proposed changes and what plan of action is agreed to be taken forward. Tenants involved should be assured that the changes are in no means a criticism of their effort and input, but are a natural means to delivering a more efficient service. Detailed negotiations may be required in determining how the new structure can be effectively streamlined in order to develop an exit strategy. As a first step it may be useful to determine an overarching ‘tenant involvement vision’ of how WLBC staff, tenants and members would like the service to look.
4. **Steering group** – it may be of benefit to establish a task and finish group to oversee the implementation of new structure. The role of the group would be as change managers and should include tenant representation. A project plan should be developed and communication of the proposed changes should be an integral part of this.
5. **Clearing define roles**, responsibilities, and the distinction between tenant led scrutiny and wider involvement mechanisms. Ensure clear role descriptions are in place for those involved in scrutiny arrangements and that terms of references for groups reflect any changes made.
6. **Recruitment and selection** – Reducing the number of groups within the scrutiny element of the structure is likely to require tenants to reapply for membership of the new groups and you may wish to consider changing the group names. Membership numbers of the new scrutiny groups may increase as a result, and you may in addition, wish to look to recruit ‘new faces’ to the structure.
7. **Training** – carry out a Training and Skills Audit of all involved and establish an annual appraisal process for involved tenants. The outcomes from the appraisal process should inform the annual training programme.
8. **Establish an effective monitoring and impact assessment process** – tenants should be involved in assessing the impact of tenant involvement activity. All recommendations that are taken forward from tenant involvement initiatives should have monitoring and performance measures identified. These should be reported to the SEG on a regular basis.
9. **Communication** – of the changes made is of key importance. In addition, communication of outcomes achieved from tenant involvement activities should be a priority, linked to the monitoring and impact assessment process.

It is important that WLBC ensure that all staff and members are fully aware of the new

structure, how it works and how they can link in and work in partnership with tenants and residents.

Both involved and uninvolved tenants and residents should be informed of the changes.

**10. Agree an action plan and allocate resources –**

The above actions should be agreed within a SMART action plan. It is difficult to estimate the cost required to implement changes until the final structure is agreed. Implementing change will require a high level of staff resource (potentially from the Tenant Involvement Team) however in taking the above steps forward efficiencies can be gained.

## **Appendix A: Survey of uninvolved tenants**

To avoid survey fatigue (given that the STAR survey had only just been carried out) and to keep costs to a minimum, the view of uninvolved tenants were sought at the two WLBC customer access points over a three day period.

Caution should be taken when interpreting these results due to the low response rate achieved, however they provide an indication of the view of some uninvolved tenants.

**Number of respondents:** 15

**Methodology:** Face to face interview/survey

### **Summary of key findings:**

- 60% of respondents (9 tenants) agreed that WLBC listens to their opinions and acts upon them. (Due to the low number of respondents, caution should be taken when comparing this to the recent STAR survey findings.)
- Awareness of the menu of mechanisms to get involved at WLBC varied. Whilst the majority of respondents had heard of their local tenant and resident association, most had limited awareness of the other options available to them such as Estate Walkabouts, the Armchair Army, Service Improvement Groups etc.
- Two thirds of respondents stated that they would not wish to get involved in WLBC activities. A variety of reasons were provided as outlined below:
  - 19% (4 respondents) felt that the time of evening meetings are not convenient
  - 14% (3 respondents) stated that they are not sure how to get involved
  - 10% (2 respondents) felt the time of daytime meetings are not convenient
  - 10% (2 respondents) stated that agenda items are not of an interest to them
  - 10% (2 respondents) felt that their views would not be taken into account
  - 10% (2 respondents) stated that they do not have time to get involved
  - 1 respondent felt that meetings are too formal
  - 1 did not think that outcomes as a result of getting involved are evident
  - A further 19% (4 respondents) stated 'other reasons' for not getting involved.
- The majority of respondents stated that they would not need any further support from WLBC to take an active role with their landlord. However, five respondents stated that they would require help with transport costs and background information about the housing

service. Help with childcare costs was an issue for two respondents, and confidence building and help with numeracy and literacy was a concern for one respondent.

- Postal surveys are the preferred method for getting involved with 13 out of 15 respondents choosing this option. 40% (6 respondents) would be interested in getting involved in community events.



## Appendix B: Meeting observations and tenant focus group findings

	Strengths	Areas for improvement
<b>SEG</b>	<ul style="list-style-type: none"> <li>• There is an independent recruitment and selection exercise</li> <li>• The group is very effectively chaired. Members are enthusiastic and supportive of one another</li> <li>• All members agreed that they can challenge officers</li> <li>• Members of the SIG are clear on their role and how it links into the wider structure</li> <li>• The group felt that WLBC housing service has moved away from involving tenants as a 'tick box' exercise and now value tenant's contributions</li> </ul>	<ul style="list-style-type: none"> <li>• When asked to rate whether the group is a 'rubber stamping' group or scrutiny group, the majority of responses were in the middle of the scale indicating that further work may be needed for the group to fully meet its scrutiny role.</li> <li>• Only one out of 4 people stated that the group is tenant led, with 3 rating the group as somewhere in the middle between officer led and tenant led.</li> <li>• Members agreed that tenants on the SEG should not be able to sit on the LSC. They did however feel that they should have a vote on who becomes a tenant rep on the LSC without having to become a member of the TRF</li> <li>• There is a view that the SEG is scrutinising the work of other tenant groups as opposed to scrutinising the services provided by WLBC housing service. The balance therefore needs to be considered.</li> </ul>
<b>SIGs</b>	<ul style="list-style-type: none"> <li>• The Service Review Group is clearly meeting its objectives, challenging services and making recommendations for improvement.</li> <li>• Excellent chairing skills within the groups helped to keep the meetings to the agenda.</li> <li>• There is a high level of enthusiasm and commitment from all involved.</li> <li>• The groups were happy to challenge officers if necessary</li> </ul>	<ul style="list-style-type: none"> <li>• Time, quality and cost performance measures may be looked at in isolation due to the current group structure. (PM SIG, VFM group, and SQMWG each looking at different elements.)</li> <li>• As an umbrella group, the SEG's role challenges and scrutinises the work of other tenant groups as opposed to the work of WLBC housing services</li> <li>• Reviews are currently selected by those on the groups indicating a need or preference. The SEG and SIG would benefit from an annual planning day</li> </ul>

- In the main, those involved in the SIGs agreed that the meetings are tenant led
- The majority of tenants agreed that their views are listened to and acted on.
- Tenants on the SIGs were clear of their role and how the groups linked together. Duplication between groups was considered a strength to some but an area of improvement and frustration to others.
- Tenants agreed that there is a tailored training programme in place
- Tenants are provided with log-in details for Housemark. (However some noted that there are gaps in the data, and others stated that they can't access the site).
- in which priorities for review are determined by performance information, benchmarking, customer feedback and complaints.
- Whilst performance information is reviewed by the PM SIG on a regular basis, specific measures linked to the findings of previous service reviews were not highlighted to enable tenants to monitor progress and impact.
- Whilst those involved feel that their work is valued, they did not feel that WLBC housing service gave them recognition or reward for their efforts. The groups did not think that this had to be anything on a large scale, but a thank you card or Christmas card as a minimum would help to show that their input is valued.
- When asked to rate whether performance was improving, the majority said that it wasn't.
- Tenants did not feel that there is currently an equal balance between cost and quality.
- Following discussion, the tenants agreed that they tend to accept what officers tell them regarding performance and don't necessarily scrutinise the evidence.

**TRF**

- The number in attendance was fairly high
- Members are keen to get involved and demonstrated a clear enthusiasm for helping to improve WLBC housing services.
- Lack of clarity around role and purpose of the group
- High number of staff in attendance in relation to outcomes achieved did not appear to be good VFM
- There is feeling of 'us and them' between tenants and residents

- The group does not act as a 'forum'. Whilst information is presented to them, there is limited opportunity for discussion and consultation.
- There is duplication between the TRF and the Performance Management SIG.
- Whilst members value receiving updates from street scene, some did not feel that a member of staff was needed to attend the meeting. (In the meeting observed a short verbal updated was provided stating that Christmas collection dates were being finalised.) Such information could be provided to the chair for example to share with the group on behalf of Street Scene.
- "The TRF is no longer a forum. It is a listening group and is very fragmented."
- When asked to rate how strongly members agree or disagree that they are proud to be a member of the TRF, only 40% agreed that they are proud to be a member.

**Chairs meeting**

- Has helped to developed good working relations between groups and share ideas.
- Helped to develop the confidence of Chairs.
- Direct link to senior management
- Structure doesn't really fit young people's needs and aspirations
- Feeling amongst some tenants that scrutiny is not truly independent. Links with officers may be too close. Things are accepted without scrutiny on occasion.
- Tenants agreed that the structure may need streamlining. It was set up with the TSA in mind and so does not reflect new regulatory requirements as well as it could.

**General  
issues and  
comments**

- Over reliance on the same people to make up groups.
- One tenant commented: “There is confusion at time between the role of officers and the role of tenants – with tenants getting too involved in officers jobs.”
- The relationship between tenants and the housing service differs greater to the relationship between tenants and property services.
- There is a view from some tenants that TARAs (and previous EMBs) are likely to feel ‘pushed’ out of the current structure.
- Tenants on the SIGs and SEGs should be able to vote on the tenant representatives that attend the LSC without having to become a member of the TRF.

## Appendix C – Staff Consultation

Summary of key findings:

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Example comments: (Full details have not been included due to confidentiality)

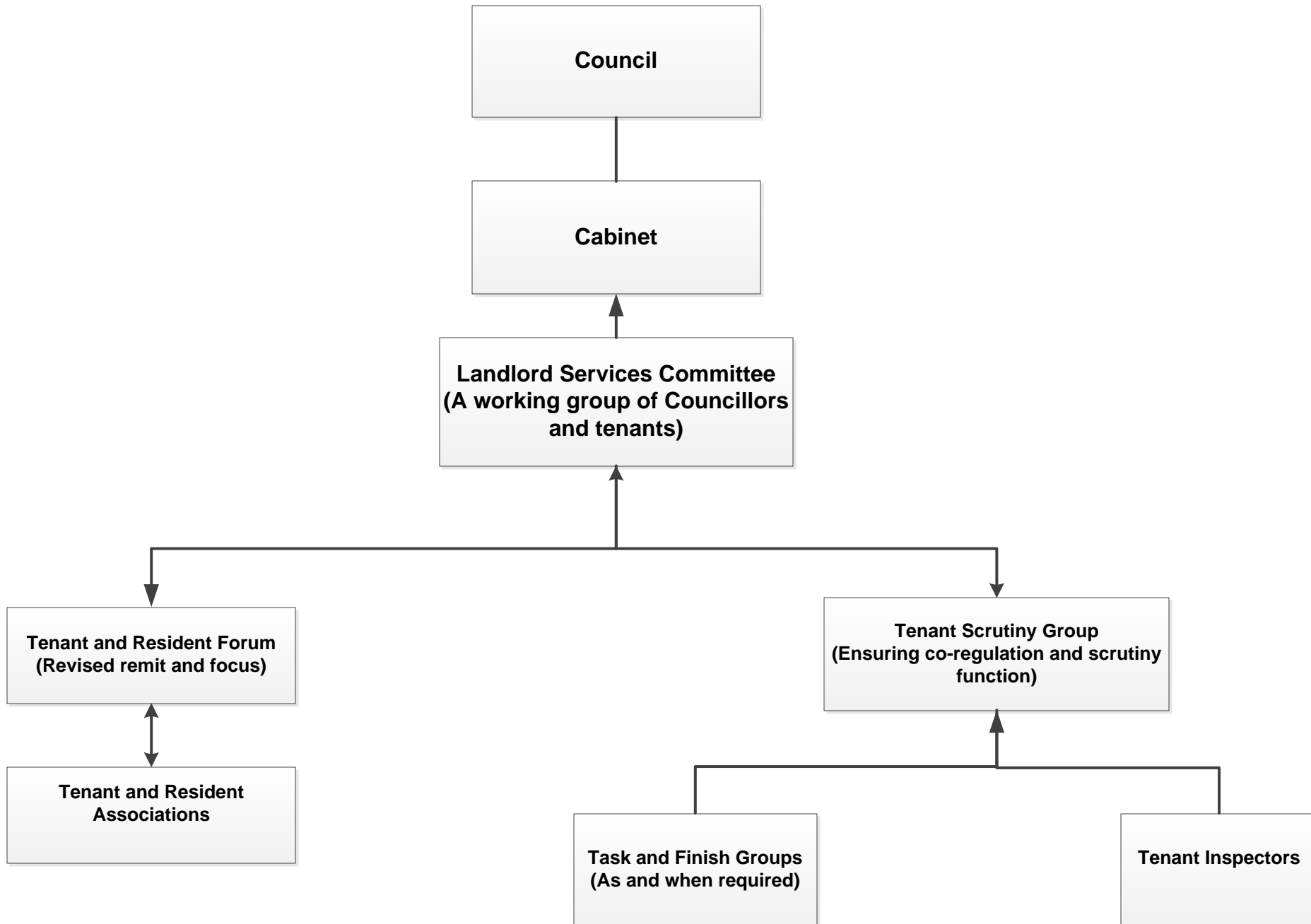
- |                              |   |
|------------------------------|---|
| <b>Strengths</b>             | <ul style="list-style-type: none"><li>• Staff value tenant involvement more since the new structure was implemented</li><li>• Culture for involvement has improved. Managers automatically consider how they can involve and engage with customers.</li><li>• We are being challenged by tenants</li><li>• Awareness of the menu of mechanisms was strong at a management level, however frontline staff did were not fully informed.</li><li>• Task and finish groups were especially well regarded by staff</li></ul>   |
| <b>Areas for improvement</b> | <ul style="list-style-type: none"><li>• It's difficult to understand what each of the groups do and when we need to link into them</li><li>• “We have lost some of the wider consultation”</li><li>• The same people are often involved in a number of groups.</li><li>• Limited examples of outcomes could be provided (however staff did agree that outcomes are more evident since the new structure was implemented).</li><li>• Duplication – too many staff attending meetings or attending more than one tenant meeting with the same information</li><li>• Staff would like to see more young people involved in the housing service</li><li>• Lack of understanding around what is scrutiny and what is involvement activity.</li></ul> |
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## **Appendix D – Consultation with Portfolio Holders**

### Key findings:

- Tenant involvement was highly valued
- Can see clear outcomes as a result of tenant involvement
- Ensuring that the Housing Service is delivery good value for money is a key priority
- There is a strong culture within the organisation towards involving tenants
- Improvements in the service have been reflected in the recent tenant satisfaction survey.
- Value the role tenants can play in shaping the service.
- Value the role of tenants on the LSC

# PROPOSED NEW TENANT INVOLVEMENT STRUCTURE







**PROPOSED REMIT FOR THE TENANTS AND RESIDENTS FORUM (TRF)**

Establish the TRF as a key consultation group for:-

- \* The development of housing policy and strategy.
  
- \* A key role in assessing the impact of tenant involvement activities and associated VFM (of tenant involvement activities only).
  
- \* A continued broader community focus e.g. refuse collection etc that excludes monitoring of the landlord services.
  
- \* Establishing Task and Finish Groups as required.



<p>1.</p>	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:  <i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races/ethnicities/ nationalities;</i>  <i>Men; Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>The new tenant involvement structure has been developed by tenants with support from one of the 12 national co-regulation champions Helena Partnerships.  The structure actively encourages tenant involvement from all groups and these rationalised arrangements will allow us to diversify our contact management with the harder to reach groups which will provide a positive improvement over time.</p>
<p>2.</p>	<p>What sources of information have you used to come to this decision?</p>	<p>External expert advice from Helena Partnerships and input from current involved tenants.  Use of published material from TPAS etc.</p>
<p>3.</p>	<p>How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>The involved tenants and the Tenants and Resident Forum both established task and finish groups to present final proposals to their respective bodies i.e. the Service Evaluation Group and Tenants and Residents Forum.</p>
<p>4.</p>	<p>Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:-  <i>Eliminate discrimination, harassment and victimisation;</i>  <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i>  <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>The new arrangements will improve and support our duties</p>
<p>5.</p>	<p>What actions will you take to address any issues raised in your answers above</p>	<p>A review of the arrangements will be undertaken in 12 months time to ensure that we continue to meet our social housing regulator and broader objectives.</p>





**AGENDA ITEM: 6(e)**

**CABINET: 18<sup>th</sup> June 2013**

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**Report of: Assistant Director Community Services/Borough Planner**

**Relevant Managing Director: Managing Director (People and Places)**

**Relevant Portfolio Holders: Councillor D. Sudworth/ Councillor M. Forshaw**

**Contacts for further information: Mrs. P.F.Campbell (Ext.5144)  
(E-mail:paula.campbell@westlancs.gov.uk)**

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**SUBJECT: USE OF SECTION 106 MONIES IN AUGHTON AND BURSCOUGH**

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Wards affected: Aughton and Burscough West

**1.0 PURPOSE OF THE REPORT**

1.1 To consider the proposals from Aughton and Burscough Parish Council's regarding the use of Section 106 monies received by the Council, from housing developers, for the enhancement of public open space and recreation provision within the wards of Aughton and Burscough West

**2.0 RECOMMENDATIONS**

2.1 That the proposed project to provide new play equipment to Redsands, Rachel Taylor Memorial Field and William Arnold Silcock Memorial Field in Aughton be approved and the Section 106 commuted sum of £11,805 generated in the Aughton area be made available for the project.

2.2 That the proposed project for drainage work to Richmond Park Public Open Space be approved and the Section 106 commuted sum of £28,000 generated in this area be made available for the project.

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**3.0 BACKGROUND**

3.1 Members will recall that Policy DE.1 of the West Lancashire Replacement Local Plan (2001-2016) requires developers to provide open space facilities as part of housing developments. The amount of open space required on site and the level of the commuted sum required to provide or improve open space off site, must be in line with the guidance set out within the Council's Open Space / Recreation

Provision in New Residential Development Supplementary Planning Document (2009). Where financial contributions are collected, the Council can use the commuted sum for the provision of new or the enhancement of existing areas of public open space within its area.

- 3.2 In accordance with the decision of the Planning Committee held on January 10<sup>th</sup> 2002 the views of the relevant Parish Council/ward councillors are sought in respect of the potential use of this money.
- 3.3 In February 2011 an Officer Section 106 Agreements – Public Open Space Working Group was established to co-ordinate the receipt of the commuted sums, and report to Cabinet on proposals for the use of the S106 funding. A function of this group is to establish levels of uncommitted S106 funds across all wards, and consult with Parish Councils and ward councillors as to how this funding could be best utilised in line with the requirements of the S106 agreements.
- 3.4 Information to Parish Councils and receipt of proposals from Parish Councils was received prior to information being sent to ward members. Ward members have been provided with the information and responses received either in support of the proposals or to acknowledge the information. The revised 106 consultation protocol will ensure that ward members are consulted at an early stage and able to add to the options and proposals.

#### **4.0 CURRENT POSITION**

- 4.1 Following consultation with Aughton and Burscough Parish Councils there are two new proposals put forward for consideration for existing Section 106 funding in these areas. The proposals are set out in section 6 of this report. The funding can only be used in accordance with the terms of the related Section 106 agreements for the provision of outdoor play equipment and the enhancement of existing areas of public open space within the localities.
- 4.2 The Borough Planner offers the view that the proposed use of monies is in accordance with planning policy and the terms of the Section 106 Agreement and consequently supports the proposals.

#### **5.0 ISSUES**

- 5.1 The proposals are in keeping with the aims of the Borough Council Play Policy and Cultural Strategy.

#### **6.0 PROPOSALS**

- 6.1 It is proposed to enhance the two areas as below:-

##### **6.1.1 Aughton**

Provision of new and improved play equipment to Redsands, Rachel Taylor Memorial Fields (Cherry Tree) and William Arnold Silcock Memorial Field (Winifred Lane).

### **6.1.2 Burscough**

Drainage improvements to grassed areas of Richmond Park to include football pitch and associated works to improve drainage and improve access for park users across the site.

## **7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

7.1 The projects will support the Council's strategic aims in respect of improving access to quality outdoor space, providing facilities to improve the health and quality of life of the community, and ensuring access to a wide age range.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

8.1 The estimated capital cost of each proposal mentioned in section 6 will be £11,805 for Aughton, £42,000 for Burscough (£28,000 Section 106 commuted sum money and £14,000 from the Football Foundation).

8.2 The applicants are requesting the full Section 106 monies available. Additional project funding of £14,000 has been awarded from the Football Foundation towards the Burscough proposal. The opportunity to undertake the Burscough improvements works is time limited and needs to be undertaken during the football closed season.

## **9.0 RISK ASSESSMENT**

9.1 Section 106 funds need to be spent in accordance with criteria set out in the related planning agreements and usually within a set time from payment. If the Council does not spend the monies in accordance with the set criteria then they will be repayable to the developer. This risk can be mitigated by assessing all project proposals prior to commencement to assure compliance, and working in partnership with the applicants to ensure criteria is adhered to.

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## **Background Documents**

None

## **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix 1 to this report, the results of which have been taken into account in the recommendations contained within this report.

## **Appendices**

Appendix 1            Equality Impact Assessment



<p>1.</p>	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:  <i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races/ethnicities/ nationalities;</i>  <i>Men; Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>Use of Section 106 monies in the way proposed will improve access to open space facilities for all members of the community therefore the decision to support these schemes will not disadvantage or have a disproportionately negative effect on the above groups of people</p>
<p>2.</p>	<p>What sources of information have you used to come to this decision?</p>	<p>Consultation with the Parish Council's, and ward members on local requirements, and assessment by S106 Working Group (Public Open Space).</p>
<p>3.</p>	<p>How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>Proposals for these schemes were received from the Parish Council's, following local community consultation.</p>
<p>4.</p>	<p><i>Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:-</i>  <i>Eliminate discrimination, harassment and victimisation;</i>  <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i>  <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>Consideration of the needs of all the community will be considered as part of the design process, therefore support for the scheme can only help our ability to meet our duties under the Equality Act 2010.</p>
<p>5.</p>	<p>What actions will you take to address any issues raised in your answers above</p>	<p>Regular liaison with the Parish Council's throughout the design and implementation process will allow all issues to be considered.</p>





**AGENDA ITEM: 6(f)**

**CABINET: 18 June 2013**

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**Report of: Assistant Director Community Services**

**Relevant Managing Director: Managing Director (People and Places)**

**Relevant Portfolio Holder: Councillor D Sudworth**

**Contact for further information: John Nelson (Extn. 5157)  
(E-mail: John.Nelson@westlancs.gov.uk)**

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**SUBJECT: ABBEY LANE PLAYING FIELDS, TRANSFER TO COMMUNITY SPORTS CLUB**

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Wards affected: Ormskirk and Burscough Wards

**1.0 PURPOSE OF THE REPORT**

1.1 To consider a proposal to transfer the Abbey Lane playing fields to a community sports club as part of an opportunity to attract external grant funding to support drainage improvements works to the site.

**2.0 RECOMMENDATION**

2.1 That the Assistant Director Community Services and the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder for Community Services and the Portfolio Holder for Housing, Regeneration and Estates be authorised:

- a) to grant a long term lease at a peppercorn rent to Burscough Juniors Football Club for the changing room and pitches located at Abbey Lane playing fields, as edged red on the plan attached at Appendix 1, with provision for the club to seek funding for improvements to the site with restrictions that the site should be used for multi-sport activities and not restricted to single sport use.
- b) to identify and engage a contractor to carry out the drainage works on the site.

- c) to take all necessary steps, enter into all necessary agreements and to obtain any consents and permissions.
- 

### **3.0 BACKGROUND**

- 3.1 Abbey Lane playing fields site, also known as the Thomas Galvin Sports Ground, contains six adult football pitches and accommodates two cricket pitches. Building changing accommodation is comprised of twelve team changing rooms, separate changing for officials, a community/training room, first aid room and a small kitchen area.
- 3.2 The site was established in 1994 and has been used predominantly by football teams since its opening; additional space is allocated which allows for two cricket pitches to be made available during summer months and since 2011 an archery club have also been based at the site.
- 3.3 The drainage system has had particular problems over the last two years with the surface drainage system being compacted over time and the lower level drains requiring major works to improved flow and capacity. This has resulted in the pitches being unplayable for most of the season. Teams are no longer able to commit to a season booking due to the intermittent availability of the pitches.
- 3.4 Burscough Juniors football club was formed in 2002 following the joining together of Burscough FC and Burscough Dynamo's and provide football for boys and girls from age six onwards. Burscough Juniors has since separated from Burscough Football club and now operates independently from the senior club.
- 3.5 The primary objective of Burscough Juniors Football Club is to provide boys and girls the opportunity to participate in competitive football, organised training and receive appropriate coaching in basic football skills. As a secondary objective, it aims to provide 'football related activities' for players and organise fund raising and social events, in support of the Club, for parents.
- 3.6 The club have 30 boys and girls teams in a number of age groups which have had substantial success and provided players and coaches who have developed and provided representation and support at regional and national level. The club provide a pathway towards senior level clubs and provide coaching and football skills session for other clubs in the West Lancashire area. The Club is registered with the FA and holds a Club Mark accreditation certificate.
- 3.7 The Borough Council has arrangements with a number of sports clubs across the Borough who are engaged in long term lease/partnership arrangements for Council owned facilities. This includes Liverpool Road Juniors, Newburgh Cricket Club, Apply Bridge Football Club and Ormskirk Rugby Club. All of the clubs have arrangements which provide for exclusive use of all or part of the sites which enable them to attract external grant funding to enhance the facilities.

3.8 Discussions had been held with Ormskirk Rugby Club in 2009/10 regarding relocation to the Abbey Lane site; the Rugby Club considered the option but decided to remain in Ormskirk at the Green Lane site and not move towards Burscough.

3.9 The Abbey Lane site is within the Ormskirk Boundary, but it is perceived by residents and those using the site as being located in Burscough.

#### **4.0 CURRENT POSITION**

4.1 The Club are looking for a permanent base and seeking to provide improvements to the Abbey Lane facilities, seeking grant funding from the Football Foundation to match the Council's capital allocation towards drainage improvements. The facility at Abbey Lane will provide a base for the Club to support future club development, particularly in respect of young people, mixed gender use and disability accessibility.

4.2 Council officers have met with Club officials, Burscough Parish Council, Liverpool FA and officers from the Football Foundation to discuss lease and investment options for the Abbey Lane Site. The Parish Council support the proposal from the Club and welcome the option to improve the facilities at the site. The Parish Council may provide additional support of a small grant to support junior football development in the Burscough area, particularly within schools and local junior football teams.

4.3 Burscough Juniors Football Club has been successful with an initial expression of interest grant application and has received support from Liverpool FA towards submitting a final bid for funding from the Football Foundation. The grant would be for funding towards playing pitch improvements (drainage). The Football Foundation grant is normally a match funding allocation with a maximum grant of 50%. The estimates for the drainage work at Abbey Lane are £240,000.

4.4 The Council have allocated a sum of £100,000 towards the drainage works at Abbey lane, this would normally only attract a further £100,000 grant funding leaving the estimate cost of the works short by £40,000. The Club are unable to meet this shortfall. Any grants from the Parish Council can not be used towards the drainage work as the site is technically outside of the Burscough ward boundary.

4.5 The Football Foundation have agreed to the principal of awarding a higher level of grant towards meeting the shortfall in the project works and following a meeting on site have also indicated additional funding towards grounds maintenance equipment.

#### **5.0 THE TRANSFER PROCESS**

5.1 The Club require security of tenure of at least 25 years in order to secure the Football Foundation grant funding. The Club have requested a lease of a

minimum period of 25 years to secure the grant but would welcome a longer term.

- 5.2 Despite the ongoing problems with drainage, the site continues to provide opportunities for cricket and archery; any community transfer would need to recognise the multi sport use at the site and a community use agreement would be attached to the lease to ensure the site remains in use as multi use sports facility.
- 5.3 The Football Foundation grant will be awarded to Burscough Juniors Football Club subject to entering a lease with the Council for the site. However the Borough Council will be the recipient of the grant monies and will be the responsible body for ensuring that the funding is managed within appropriate procurement rules and probity. The Borough Council will therefore take the responsibility for the engagement of contractors and supervision of the works. This protects the Borough Council investment in the facility and the project management for the works.
- 5.4 In order to ensure that future drainage issues and problems were reduced the Council allocated from 2014/15 a specific budget item of £15,000 towards the ongoing maintenance cost of the drainage system. It is proposed that this sum continues to be allocated each year to fund scheduled annual maintenance works for the drainage system with this work being coordinated by the Borough Council.
- 5.5 One of the biggest financial outlays for the site is the day to day grounds maintenance cost. The Club would be unable to undertake the responsibility for this element of the site costs as well as taking over the responsibility for the changing rooms operation of the building. Discussions with Football Foundation officials and the Club have concluded that in order for the grant application to succeed that the Council would continue to cut the grass and undertake routine day to day grounds maintenance tasks under the existing specification.
- 5.6 The Club have agreed to undertake line marking and undertake any additional maintenance of the drainage system over and above the funding allocated by the Council. Any additional grass cuts or grounds maintenance work over the current specification would be funded from the club.
- 5.7 The Club would be responsible for maintaining the building, internal roads, car parking area and paths, access gates and fence lines, service costs for the changing facilities and any additional works required on site together with paying all services cost and the rates bill for the site.
- 5.8 The Club will be providing a business plan and financial projections for the submission to the Football Foundation to provide assurance that the project is sustainable. Officers from the Borough Council will be involved in providing information and will assist towards the development of the plan and will be able to assess the viability of the grant project submission and long-term sustainability of the transfer.

5.9 A part time member of staff works weekends to open and close the facilities at Abbey Lane and Blaguegate playing fields. The part time hours are reduced during summer months with the member of staff providing cover at Abbey Lane only, to cover the opening of the facilities for the cricket season. Discussions will be undertaken with the member of staff and Unions regarding relocation of the hours or redundancy, as a result of the transfer of the Abbey Lane site to a community club.

## **6.0 DISPOSAL**

6.1 Abbey Lane playing fields was purchased from Lancashire County Council by West Lancashire District for the sum of £51,250 in 1992. The site had formally been the camp for nearby former Burscough aerodrome. The land is in the asset register as having a de minimus value however the changing rooms/pavilion area has an existing use value of £584,153. Members should be mindful that by granting a lease of at least 25 years to the Burscough Junior football club the site is effectively taken out of the Council's control for purposes of the Strategic Asset Management Plan (SAMP) process. However, officers believe that there is sufficient alternative sites which could be utilised in this regard.

6.2 The disposal is at less than best value but members may believe that the social, economic and environmental benefit which will be gained by letting the site and securing the funding for drainage works is sufficient mitigation. A plan of the site is attached at appendix 1.

6.3 The disposal of a facility/land at less than the best value that can reasonably be obtained may require Secretary of State Consent. Providing that the undervalue does not exceed £2m and that there are social, economic and environmental benefits in transferring the land then the Council can transfer the land at an undervalue and there will be no need to obtain specific Secretary of State consent. The Land is accorded the status of EN3 Green Infrastructure/Recreation Space in the soon to be adopted Local Plan which will be in force until 2027 and accordingly its valuation does not exceed £2m therefore Secretary of State Consent is not required.

6.4 The transfer to the Club provides the Council with significant grant funding which would not otherwise be available to the Council. The benefits to the community from this arrangement include investment to improve the site facilities and secure and provide for long term sustainable community facility.

6.5 A community use agreement with the Club will ensure access is provided to other sports clubs and sports activities outside of football, protection of the existing cricket pitches, access for archery and for other sports will be important to ensure a multi sports access and protect community use for the site.

- 6.6 The particular arrangement with the junior club will see the site used by much larger numbers of junior teams, and will have a positive impact on health, inclusion and community use of the site.

## **7.0 PROPOSALS**

- 7.1 It is proposed that subject to discussions with Burscough Juniors Football Club, that the Council enter into a long lease (minimum 25 years) at a peppercorn rent for the facilities at the Abbey Lane site, with provision for the Club to seek funding for improvements to the site with restrictions that the site should be used for multi-sport activities and not restricted to single sport use.
- 7.2 The lease with the Club is conditional to the Club being awarded the Football Foundation grant funding.
- 7.3 The Council will continue to provide day to day grounds maintenance under an agreed schedule. The Council would continue to cut the grass and undertake routine day to day grounds maintenance tasks under the existing specification.
- 7.4 The Council allocated from 2014/15 a specific budget item of £15,000 pa towards the ongoing maintenance cost of a replacement drainage system. It is proposed that this sum continues to be allocated to the site.
- 7.5 The Club have agreed to undertake the responsibility for service charges, building and access maintenance and any additional grounds maintenance work for the site, including day to day works and supplementary costs for ongoing drainage maintenance works and improvements.

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

- 8.1 The proposals will allow Burscough Juniors Football Club to increase involvement in community activity and club development and subject to grant funding, will support access to quality facilities and will have a positive impact on health, inclusion and community use of the site.

## **9.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 9.1 The Council have allocated a capital sum of £100,000 towards the drainage improvement works at the Abbey Lane site.
- 9.2 In addition to the capital funding the Council allocated from 2014/15 a specific budget item of £15,000 pa towards the ongoing maintenance cost of the drainage system. It is proposed that this sum continues to be allocated each year to fund scheduled annual maintenance works for the drainage system with this work being coordinated by the Borough Council.



- 9.3 The Capital Grant of £140,000 from the Football Foundation, towards the drainage improvements works, is only available to community clubs, the partnership arrangement with Burscough Juniors is therefore essential in attracting the external funding.
- 9.4 A part time member of staff works weekends to open and close the facilities at Abbey Lane and Blaguegate playing fields. The hours are reduced during summer months with the member of staff providing cover at Abbey Lane only, to cover the opening of the facilities for the cricket season. A small reduction on staff cost will be achievable as a result of the transfer of the Abbey Lane site to a community club. A small redundancy cost associated with the loss of summer hours may need to be accommodated this is expected to be less than £500.
- 9.5 The overall cost of managing the site under this arrangement will be lower than the Councils current operating costs, the club will be able to attract a reduction on the rates payable for the site of 80% and be able to reduce operational costs for the site as a result of voluntary support for the club.
- 9.6 Although not the primary driver for the transfer, savings will be achieved for the Council from building service and building maintenance costs which will be reduced as a result of the transfer this is estimated at £10,800. Although the Council will no longer collect income from the site in the future.
- 9.7 The budget income estimates for 2013/14 is £4,600. This budget income figure will not be achieved in this year and would not in any case be achievable in future years without the capital investment grant funding and drainage improvements.

## **10.0 RISK ASSESSMENT**

- 10.1 The granting of a long lease and license to the Club for the Abbey Lane site will restrict the Councils options for this site for the term of the agreements.
- 10.2 The Club may cease to operate or may not be able to sustain the operation of the site. The facilities would then be transferred back to the Borough Council. Assessment of the business plan and governance arrangements for the Club will be scrutinised to identify and minimise any problems with the sustainability of the Club. The award of the Football Foundation grant will be subject to providing a viable and sustainable business plan.
- 10.3 The grant application to the Football Foundation is made by Burscough Juniors Football Club; the award of any grant will be to Burscough Juniors Football Club. While the Council will facilitate the project management and engagement of the contractors for the works, the responsibility for any potential clawback from the Football Foundation for non performance and future delivery remains with the club.

## **11.0 CONCLUSIONS**

11.1 That Burscough Juniors Football Club provides a valuable community and recreational service and the Council should support their development proposals by providing the security of a dedicated site for the club to develop. The lease option will also provide access to external grant funding for improvements to the site from a grant source which would not otherwise be available to the Council.

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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.

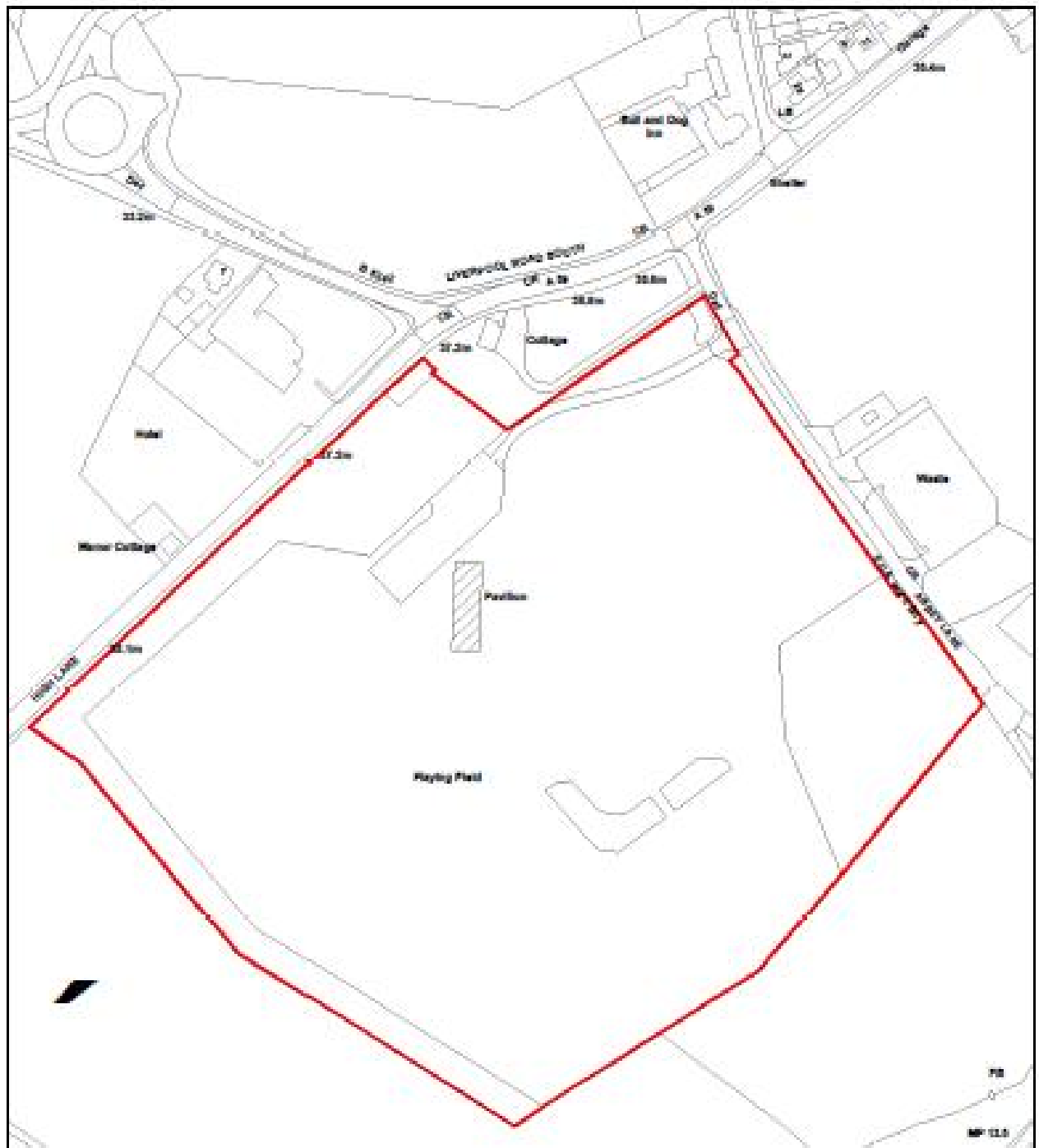
### **Equality Impact Assessment**

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix 2 to this report, the results of which have been taken into account in the recommendations contained within this report.

### **Appendices**

Appendix 1	Plan of the Abbey Lane Site
Appendix 2	Equality Impact Assessment

## Appendix 1



## West Lancashire Borough Council

Plan Title

ABBEY LANE PLAYING FIELDS AND PAVILION, BURSCOUGH  
DEED C914 LA696633 Building Area 533 sqm  
PLAN WLP112/A AREA edged red 10.15 ha (25.07 acres) 09/07/2009

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Scale 1:2,500



<p>1.</p>	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:  <i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races/ethnicities/ nationalities;</i>  <i>Men; Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>The arrangement with the junior football club and inclusion of a community use agreement will maintain and improve access to the facilities for all members of the community; therefore the decision to support the community transfer of the facility will not disadvantage or have a disproportionately negative effect.</p>
<p>2.</p>	<p>What sources of information have you used to come to this decision?</p>	<p>Consultation with the Parish Council, with Liverpool Football Association, Football Foundation officials, team principals and team managers from Burscough junior football teams</p>
<p>3.</p>	<p>How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>Proposals for this arrangement have been discussed with the Parish Council. Team managers and club officials from Burscough Junior Football club.</p>
<p>4.</p>	<p><i>Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:-</i>  <i>Eliminate discrimination, harassment and victimisation;</i>  <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i>  <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>The proposals and recommendation in the report do not hinder our ability to meet our duties under the Equality Act 2010</p>
<p>5.</p>	<p>What actions will you take to address any issues raised in your answers above</p>	





**AGENDA ITEM: 6(g)**

**CABINET: 18 JUNE 2013**

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**Report of:** Assistant Director Planning

**Relevant Managing Director:** Managing Director (Transformation)

**Relevant Portfolio Holder:** Councillor M Forshaw

**Contact for further information:** Mr P Richards (Extn. 5046)  
(E-mail: peter.richards@westlancs.gov.uk)

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**SUBJECT: WEST LANCASHIRE LOCAL PLAN 2012-2027**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To seek approval for the proposed Strategic and Land Allocation Modifications to the Local Plan and approval to publicly consult on all Main Modifications to the Local Plan as part of the Examination process.

**2.0 RECOMMENDATIONS**

2.1 That the proposed Modifications to the Local Plan on strategic and land allocation matters recommended by the Local Plan Inspector (provided at Appendices A and B to this report) be endorsed.

2.2 That a six-week public consultation on all the proposed Main Modifications to the Local Plan, as required by the Local Plan Inspector, be authorised.

2.3 That call-in is not appropriate for this item as this matter is one where urgent action is required in order to maintain progress of the Local Plan towards adoption in 2013.

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**3.0 BACKGROUND**

3.1 Further to the report brought before Cabinet on 16 May 2013, and in response to the Local Plan Inspector's letter of 15 May 2013, officers have now prepared Modifications to the Local Plan to address the recommendations of the Inspector

in his letter on strategic and land allocation matters. These Modifications have been added to the strategic Modifications proposed immediately following the Examination hearings in March 2013 and all the strategic Main and Minor Modifications are provided in Appendix B.

- 3.2 If Cabinet are minded to endorse the strategic modifications, Cabinet are requested to authorise a six-week public consultation on the strategic Main Modifications, together with the development management Main Modifications endorsed by Cabinet on 16 May 2013, that the Inspector has required. This consultation is anticipated to take place from 27 June until 9 August 2013.

#### **4.0 CURRENT POSITION**

- 4.1 The Inspector's letter of 15 May 2013 raised a number of recommendations which required amendments to the Local Plan in relation to strategic and land allocation matters. These amendments arising from the letter are considered Main Modifications because they affect policy and / or the soundness of the Local Plan and so have been added to (or amend) the 14 Main Modifications already discussed with the Inspector related to strategic matters.

- 4.2 Of the 14 original strategic Main Modifications, seven were related to the updated situation regarding infrastructure for waste water treatment and surface water in the Borough, three have since been superseded by recommendations in the Inspector's letter, two relate to clarification of Policy RS2 on affordable housing, one is a minor word change in Policy EC1 and one has been amended as a result of the recommendations in the Inspector's letter.

- 4.3 The recommendations within the Inspector's letter focused on three key areas of amendment for the Local Plan:

- A slightly increased housing requirement over the Plan period, a re-phasing of the annual housing target and the consequential need for additional housing land to meet the increased housing requirement;
- A need to identify 5 ha of additional employment land supply in order to replace 5 ha of supply that the Inspector does not consider justified within the Simonswood industrial estate; and
- The deletion of Policy RS4 on Provision for Gypsy & Travellers and Travelling Showpeople due to concerns regarding its soundness and, instead, the preparation of a separate DPD specifically on this matter.

- 4.4 In addition, the Inspector's letter makes recommendations about formulating the Plan B for housing delivery into an actual policy, an amendment to the Parrs Lane Plan B site, a need to refer to affordable rent in Policy RS2, an amendment to the Rural Development Opportunity allocation at Alty's Brickworks, Hesketh Bank, and minor amendments to Policy EC4 Edge Hill University and the precise Green Belt boundary amendment around the new campus expansion.

- 4.5 The Late Information provided for the Cabinet meeting on 16 May 2013 sets out in more detail the implications of the Inspector's recommendations, but officers can now share with Cabinet the actual proposed Modifications arising as a result



of the Inspector's recommendations (see Appendix B). The key strategic and land allocation Modifications are as follows.

#### Modifications to the Housing Requirement and Housing Allocations

- 4.6 MM51-54 and MM62 all respond to the Inspector's recommendation to increase the housing requirement and the consequential need for additional housing allocations to meet this requirement. The overall housing requirement in Policy SP1 has been increased to 4,860 new dwellings (net) over the 15-year Plan period, with an annual target of 302 dwellings a year in the period 2012-2017 and 335 dwellings a year in the period 2017-2027, which is in line with the Inspector's recommendations.
- 4.7 This increased housing target represents a 210 dwelling increase from that in the Submitted Local Plan, but when the actual anticipated supply of housing land over the Plan period is considered together with the requirement for a rolling 5-year housing land supply (including 5% buffer), only sufficient land to deliver approximately 100 more dwellings is required over the Plan period, with 50 dwellings needing to be delivered by 2018. This therefore informed the need for an additional site(s) to be allocated for housing in Policy RS1.
- 4.8 An assessment of the various options for an additional housing site(s) was conducted (see Appendix C) and focused on the sites proposed for safeguarding in the Submitted Local Plan. Initial consideration was given to exploring other sites not previously proposed by the Council but that had been represented during the hearing sessions. However, such sites were in locations constrained by infrastructure restrictions.
- 4.9 An initial sieving exercise was conducted to appraise the general sustainability, deliverability and suitability of the safeguarded sites and this narrowed down the options to just four sites:
- Parr's Lane (east), Aughton;
  - Parr's Lane (west), Aughton;
  - Fine Jane's Farm, Halsall; and
  - New Cut Lane, Halsall.
- 4.10 This concurs with the Inspector's views at paragraph 12 of his letter.
- 4.11 At paragraphs 19 and 20 of his letter, the Inspector goes on to identify that the two Parr's Lane sites "*appear indistinguishable*" from one another and that considering them jointly "*would enable a co-ordinated approach to be taken to their masterplanning and development*", were they to come forward for development. With this in mind, in the assessment of options, the Parr's Lane sites were considered as one, with the consequence that if the Parr's Lane site were to be considered the most suitable option for release as the additional housing allocation, the whole of both sites would be released as an allocation.

- 4.12 However, ultimately, the assessment identified that the release of the two other shortlisted sites (Fine Jane's Farm and the New Cut Lane site) were the most suitable options for meeting the need for additional housing land, given the quantum of additional housing required and the fact that they are sustainable sites which contribute little to the openness of the Green Belt if they were to remain undeveloped.
- 4.13 The assessment concluded that the most appropriate approach would be to release the enlarged New Cut Lane site proposed by those representing the consortium of landowners at New Cut Lane and Bloor Homes, together with the Fine Jane's Farm site, which would enable a capacity of 210 additional dwellings. This conclusion was based on providing a degree of flexibility with least harm to the Green Belt and other environmental factors.
- 4.14 Ultimately, this flexibility may also be required given the location of these sites on the boundary with Sefton. This location raises a question as to whether the sites would meet the housing needs of West Lancashire or Sefton, a question that is not easily answered, even after some discussion at the Examination hearings. In the spirit of the Duty to Co-operate, Sefton Council have been consulted on the possibility of these sites coming forward as housing allocations and no formal response had been received at the time of writing this report, but Sefton Council made no objection to the sites being proposed as Plan B safeguarded sites in the Submitted Local Plan.
- 4.15 However, while it is not something that officers suggest the Council propose as a part of our Modifications, the Inspector may choose to allocate a portion of the housing supply from these sites to meet Sefton's housing requirements (particularly if Sefton Council advance such a case in response to the public consultation on the Main Modifications), and so releasing sufficient land for twice the required 100 additional dwellings provides the flexibility to still meet West Lancashire's housing requirements even if the Inspector ultimately decides a portion of the housing should count towards Sefton's housing requirement.
- 4.16 It should also be noted that MM62 includes an additional housing allocation at Guinea Hall Lane in Banks. This simply reflects the site which was previously safeguarded until 2027 but which recently secured planning permission for 115 dwellings. Given that this site is counting towards the housing land supply for the Local Plan it was no longer appropriate to allocate it for safeguarding, hence its allocation for housing.

#### Modifications to the Supply of Employment Land

- 4.17 MM66-67 address the Inspector's concern that there is a shortfall of 5 ha in the employment land supply by proposing the release of an extension to the Simonswood industrial estate (the extension being 6.79 ha in size and located adjacent to the current Fredericks Dairies site). This conclusion was drawn following an assessment of four options for locations for additional employment land (see Appendix C). The four locations reflected the four alternative / additional locations for employment land discussed at the Examination hearings.

- 4.18 Of the four locations assessed, two had most merit: expansion of Simonswood industrial estate and further expansion of the Burscough employment area. Ultimately, it was considered that the expansion of Simonswood option would be most appropriate given that the shortfall in employment land supply was caused by the Inspector finding that the 5 ha of supply identified *within* the Simonswood industrial estate was not justified due to questions over the land availability for the reconfiguration of the industrial estate (see paragraphs 29 and 30 of his letter).
- 4.19 In relation to impact, compared to the Submitted Local Plan, it is considered that this option has limited net impact because the Submitted Local Plan included 5 ha of supply within the industrial estate. This means that the impact of, for example, traffic caused by new employment development would be similar in the Modified Local Plan compared to the Submitted Local Plan. In fact the only net increase in impact would come through the increased land-take required in the Modified Local Plan. Given this land is not in the Green Belt and is directly adjacent to an existing industrial estate, even the increased land-take has minimal impact.
- 4.20 Like the additional housing allocations, this proposed extension of Simonswood industrial estate could also affect a neighbouring Borough, in this case Knowsley. In the spirit of the Duty to Co-operate, Knowsley Council have been consulted on the possibility of additional land coming forward for employment at Simonswood and Knowsley Council's response on this matter is provided at Appendix D. Knowsley Council do not consider that the allocation of an extension to Simonswood industrial estate would be the best way forward for the reasons set out in their letter and they encourage WLBC to consider other alternative locations instead. However, they do note that, were any land to be proposed for release adjacent to Simonswood industrial estate, the land adjacent to Fredericks Dairies would be the least harmful to Knowsley.
- 4.21 However, it is the view of WLBC's officers that, given the limited net impact of releasing land for a small extension to Simonswood industrial estate, when compared to the Submitted Local Plan, this Modification will not impact upon Knowsley (in particular the nearby residential area of Tower Hill) significantly more than the original proposal to provide 5 ha of employment land supply within the industrial estate in the Submitted Local Plan, which Knowsley Council did not object to, and Simonswood is the most appropriate and deliverable location for the additional 5 ha of employment land supply.

#### Modifications to Policy RS4, Provision for Travellers

- 4.22 MM65 outlines the proposed Modification that would see the deletion of Policy RS4 from the Local Plan and the commitment to, instead, prepare a separate Development Plan Document (DPD) on Provision of Travellers' Sites.

#### Other Modifications

#### 4.23 Other Modifications of note include:

- MM10, MM70 and MM71, which amend Policy EC4, Edge Hill University, to remove reference to a masterplan and amend the new Green Belt boundary around the campus extension to strong boundaries as they exist today on the ground (or will do once the existing permission are implemented) – the release of Green Belt in this location will reduce from 10 ha to less than 9 ha);
- MM60-61, which amend Policy GN2, Safeguarded Land, to reflect the changes in safeguarded sites (including the inclusion of the whole of the Parr's Lane, Aughton site as a Plan B site) – it should be noted that this Modification to Parr's Lane does not significantly weaken the safeguarding of the site, it merely means that, if the Plan B is triggered, the whole of the Parr's Lane site can be considered for release if the Council considers it suitable to do so; and
- MM73-74, which create a new Policy RS6 to incorporate the trigger mechanism for the Plan B into actual policy and thus replace Chapter 10 of the Submitted Local Plan.

## 5.0 NEXT STEPS

- 5.1 Assuming that Cabinet endorse the strategic and land allocation Modifications and authorise a public consultation on all the Main Modifications, the consultation will take place for six weeks commencing on 27 June. The Council will be responsible for collating all responses to the consultation but will then pass them directly on to the Inspector for his consideration as the consultation is technically the Inspector's consultation because it is under the auspices of the Examination.
- 5.2 Once the Inspector has considered the consultation responses, he will draw his final conclusions regarding the soundness and legal compliance of the Local Plan and draft his Inspector's Report in due course. Once the Council are in receipt of the Inspector's Report, the recommended Modifications to the Local Plan can be incorporated into a final version of the Local Plan. This will then be taken to Council for a decision on whether to adopt the Local Plan or not. It is anticipated that this final version of the Local Plan will be taken to Council in October 2013.

## 6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 6.1 Given the nature of the proposed Modifications to the Local Plan, a further Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) have been undertaken to assess the impacts. These did not identify any significantly increased impacts on sustainability or International Sites of habitat importance compared to the Submitted Local Plan, but the reports are available on the Local Plan Examination webpage ([www.westlancs.gov.uk/2027](http://www.westlancs.gov.uk/2027)).
- 6.2 In relation to crime and disorder, there are no significant impacts. This report does have significant links with the Sustainable Community Strategy in that the

delivery of the Local Plan will also help progress the implementation of key aspects of the Sustainable Community Strategy.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 There are no significant financial or resource implications arising from this report as budgetary provision has been made for the Examination of the Local Plan, including any potential in-examination public consultation. However, if the Inspector were to find the Local Plan “unsound”, which he must if we cannot propose adequate Modifications to address his recommendations, there would be very significant financial and resource implications as the preparation of the Local Plan would need to start over again.

## **8.0 RISK ASSESSMENT**

- 8.1 The proposed Modifications to the Local Plan are necessary to reduce the risk associated with the Inspector finding the Local Plan unsound. Ultimately, the Modifications proposed have come from recommendations of the Inspector either at the Hearing sessions or in his subsequent letters (most significantly that of 15 May 2013). Therefore, if the Council were not to propose Modifications that address the Inspector’s concerns, he would either find the Local Plan unsound or propose his own Modifications which may not be as desirable to the Council as those proposed in Appendix B.
- 8.2 As such, there is a risk that, without the endorsement of these Modifications and the authority to consult, progress of the Local Plan will be slowed. Therefore, any delay in responding positively to the Inspector’s recommendations will delay the adoption of the Local Plan. Any delay in adopting the Local Plan has potential risks associated with having to determine planning applications against an out-of-date Development Plan, which limits the ability of the Council to respond to development proposals in the Borough and manage such development in line with the local context and local need, especially in relation to applications for housing development.
- 8.3 It is this concern that has also led to the recommendation in 2.3 above, as any call-in of the decisions associated with this report could prevent a speedy response to the Inspector and / or delay any public consultation on the Modifications, thereby ultimately delaying the adoption of the Local Plan. However, it should be noted that all Members will still be able to have their say in relation to the Modifications, as the modified Local Plan will still need to go before Council, once the Inspector has finalised his report, in order to approve the Local Plan for adoption.

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## **Background Documents**

- Sustainability Appraisal of the Modifications of the West Lancashire Local Plan 2012-2027
- Habitat Regulations Assessment of the Modifications of the West Lancashire Local Plan 2012-2027
- Equality Impact Assessment of the Modifications of the West Lancashire Local Plan 2012-2027

### **Equality Impact Assessment**

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report. An Equality Impact Assessment of the Local Plan itself is required under legislation and such an assessment has been prepared for the Modifications to the Local Plan and is available upon request.

### **Appendices**

- A. Proposed strategic and land allocation Main Modifications to the Local Plan
- B. Proposed strategic and land allocation Minor Modifications to the Local Plan
- C. Options for Additional Housing and Employment Allocations Paper
- D. Letter from Knowsley Council (30 May 2013)
- E. Letter from Local Plan Inspector (15 May 2013)
- F. Equality Impact Assessment

## Proposed Strategic and Land Allocation Main Modifications to policies SP1-SP3, GN1-GN2, EC1-EC4, RS1-RS2, RS4 (5 June 2013)

In the table below, the modifications are expressed in the conventional form of ~~strikethrough~~ for deletions and **underlined bold** for additions of text.

The page numbers and paragraph numbering refer to the submission DPD, and do not take account of the deletion or addition of text.

Ref No	Page	Policy/ Paragraph	Main Modification
MM1	41	SP1, para. 7	<p>Delete paragraph 7:</p> <p><del>However, it is anticipated that development on greenfield sites in Ormskirk, Burscough, Rufford and Scarisbrick will be restricted by a waste water treatment infrastructure issue until 2020 and so development will initially be somewhat constrained in these parts of the Borough.</del></p>
MM2	42	SP1, para. 11	<p>Amend paragraph 11 as follows:</p> <p><del>It is anticipated that the Yew Tree Farm and Grove Farm sites will only begin to be developed from 2020 onwards, allowing time to deliver sites within existing built up areas first and to resolve waste water treatment infrastructure constraints affecting those sites. It may be appropriate to bring this land forward for development in advance of land within the existing built up areas if it is required to ensure delivery of the development targets. However, bringing forward such development in advance of 2020 would be subject to the provision of the appropriate infrastructure required for the development proposals, especially for waste water treatment infrastructure.</del> <b><u>2015, in advance of which appropriate surface water mitigation measures demonstrating a net reduction in wastewater flows arising from the proposed development must be implemented. No surface water from these sites shall discharge to the public sewerage system.</u></b> The planned expansion of</p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<i>the Edge Hill University campus may come forward relatively early in the plan period, subject to the provision of appropriate infrastructure improvements.</i>
MM3	44-45	Justification to SP1, para. 4.17	Amend paragraph 4.17 of the justification text to Policy SP1 as follows: <i>The neighbouring settlements of Ormskirk with Aughton and Burscough together form a secondary focus for new development in the Borough. This is because, while both Ormskirk and Burscough are constrained by waste water treatment infrastructure and could both be affected by the impact of new development on highways congestion, both towns have good access to sustainable public transport connections, both already have the majority of local services provided for <b><u>and the level of additional waste water being created by new development allocated in the Local Plan can be managed while more permanent solutions to the infrastructure constraint are implemented.</u></b></i>
MM4	54	SP3, 10 <sup>th</sup> bullet point	Amend Bullet Point 10 as follows: <i>Measures to address the surface water drainage issues on the Yew Tree Farm site and in Burscough generally to the satisfaction of the Environment Agency, United Utilities and the Lead Local Flood Authority. <b><u>For the development of Yew Tree Farm no surface water should be discharged into the public sewerage system;</u></b></i>
MM5	55	SP3, para. 3 and 4	Amend paragraphs 3 and 4 as set out below: <i><del>Development on this site will not be able to commence until the Local Planning Authority are satisfied that infrastructure constraints in relation to waste water treatment have been resolved, or can be through development. At this time, it is not anticipated that the waste water treatment infrastructure constraint affecting Burscough will be resolved until 2020 and so development of this site could not commence until this is resolved. If this constraint was to be resolved earlier than 2020, development could also commence earlier provided that all other infrastructure constraints are resolved and that it would not prejudice the delivery of development in Skelmersdale (especially the town centre) or on brownfield sites in Ormskirk</del></i>



Ref No	Page	Policy/ Paragraph	Main Modification
			<p><del>or Burscough.</del></p> <p><del>The employment aspect of the development may come forward in advance of 2020 if the infrastructure is in place to support it and if there is no available land remaining in the existing employment areas adjacent to the site that is available or suitable for the employment uses required.</del></p> <p><b><u>Development of the Yew Tree Farm site will not result in surface water being discharged into the public sewerage system and will, in fact, draw surface water off the public sewerage system to be attenuated to the local watercourse at greenfield run-off rates to at least the equivalent quantity of foul water being discharged from the site into the public sewerage system.</u></b></p>
MM6	58	Justification to SP3, para. 4.51	<p>Delete paragraph 4.51 of the justification text set out below.</p> <p><del>The issue relating to New Lane waste water treatment works affects all development in Ormskirk, Burscough, Rufford and Scarisbrick and so is a key issue for the whole Local Plan and one that needs addressing as a priority. However, residential development could not commence at Yew Tree Farm until this issue is resolved. Employment development may be permitted prior to this issue being addressed as long as the Council are satisfied it would not add significantly to the existing outflow to New Lane treatment works. Development of Yew Tree Farm could also fund and facilitate drainage infrastructure improvements in Burscough that would resolve surface water drainage issues in the town.</del></p>
MM7	59	Justification to SP3, para. 4.54 and 4.55	<p>Amend paragraph 4.54 and 4.55 of the justification text as set out below:</p> <p><del>With regards to the residential development on the Strategic Development Site, 500 dwellings are necessary not only to meet the Borough's housing targets but also to help fund many of the improvements to infrastructure and community facilities discussed in Policy SP3. However, it is not expected that this site would start to be developed for residential until 2020, unless key infrastructure improvements enable development to commence sooner.</del></p> <p><del>While the site is physically capable of delivering a further 500 dwellings and 10 ha of</del></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><i>employment land, given that it is anticipated that any improvements to the waste water treatment infrastructure may not be complete until 2020 and given the need to encourage development within the settlement first, it is considered that 500 dwellings and 10 ha of employment land is an appropriate and deliverable level of development for the site. The remaining part of the site will be safeguarded from development until 2027 at least.</i></p>
MM10	91	EC4	<p>Amend the second paragraph of Policy EC4 to read:</p> <p><i>The following key principles are promoted:</i></p> <ul style="list-style-type: none"> <li><i><b><u>z.</u></b> <input type="checkbox"/> Supporting the continued growth, development and improvement of Edge Hill University and its facilities <del>within the existing campus and via an extension into the Green Belt to the south-east of no more than 10 hectares</del> <b><u>both on the existing campus and on the extension into the Green Belt to the south-east delineated on the Policies Map</u></b>, where such development incorporates measures to alleviate any existing or newly created traffic and / or housing impacts;</i></li> <li><i><del>ii.</del> <b><u>ii.</u></b> Requiring a masterplanned approach to future development within the Green Belt;</i></li> <li><i><del>iii.</del> <b><u>ii.</u></b> Working with the University to develop travel plans and parking strategies to encourage sustainable travel and improve access to the campus;</i></li> <li><i><del>iv.</del> <b><u>iii.</u></b> Improving the University accommodation offer and concentrating new student accommodation within the existing and / or extended campus in accordance with Policy RS3;</i></li> <li><i><del>v.</del> <b><u>iv.</u></b> Where possible, creating links between the University, local businesses and the community sector, in terms of both information sharing and learning programmes, to ensure that the University continues to contribute to the local economy and social inclusion in the Borough; <del>and</del></i></li> <li><i><del>vi.</del> <b><u>v.</u></b> Where possible, ensuring that the benefits of the University and its future growth and development are also directed to those communities where educational attainment is lower through specific programmes, and where possible and appropriate, led by private sector</i></li> </ul>

Ref No	Page	Policy/ Paragraph	Main Modification
			<i>employers;</i> <b><u>and</u></b> <b><u>vi. the use of sustainable drainage systems for surface water.</u></b>
MM13	110	RS4	MM13 replaced by MM65
MM14	80	EC1, part 2(a)	Amend second paragraph of Policy EC1, part (2a) to read: <i>On the following strategic employment sites, the Council will only permit B1 use classes (offices and research and development only) and other significant employment-generating uses in use classes C1 and D1.</i>
MM21	65	GN2	MM21 replaced by MM73
MM22	66	Justification to GN2, after para. 5.19	MM22 replaced by MM73
MM26	97	Justification to RS1, para. 7.16	Add sentence to the end of paragraph 7.16 to read: <b><u>If, however, it is demonstrated that the provision of specialist housing for the elderly would in fact have a material negative impact upon viability, this can be taken into account when assessing affordable housing and / or other policy requirements for the proposed development, as set out in paragraph 7.37 of the justification to Policy RS2.</u></b>
MM27	103	Justification to RS2, after para. 7.36	Insert new paragraph after 7.36 to read: <b><u>7.37 The justification for the requirement for specialist housing for the elderly is set out in paragraphs 7.14-7.16 of Policy RS1. When assessing the viability of a market housing-led scheme (in order to determine whether the affordable housing</u></b>

Ref No	Page	Policy/ Paragraph	Main Modification												
			<p><b><u>requirements of Policy RS2 can be met), any negative impact upon viability resulting from the provision of specialist accommodation for the elderly may also be taken into account. In the case of a proposed scheme being unable to meet the requirements of Policy RS1(e) and Policy RS2 viably, consideration should be given on a case-by-case basis to whether the affordable housing requirement, specialist housing requirement or both requirements, should be reduced in order to achieve a viable scheme. Where appropriate (for example, where the local affordable housing need includes a need for affordable housing for elderly people), part, or all, of the specialist housing requirement may be incorporated within the affordable housing requirement.</u></b></p>												
<p><b>Strategic Main Modifications added in response to Inspector’s letter of 15 May 2013</b></p>															
MM51	41-42	SP1	<p>Amend ninth and tenth paragraphs of Policy SP1 to read:</p> <p><i>Over the life of the Local Plan (2012-2027) there will be a need for <del>4,650</del> <b>4,860</b> new dwellings (net) as a minimum. Similarly, there will be a need for 75 ha of land to be newly developed for employment uses over the life of the Local Plan. These Borough-wide minimum targets will be divided between the different spatial areas of the Borough as follows:</i></p> <table border="1" data-bbox="658 1070 1962 1348"> <thead> <tr> <th></th> <th><i>Housing</i></th> <th><i>Employment</i></th> </tr> </thead> <tbody> <tr> <td><i>Skelmersdale with Up Holland</i></td> <td><i>2,400 <b>2,100</b> dwellings</i></td> <td><i>52ha</i></td> </tr> <tr> <td><i>Ormskirk with Aughton</i></td> <td><i>750 dwellings</i></td> <td><i>-</i></td> </tr> <tr> <td><i>Burscough</i></td> <td><i>850 dwellings</i></td> <td><i>13ha</i></td> </tr> </tbody> </table>		<i>Housing</i>	<i>Employment</i>	<i>Skelmersdale with Up Holland</i>	<i>2,400 <b>2,100</b> dwellings</i>	<i>52ha</i>	<i>Ormskirk with Aughton</i>	<i>750 dwellings</i>	<i>-</i>	<i>Burscough</i>	<i>850 dwellings</i>	<i>13ha</i>
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			Northern Parishes	<del>400</del> <b>800</b> dwellings	3.5ha
			Eastern Parishes	100 dwellings	6.5ha*
			Western Parishes	<del>150</del> <b>260</b> dwellings	-
			<p>* includes 5ha at <b>adjacent to</b> Simonswood Employment Area</p> <p>The above housing and employment land development <del>should initially be</del> <b>has been</b> prioritised to sites within the existing built-up areas of the Regional Town / Key Service Centres and the Key / Rural Sustainable Villages (including appropriate greenfield sites). However, <del>it is recognised that</del> in order to meet the above housing and employment land development targets for Ormskirk with Aughton and Burscough and to enable a small expansion of the Edge Hill University campus, a small amount of land is proposed for release from the Green Belt in the Local Plan (2012-2027). This land involves <del>three</del> <b>five</b> specific sites:</p> <ul style="list-style-type: none"> <li>• Yew Tree Farm, Liverpool Road South, Burscough – for 500 dwellings, 10ha of new employment land and new community infrastructure (see Policy SP3)</li> <li>• Grove Farm, High Lane, Ormskirk – for at least <del>250</del><b>300</b> dwellings (see Policy RS1); Ormskirk – for at least 250 dwellings (see Policy RS1)</li> <li>• <b><u>Fine Jane’s Farm, Moss Road, Halsall – for 60 dwellings (see Policy RS1)</u></b></li> <li>• <b><u>Land at New Cut Lane, Halsall – for 150 dwellings (see Policy RS1)</u></b></li> <li>• Edge Hill University, St Helen’s Road, Ormskirk – 10ha for new university buildings, car parking and new access road (see Policy EC4)</li> </ul>		

Ref No	Page	Policy/ Paragraph	Main Modification
MM52	44	Justification to SP1, para. 4.15	MM52 replaced by Min111
MM53	45-46	Justification to SP1, paras. 4.21-4.23	<p>Amend paragraphs 4.21-4.23 as follows:</p> <p><del>4.21 The residential target of 4,650 dwellings is based on the CLG Household Projections (2008) for West Lancashire (which equates to 260 dwellings a year) plus the deficit that the Borough has built up between 2003 and 2012 in relation to the target set by the Regional Spatial Strategy (750 dwellings). This equates to an average annual target of 310 dwellings a year over the Local Plan period.</del></p> <p><b><u>4.21 The residential target of 4,860 dwellings is comprised of three elements:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The DCLG interim 2011-based household projections for West Lancashire from 2012-2021 (257 dwellings a year)</u></b></li> <li>• <b><u>Household growth modelling for the period 2021-2027 (311 dwellings a year)</u></b></li> <li>• <b><u>The shortfall in provision of housing in the Borough over 2003-2012 against the target set in the North West Regional Spatial Strategy (total shortfall: 679 units)</u></b></li> </ul> <p><b><u>This equates to an average annual target of 324 dwellings a year over the Local Plan period.</u></b></p> <p>4.22 However, it is apparent that an annual target of 310 <b>324</b> dwellings a year will be extremely difficult to meet in the initial years of the Local Plan <b>period</b> as the UK economy continues to recover from the recent recession and given that development in a large part of the Borough is expected to be <b>somewhat</b> constrained by a waste water treatment infrastructure issue until 2020. Therefore, Table 4.1 proposes staggered annual targets for residential development during the Local Plan period.</p>

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			<table border="1"> <tr> <td></td> <td><b><i>Annual Residential Target</i></b></td> </tr> <tr> <td><b><i>2012-2017</i></b></td> <td><b><i>302 dwellings a year</i></b></td> </tr> <tr> <td><b><i>2017-2027</i></b></td> <td><b><i>335 dwellings a year</i></b></td> </tr> </table> <p><b><i>Table 4.1 Annual Residential Delivery Targets</i></b></p> <p><i>4.23 The 75ha target for new employment land in the Borough over the Core Strategy <b>Local Plan</b> period has emerged via a calculation derived from the Joint Employment Land and Premises Study (2010) prepared for Halton, Knowsley, Sefton and West Lancashire based on historic delivery rates for employment land. <del>Development of employment land has slowed dramatically since the recession and is still very low. Therefore, like residential development, a staggered annual target is proposed for employment land development in Table 4.1 to allow the economy time to recover.</del></i></p> <table border="1"> <thead> <tr> <th></th> <th><i>Residential Target</i></th> <th><i>Employment Land Target</i></th> </tr> </thead> <tbody> <tr> <td><i>2012-2017</i></td> <td><i>260 dwellings a year</i></td> <td><i>2 ha a year</i></td> </tr> <tr> <td><i>2017-2022</i></td> <td><i>320 dwellings a year</i></td> <td><i>5 ha a year</i></td> </tr> <tr> <td><i>2022-2027</i></td> <td><i>350 dwellings a year</i></td> <td><i>8 ha a year</i></td> </tr> </tbody> </table>		<b><i>Annual Residential Target</i></b>	<b><i>2012-2017</i></b>	<b><i>302 dwellings a year</i></b>	<b><i>2017-2027</i></b>	<b><i>335 dwellings a year</i></b>		<i>Residential Target</i>	<i>Employment Land Target</i>	<i>2012-2017</i>	<i>260 dwellings a year</i>	<i>2 ha a year</i>	<i>2017-2022</i>	<i>320 dwellings a year</i>	<i>5 ha a year</i>	<i>2022-2027</i>	<i>350 dwellings a year</i>	<i>8 ha a year</i>
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			<i>Table 4.1 Annual Residential and Employment Land Delivery Targets</i>
MM54	46	Justification to SP1, Table 4.2	MM54 replaced by Min112
MM55	47	Justification to SP1, para. 4.27	MM55 replaced by Min113
MM56	47	Justification to SP1, para. 4.28	MM56 replaced by Min114
MM57	50	SP2	Amend Policy SP2(2)(iv) to read: <i>iv. New housing, with approximately 800 <b>a minimum of 500</b> units to be delivered over the Local Plan period. All housing areas should be of a high quality of design.</i>
MM58	57	Justification to SP3, para. 4.43	MM58 replaced by Min115
MM59	57	Justification to SP3, para. 4.45 – 4.46	Amend paragraphs 4.45 – 4.46 to read: <i>4.45 In relation to the location of any Green Belt release, it was considered that it would be unsustainable and inappropriate to locate a significant amount of development in the Green Belt <b>or on land previously designated as open land on the urban fringe</b> on the edge of any of the Borough’s villages, therefore leaving only the Key Service Centres <b>and the edge</b></i>



Ref No	Page	Policy/ Paragraph	Main Modification
			<p><b><u>of Southport</u></b> as reasonable locations for this release. Skelmersdale with Up Holland was ruled out for further development beyond what is deliverable within the existing settlement area <b><u>and one site on land previously designated as open land on the urban fringe</u></b> due to concerns that releasing Green Belt land on the edge of Skelmersdale would undermine the regeneration of the existing town and because it is not thought that any more than <del>2,400</del> <b><u>2,100</u></b> dwellings could be delivered in the Skelmersdale with Up Holland area over the next 15 years.</p> <p>4.46 Therefore, the remaining <del>750 dwellings and 10 ha of</del> <b><u>shortfall in housing and employment land will have to be delivered in the Ormskirk with Aughton area, on the edge of Southport and in the Burscough area.</u></b> The housing and employment land targets set in Policy SP1 for Ormskirk with Aughton and Burscough reflect the identification of two sites for this development on Green Belt land, <del>at least 250</del> <b><u>300</u></b> dwellings at Grove Farm on High Lane, Ormskirk and 500 dwellings and 10ha of employment land at Yew Tree Farm on Liverpool Road South, Burscough. These sites were selected after a thorough site appraisal exercise, which is summarised in the Strategic Options and Green Belt Release technical paper. <b><u>During the Local Plan Examination a further two Green Belt sites, both on the edge of Southport, were allocated for residential development (totalling approximately 210 dwellings) in order to ensure an adequate supply of housing land throughout the Plan period.</u></b></p>
MM60	65	GN2  (and Policies Map as relevant)	<p>Amend second and third paragraphs of Policy GN2 as follows:</p> <p><i>The following sites will be safeguarded from development (potential capacity for housing and / or employment land in brackets):</i></p> <p>a) "Plan B" sites</p> <p>i. Land at Parr's Lane (east), Aughton <b><u>(400 dwellings)</u></b></p> <p>ii. Land at Ruff Lane, Ormskirk <b><u>(10 dwellings)</u></b></p> <p>iii. Land at Red Cat Lane, Burscough <b><u>(60 dwellings)</u></b></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><i>iv. Land at Mill Lane, Up Holland <b>(120 dwellings)</b></i></p> <p><i>v. Land at Moss Road (west), Halsall <b>(240 dwellings)</b></i></p> <p><i>vi. Land at Fine Jane’s Farm, Halsall</i></p> <p><i>vii. Land at New Cut Lane, Halsall</i></p> <p><i>b) Safeguarded until 2027</i></p> <p><i>i. Land at Yew Tree Farm, Burscough <b>(500 dwellings and 10 ha of employment land)</b></i></p> <p><i>ii. Land at Parr’s Lane (west), Aughton</i></p> <p><i>iii. <b>ii. Land at Moss Road (east), Halsall (210 dwellings)</b></i></p> <p><i>iv. Land at Guinea Hall Lane / Greaves Hall Avenue, Banks</i></p> <p><i>The safeguarded land at Yew Tree Farm is not marked on the Proposals <b>Policies</b> Map as it is part of the wider Policy SP3 allocation for a strategic development site and a subsequent masterplan for this allocation will define the precise boundary of the land to be safeguarded until 2027 within this site.</i></p>
MM61	66	Justification to GN2, at para. 5.17-5.19	<p>Amend paragraph 5.17 – 5.19 as follows:</p> <p><i>5.17 The land safeguarded until 2027 has been identified as such for one of two reasons:</i>  <b><u>because it is part of a wider parcel of land removed from the Green Belt or removed from the policy designation under Policy DS4 in the Replacement Local Plan (2006) but which is not required for development in the Plan period or under the Plan B.</u></b></p> <p><i>Because it is part of a wider parcel of land removed from the Green Belt due to a portion of it being required for the preferred development strategy or the “Plan B”; or</i></p> <p><i>Because it is land previously protected from development by Policy DS4 of the West Lancashire Replacement Local Plan (2006) which it is still appropriate to protect from development before 2027, but that now falls within settlement boundaries.</i></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><del>5.18 An example of the former <b>this</b> would be Yew Tree Farm in Burscough, where only a portion of the wider Yew Tree Farm allocation is required for the Strategic Development Site (see Policy SP3) but the Green Belt amendments must encompass the entire site to ensure that the new boundary of the Green Belt is robust.</del></p> <p><del>5.19 An example of the latter would be the land at Guinea Hall Lane / Greaves Hall Avenue in Banks, which lies within the settlement boundary but is not required to meet the development needs of the Northern Parishes and serves an important function as an area of open land within the southern part of the village.</del></p>
MM62	93-94	Policy RS1 (and Policies Map as relevant)	<p>Amend third paragraph of Policy RS1 and the associated list of sites as follows:</p> <p><del>The following sites, as shown on the <i>Proposals Policies</i> Map, are specifically allocated for residential development, and delivery of these sites should conform to forthcoming masterplans / development briefs to be prepared for each site:</del></p> <ul style="list-style-type: none"> <li><del>(i) Skelmersdale Town Centre - <b>potential capacity 800 units (of which 500 are expected to be delivered over the Local Plan period);</b></del></li> <li><del>(ii) Yew Tree Farm, Burscough - <b>capacity 500 units (in the Local Plan period);</b></del></li> <li><del>(iii) Grove Farm, Ormskirk - <b>capacity 300 units;</b></del></li> <li><del>(iv) Land at Firswood Road, Lathom / Skelmersdale - <b>capacity 400 units;</b></del></li> <li><del>(v) Land at Whalleys, Skelmersdale - <b>capacity 615 units (of which 520 are expected to be delivered over the Local Plan period);</b></del></li> <li><del>(vi) Chequer Lane, Up Holland - <b>capacity 175 units;</b></del></li> <li><del><b>(vii) Fine Jane’s Farm, Moss Road, Halsall - capacity 60 units;</b></del></li> <li><del><b>(viii) Land at New Cut Lane, Halsall - capacity 150 units; and</b></del></li> <li><del><b>(ix) Land east of Guinea Hall Lane, Banks - capacity 115 units.</b></del></li> </ul>

Ref No	Page	Policy/ Paragraph	Main Modification
			<b><u>Development of sites (i) – (v) above should conform to masterplans or development briefs to be prepared for each site.</u></b>
MM63	95	Policy RS1 justification, para. 7.5	Amend paragraph 7.5 to read: <i>The evidence base (in particular the Strategic Housing Land Availability Assessment) indicates that, in general terms, there is sufficient potential housing land to deliver the numbers of dwellings specified in Policy SP1, both in individual settlements and in the Borough as a whole. The exceptions are Burscough, and Ormskirk <b>with Aughton and the Western Parishes (Halsall) area</b>, where a release of Green Belt land will be necessary to meet the dwellings target, <b>and to ensure a rolling five year supply of deliverable housing land throughout the Plan period.</b></i>
MM64	101	Policy RS2	Amend first bullet point after seventh paragraph to read: <i>Tenure – the majority of affordable housing provided should comprise social <b>and / or affordable</b> rented units, with the remainder intermediate housing.</i>
MM65	109-113	Policy RS4 and paragraphs 7.54 – 7.69	Delete Policy RS4 and paragraphs 7.54 – 7.69 and replace as follows: <b><u>Context</u></b> <b><u>As part of the Local Plan Examination process, the Inspector recommended that Policy RS4 could not be found sound as submitted. Therefore, Policy RS4 has been deleted in its entirety from the Local Plan and the Council has made a commitment to prepare a separate Development Plan Document (DPD) specifically on provision for Gypsies &amp; Travellers and Travelling Showpeople.</u></b> <b><u>To this end, the Council published an updated Local Development Scheme (LDS) in May 2013 which includes the commitment to prepare a Provision for Travellers' Sites DPD, and the anticipated timescales for the preparation of this DPD, which will provide the local planning policy for West Lancashire relating to provision for</u></b>

Ref No	Page	Policy/ Paragraph	Main Modification
			<b><u>Gypsies &amp; Travellers and Travelling Showpeople.</u></b>
MM66	79	Policy EC1	<p>Amend third paragraph of Policy EC1 as follows:</p> <p><i>The remaining 23 ha of the 75 ha target will be provided through:</i></p> <ul style="list-style-type: none"> <li>• Existing allocations and remodelling of the Burscough industrial estates (3 ha);</li> <li>• Extension of the Burscough industrial estates into the Green Belt (10 ha);</li> <li>• <del>Existing allocations and remodelling of</del> <b><u>Extension of the</u></b> Simonswood Industrial Estate (<del>5-7</del> ha); and</li> <li>• Existing allocations and new opportunities for rural employment sites in rural areas (5 ha).</li> </ul>
MM67	-	Policies Map 8	Amend EC2(b)(xii) allocation at Simonswood industrial estate to reflect extension to the industrial estate
MM68	88-89	Policy EC3	<p>Add expected housing delivery figures for the sites in Policy EC3 as follows:</p> <p><i>The following sites are allocated as 'Rural Development Opportunities':</i></p> <ol style="list-style-type: none"> <li>i. Greaves Hall Hospital, Banks (Development of this site will be expected to proceed in strict accordance with the site specific requirements outlined in the West Lancashire Level 2 SFRA.) <b><u>(anticipated site capacity: 140 dwellings);</u></b></li> <li>ii. East Quarry, Appley Bridge <b><u>(anticipated site capacity: 60 dwellings);</u></b></li> <li>iii. Alty's Brickworks, Hesketh Bank (not all of this site will comprise built development and a masterplanning exercise will be required) <b><u>(anticipated site capacity: 270 dwellings);</u></b> <b><u>and</u></b></li> <li>iv. Tarleton Mill, Tarleton <b><u>(anticipated site capacity: 70 dwellings).</u></b></li> </ol>

Ref No	Page	Policy/ Paragraph	Main Modification
MM69	-	Policies Map 1	Amend Alty's Brickworks, Hesketh Bank EC3(iii) allocation on Policies Map 1 to exclude land at Mill Farm. Land at Mill Farm will instead be designated as part of the SP1 Key Sustainable Village designation on Policies Map 1.
MM70	-	Policies Map 5	Amend Green Belt boundary around the extension to Edge Hill University (Policy EC4) to follow the new road layout recently developed. This also therefore amends the GN1(a) Settlement Boundary (to match the Green Belt boundary) and the EN3 Open Recreation Space designation.
MM71	91	Figure 6.1	Amend Figure 6.1 to reflect new Green Belt boundary and campus extension, as modified in MM70
MM72	92	Justification to EC4, at para. 6.42	MM72 replaced by Min116
MM73	115	Following Section 7.5 (Policy RS5)	<p>Insert new Section 7.6 and Policy RS6 and accompanying Context and Justification text as follows:</p> <p><b><u>7.6 Policy RS6: A "Plan B" for Housing Delivery in the Local Plan</u></b></p> <p><b><u>Context</u></b></p> <p><b><u>Policy GN2 sets out several sites across the Borough that are safeguarded from development for the needs of a "Plan B", should it be required. Appendix E sets out the key issues in relation to delivery and risk for each individual policy. For Policies SP1 and RS1, these delivery issues often revolve around a similar concern – what if a key site or location for residential development cannot be delivered? Ultimately, this leaves the outcome of the locally-determined target for residential</u></b></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><b><u>development not being met, unless a viable alternative can be found.</u></b></p> <p><b><u>Therefore, while it is hoped that all aspects of the Local Plan will be deliverable, and they have been selected because the Council believes that they are, it is prudent to have a "Plan B" prepared in case a key site(s) for residential development does not come forward for development during the plan period. Policy RS6 provides the Council with the ability to enact such a "Plan B" should it become apparent through monitoring that the Local Plan's residential targets are not being met.</u></b></p> <p><b><u>An additional consideration is the fact that the Local Plan covers a long period (15 years) and, in relation to the locally-determined targets, it is not unreasonable to expect some change in the evidence for those targets over the 15 years, potentially resulting in new targets. Therefore, the Local Plan should be flexible enough to address these changes, as well as any other reasonable change in circumstance, without a wholesale review of the Plan.</u></b></p> <p><b><u>Policy RS6: A "Plan B" for Housing Delivery in the Local Plan</u></b></p> <p><b><u>The "Plan B" sites safeguarded in Policy GN2 will only be considered for release for housing development if one of the following triggers is met:</u></b></p> <ul style="list-style-type: none"><li><b><u>Year 5 review of housing delivery</u></b></li></ul> <p><b><u>If less than 80% of the pro rata housing target has been delivered after 5 years of the Plan period, then the Council will release land from that safeguarded from development for "Plan B to enable development to an equivalent amount to the shortfall in housing delivery.</u></b></p> <ul style="list-style-type: none"><li><b><u>Year 10 review of housing delivery</u></b></li></ul> <p><b><u>If less than 80% of the pro rata housing target has been delivered after 10 years of the Plan period, then the Council will release land from that safeguarded from</u></b></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><b><u>development for "Plan B" to enable development to an equivalent amount to the shortfall in housing delivery.</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>The housing target increasing as a result of new evidence</u></b></li> </ul> <p><b><u>If, at any point during the 15 year period of the Plan, the Council chooses to increase its housing target to reflect the emergence of new evidence that updates the existing evidence behind the housing target and which would undermine the existing target, then an appropriate amount of land will be released from that safeguarded from development for "Plan B" to make-up the extra land supply required to meet the new housing target for the remainder of the Plan period.</u></b></p> <p><b><u>Justification</u></b></p> <p><b><u>The Council believe that the locally-determined targets that have been set in this Local Plan are fair and reasonable in light of all the available evidence at this time. However, it is possible that targets for residential development will rise, meaning that new locations for development would need to be identified, and so in this situation the "Plan B" would also provide the flexibility required to accommodate this rise.</u></b></p> <p><b><u>In essence, the Council's "Plan B" for the Local Plan involves the release of land from the Green Belt and its allocation as safeguarded land under Policy GN2. This land would be safeguarded from development until the above triggers in Policy RS6 are reached. Until these triggers are reached the land will be protected from development in a similar way to Green Belt (see Policy GN2) and in such a way as to not prejudice the possible future development of this land if the "Plan B" is triggered.</u></b></p> <p><b><u>The supply of land safeguarded from development for the "Plan B" in Policy GN2 (which has a total capacity of 830 dwellings) is more than sufficient to allow for at least 15% extra on top of the 15-year housing target being proposed in the Local</u></b></p>



Ref No	Page	Policy/ Paragraph	Main Modification
			<p><b><u>Plan (15% of 4,860 dwellings = 729 dwellings). This percentage is based on the need to ensure that even the largest of our housing allocations in the Local Plan is covered by the flexibility of the "Plan B", should it fail to be delivered.</u></b></p> <p><b><u>Ongoing monitoring of housing delivery in the Plan period will enable the Council to be prepared for any trigger points in Policy RS6 being reached. If it is anticipated a year before any trigger point is reached (i.e. at the end of Years 4 and 9 of the Plan) that housing delivery is at risk of triggering the "Plan B", the Council will commence a review of the level and nature of any undersupply compared to housing requirements. This review will also review the "Plan B" sites themselves in order to identify which site(s) are most suitable to release for development at that time (if any, depending on the nature of, and reasons for, the undersupply), should the level of undersupply ultimately trigger the "Plan B" in April of the following year. The quantum of release will be sufficient to meet the identified shortfall in housing delivery compared to the housing requirements.</u></b></p>
MM74	159-161	Chapter 10	Delete Chapter 10, Delivery and Risk in the Local Plan – a "Plan B"
MM75	31, 181-190	Objective 5, Appendix B	<p>Spatial and Strategic Objective 5 amended as follows:</p> <p><i>Objective 5 - Housing</i></p> <p><i>To provide a range of new housing types in appropriate locations to meet the needs to West Lancashire's population, including affordable housing and specialist accommodation.</i></p> <p><i>An average of at least <del>310</del> <b>302</b> new homes <b>(2012-2017)</b> and <b>335 new homes (2017-2027)</b> a year should be provided to meet the current requirements of strategic planning policy. <del>The priority will be to deliver these on brownfield sites where the sites are available, viable and deliverable. They will also be concentrated, where available, in the major urban areas where services and transport facilities are greatest</del> <b>and development will be encouraged on brownfield sites.</b> The needs of all sectors of the community will be</i></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><i>catered for through the provision of lifetime homes. New extra care facilities will be developed for the elderly and suitable pitches will be found for Gypsies and Travellers and Travelling Showpeople. Suitable student accommodation will also be provided in appropriate areas within Ormskirk to address the needs generated by Edge Hill University. <b><u>As the policy for Travellers' sites will now be subject to a separate DPD, the objectives in relation to provision of such sites will be set within that DPD.</u></b></i></p> <p>Appendix B modified to provide updated monitoring indicators consistent with the proposed modifications to the Local Plan, the indicators recommended by the Sustainability Appraisal of the Local Plan and the most recent guidance on monitoring indicators. This modification is provided below where each table of "targets" under each Objective as been provided in an up-to-date format with refreshed indicators where appropriate.</p>
MM76	55	Policy SP3	<p>Amend final sentence of 2<sup>nd</sup> paragraph of Policy SP3 to read:</p> <p><b><u>Development of the site will be required to conform to this masterplan and shall not be granted permission until the comprehensive masterplanning exercise has taken place.</u></b></p>
MM77	55	Policy SP3	<p>Add following wording to the end of Policy SP3:</p> <p><b><u>Development in the Strategic Development Site should seek to conserve and enhance biodiversity and landscape value wherever possible, including delivering appropriate mitigation identified by a specific Habitat Regulations Assessment / Appropriate Assessment for the site, and consider how the design of development within the site can actively enhance biodiversity through habitat creation. Development should also improve access to recreation opportunities and green spaces so as to integrate the development with the local and wider Green Infrastructure network, particularly through the inclusion of the Ormskirk to Burscough Linear Park within the site and the new, maintained town park for</u></b></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<b><u>Burscough.</u></b>
MM78	94	Policy RS1	<p>Amend 4<sup>th</sup> paragraph of Policy RS1, part a) to read:</p> <p><i>Within Small Rural Villages, the appropriate re-use of an existing building, and very limited infill development (i.e. up to 4 units) will be permitted for market housing. <b><u>For the purposes of this policy, infill development refers to development within the settlement boundary of the village.</u></b></i></p> <p><i>Infill developments of 5 or more units may also be permitted where proposals provide the minimum amount of market housing to make the scheme financially viable, with the remainder of the housing being made available as affordable housing. On such sites, it will be expected that the affordable housing provision should be not less than 50% of all housing on the site.</i></p>



## Proposed Amended Appendix B – The Spatial and Strategic Objectives (MM75)

### Objective 1 - Stronger and Safer Communities

**To have strong and vibrant communities, in which both young and old people are actively engaged and where people feel safe and secure.**

More active voluntary and community sectors will lead to the development of a high degree of community participation and increased pride in neighbourhoods. Crime levels will reduce further, with an active Community Safety Partnership giving residents a greater sense of security.

#### Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Serious Acquisitive Crime rate to reduce	WLBC	NI16	Annual rate to reduce

### Objective 2 - Education, training and the economy

**To create more, and better quality, training and job opportunities to get more people into work**

A new West Lancashire College and improved facilities at Edge Hill University will help provide a highly trained workforce; combined with improved results at secondary school level, particularly in Skelmersdale. Improved and new employment land will be found in the main urban areas, with small scale rural employment opportunities also encouraged through a diversified rural economy.

#### Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Percentage of pupils gaining 5+ GCSEs at grades A*-C to increase	DCSF	-	75%
Proportion of working age population in employment / unemployed: Economically active	NOMIS / WLBC	CX07	80%

Employed			75%
Unemployed			Less than 7%
Worklessness: Proportion of JSA claimants	NOMIS	-	Less than 2.5%
VAT Registrations as % of total business stock	NOMIS	-	9%
Amount of employment land and floorspace developed annually	WLBC	EC1-4	To meet requirements. Rolling average.
Proportion of employment floorspace developed on brownfield land	WLBC		40%
Loss of employment land in employment/regeneration areas and local authority area	WLBC		None

### Objective 3 - Health

#### To improve the general health of residents and promote social wellbeing through high quality green infrastructure and cultural activities

Residents will be encouraged to live a healthier lifestyle through increased leisure and sports opportunities. Green infrastructure and open spaces will be readily accessible and improved. There will be improved access to health facilities. Social and cultural facilities will be provided to a high standard and be accessible to all communities.

#### Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Amount of available greenspace lost to development	WLBC	ENV01	0ha
Number of customer taking part in health improvement facilities	WLBC	WL12a	To increase

## Objective 4 - Natural Environment

### To protect and improve the natural environment, including biodiversity and green infrastructure, in West Lancashire

A range of sites will continue to be protected and enhanced for their biodiversity and geodiversity interest. The number of important sites will be increased where possible and new developments will contribute to increasing biodiversity. The Ribble Estuary will continue to be developed as a site of national and international importance, as will the facilities at Martin Mere. The landscape and biodiversity will be protected and enhanced through management of important features and through appropriate and well designed new developments.

#### Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Improved local biodiversity - active management of local sites	WLBC	NI197	50%
Changes in areas and populations of biodiversity including i) priority habitats and species (by type) and ii) areas designated for their intrinsic environmental value	WLBC	ENV08	99.5%

## Objective 5 - Housing

### To provide a range of new housing types in appropriate locations to meet the needs of West Lancashire's population, including affordable housing and specialist accommodation.

*An average of at least 302 new homes (2012-2017) and 335 new homes (2017-2027) a year should be provided to meet the current requirements of strategic planning policy. They will be concentrated, where available, in the major urban areas where services and transport facilities are greatest and development will be encouraged on brownfield sites. The needs of all sectors of the community will be catered for through the provision of lifetime homes. New extra care facilities will be developed for the elderly. Suitable student accommodation will also be provided in appropriate areas within Ormskirk to address the needs generated by Edge Hill University. As the policy for Travellers' sites will now be subject to a separate DPD, the objectives in relation to provision of such sites will be set within that DPD.*

## Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Annual, average target for new homes to be met (Net)	WLBC	NI154	302 per annum 2012-2017 335 per annum 2017-2027
5 year supply of deliverable housing	WLBC	NI159	100%
Proportion of affordable dwellings completed annually	WLBC	NI155	20% of all completions
Proportion of affordable dwellings granted consent through market housing developments	WLBC	-	25% on all schemes with a site capacity greater than 8 dwellings
Proportion of new homes completed on brownfield land	WLBC	HG09	30%
Proportion of new homes complying with lifetime homes	WLBC	-	All homes on sites with a capacity greater than 10 dwellings by 2027
Proportion of elderly housing units granted permission	WLBC	-	20% on schemes of 15 or more dwellings

## Objective 6 - Services and Accessibility

**To provide good quality services that are accessible to all, and to promote the vitality and viability of town and local centres which are well linked to their rural hinterlands and neighbouring City Regions. All new development should be located in areas that are accessible and which have a range of services.**

The Borough's town and village centres should continue to be attractive centres that provide a range of services for local residents. The important function of the market towns of Ormskirk and Burscough as Key Service Centres will be protected and enhanced. Public transport links through both rail and bus should be enhanced to improve the accessibility of key centres and their links to the centres of City Regions - Liverpool, Manchester and Preston. The regeneration of Skelmersdale Town Centre through the provision of new retail, leisure, housing, community and educational facilities will be vital to the development of the town as a whole. Development will be located mainly in the town centres which have the greatest numbers of jobs and services available and which are accessible by public transport.



## Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Vacancy levels in Ormskirk, Burscough and Skelmersdale <ul style="list-style-type: none"> <li>• Vacant floorspace in Burscough</li> <li>• Vacant floorspace in Ormskirk</li> <li>• Vacant floorspace in Skelmersdale</li> </ul>	WLBC	EC8	Reduction in percentage figure by 2027
Proportion of new developments completed within 1km of 5 key services (GP, post office, primary school, food shop, bus stop)	WLBC	SD1	75% completions or permissions
Proportion of new developments completed within 400m of a bus stop / 800m of a rail station	WLBC	SD2	90% of new development
Proportion of new developments granted and completed in the principal urban areas and main towns	WLBC	SD3	75% completions or permissions
Net floorspace developed for Town Centre uses in town centre and out of centre locations within principal urban areas	WLBC		-

### Objective 7 - Location of Development and Built Environment

**To ensure that development is designed to a high quality and is appropriate for its locality, maximising efficiency in the use of land and resources, avoiding areas of significant constraint and minimising pollution. Heritage assets, and where appropriate their settings, will be conserved and enhanced. The unique character and features of local areas will be protected and reinforced through new development and other initiatives.**

Design quality will be greatly enhanced, with all development respecting the local area. The unique heritage of West Lancashire will be protected and enhanced wherever possible. New development will be distributed to appropriate locations across the Borough.

## Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Number of listed buildings demolished, heritage assets, networks or settings lost	WLBC	ENV2 & 3	To be zero
Density of new residential development	WLBC		Average density to be above 40 dw/ha

## Objective 8 - Climate Change

**To mitigate against and adapt to climate change through a variety of measures including correctly locating and designing new development, reducing energy consumption, having sustainable energy sources, and minimising waste and increasing recycling.**

New development will be steered to areas which are not at risk of flooding, in sustainable locations, will use carbon neutral technology and will make the best use of on-site renewable energy sources.

## Targets

Target description	Data source	Existing indicator	WLBC target by 2027
Number of permissions granted contrary to Environment Agency advice on flooding and water quality	WLBC AMR	ENV07	Zero (all problems should be resolved / mitigated)
Renewable energy capacity installed by type (in MW)	WLBC AMR	ENV09	To increase
Per capita reduction in CO2 emissions in the LA area	WLBC	NI186	To reduce from 2005 baseline level
Energy efficiency – the average SAP rating of local authority owned dwellings	WLBC		To improve

## Objective 9 - Skelmersdale

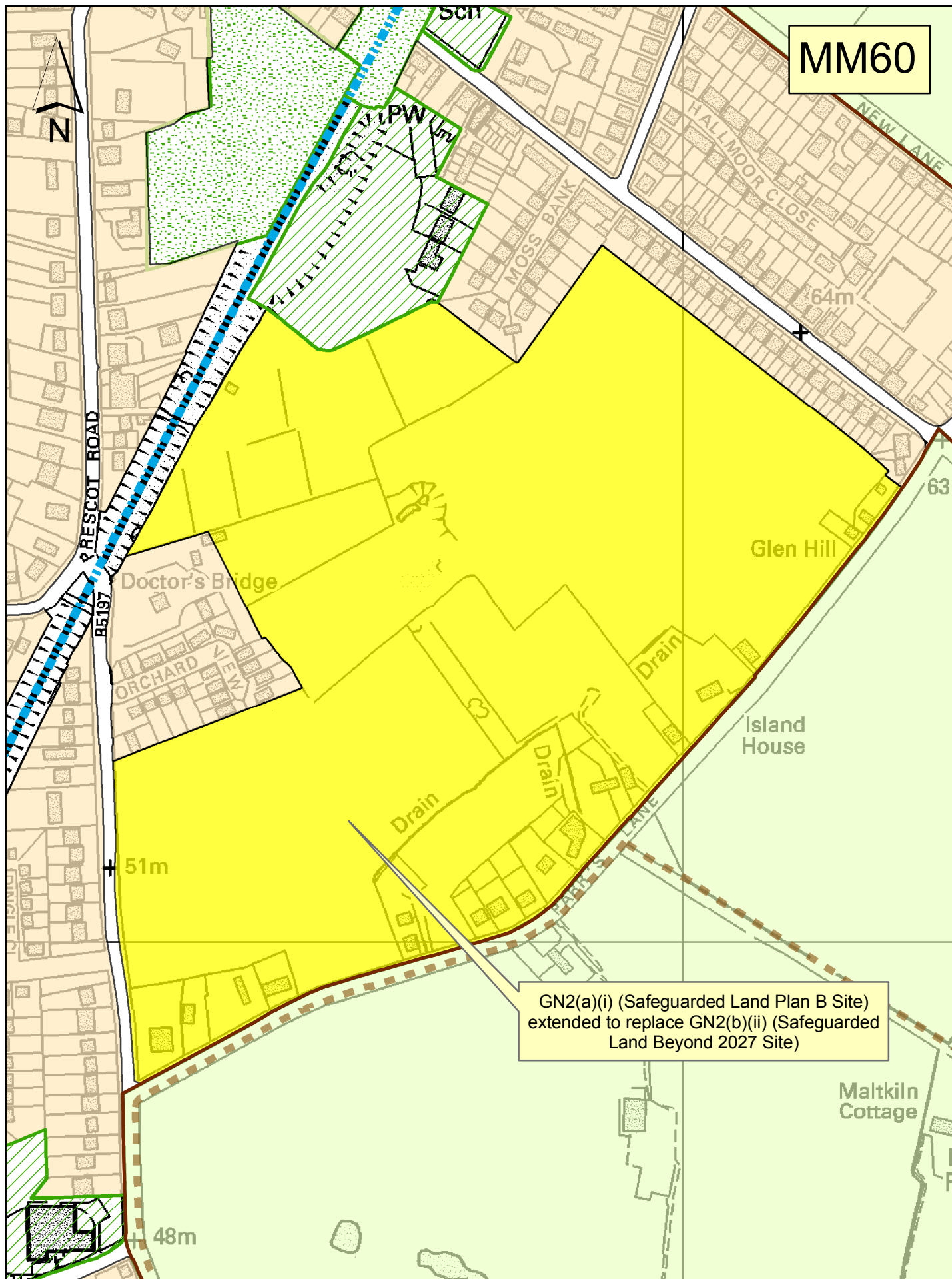
**To make Skelmersdale an attractive and vibrant place to live and reduce the social inequalities between the town and the rest of the Borough.**

A new regenerated Skelmersdale Town Centre will better serve the needs of its residents and the wider Borough. New housing and improvements to the existing older new town estates and the existing green infrastructure will also take place. Transport links will be improved with more extensive and frequent services and the aim of providing a rail station for Skelmersdale. Health and educational inequalities with the rest of the Borough will also narrow. All these factors will make Skelmersdale a more attractive place to live and will bring in new people to live in the town.

### Targets

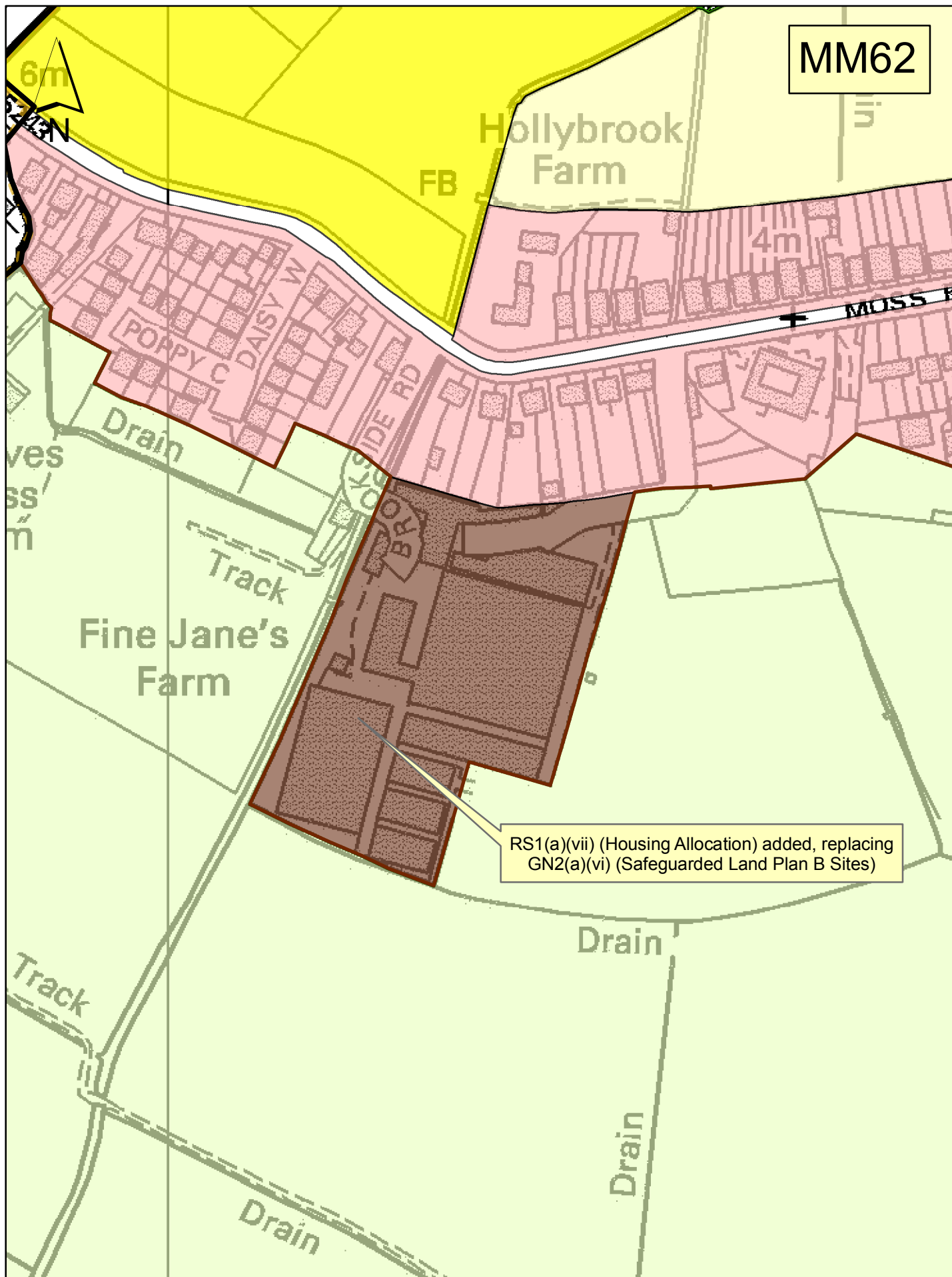
Target description	Data source	Existing indicator	WLBC target by 2027
All age all cause mortality rate (deaths per 100,000 population per year)	ONS via WLBC	NI120	Gap to narrow between Borough ward areas.  Currently Gap of 10 years between most and least deprived
New retail floorspace in Skelmersdale	WLBC	-	To be at least 20,000 sqm developed since 2009
Number of new homes delivered in Skelmersdale (including mix)	WLBC	-	To meet requirement of Regeneration project
Proportion of population with: <ul style="list-style-type: none"> <li>• No qualifications</li> <li>• NVQ level 1</li> <li>• NVQ level 2</li> <li>• NVQ level 3</li> <li>• NVQ level 4</li> </ul>	NOMIS	-	Gap to narrow between Borough ward areas.  Overall proportion with no qualifications to decrease, all others to increase.

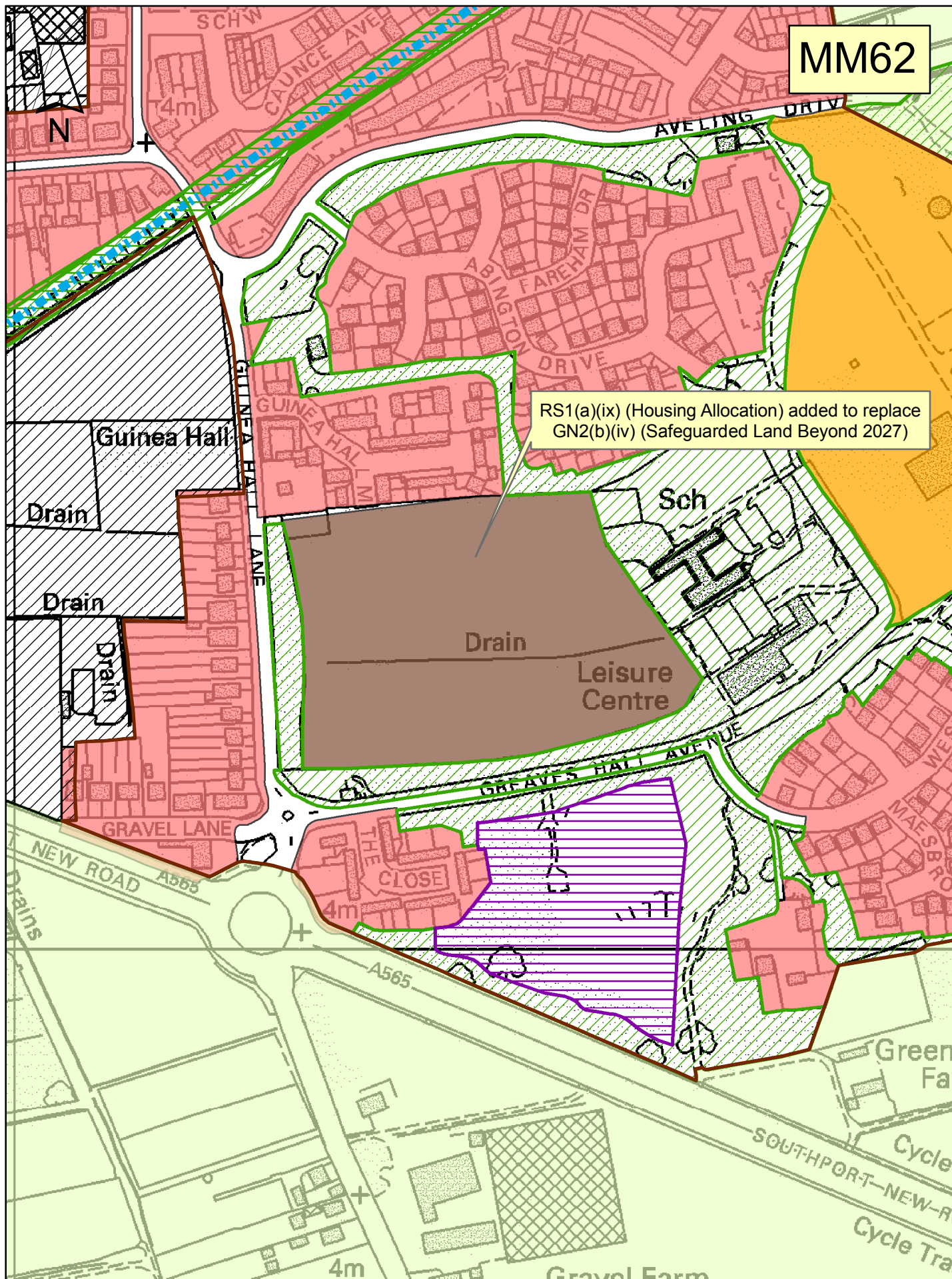




MM60

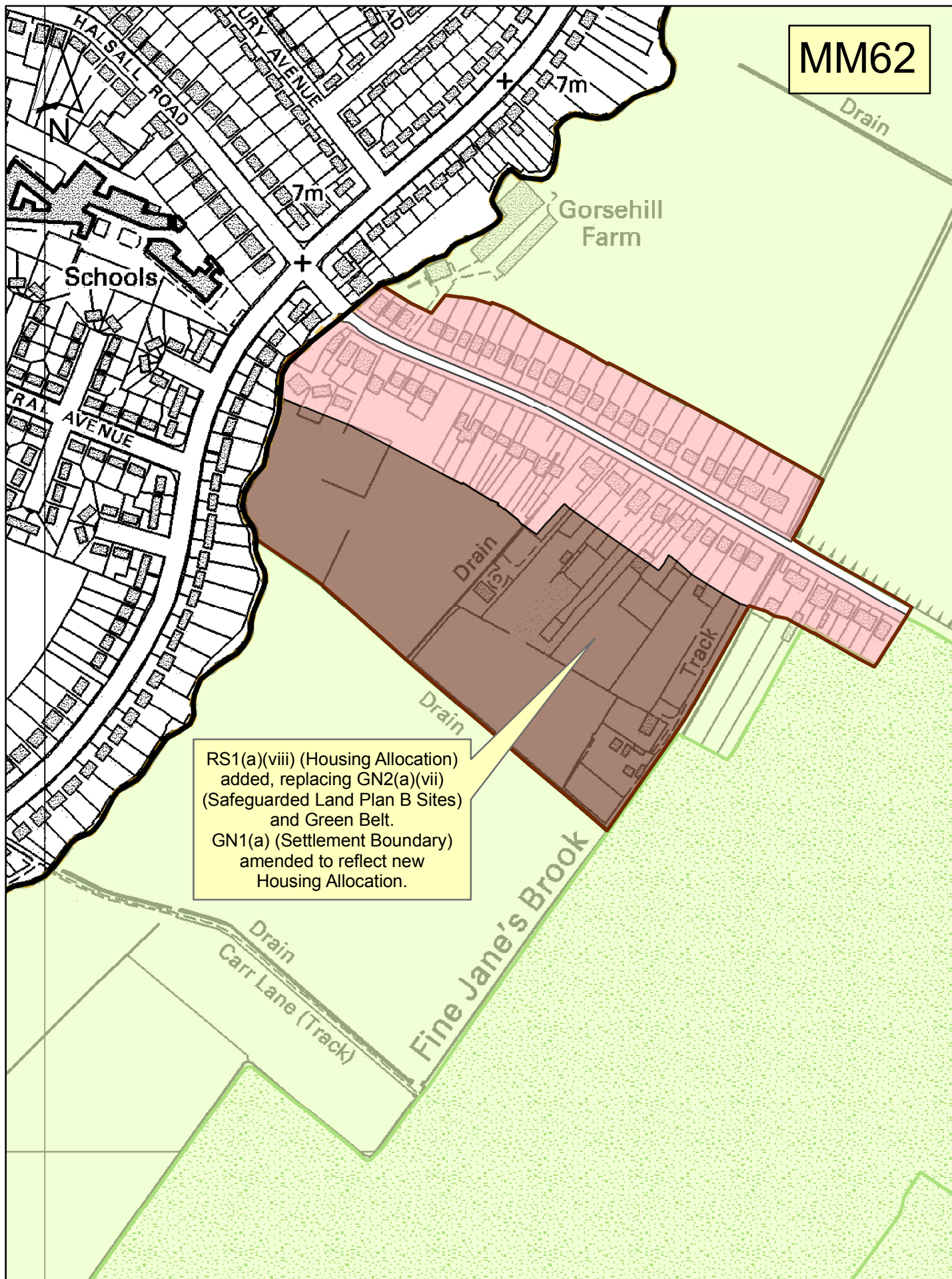
GN2(a)(i) (Safeguarded Land Plan B Site)  
 extended to replace GN2(b)(ii) (Safeguarded  
 Land Beyond 2027 Site)





MM62

RS1(a)(ix) (Housing Allocation) added to replace GN2(b)(iv) (Safeguarded Land Beyond 2027)

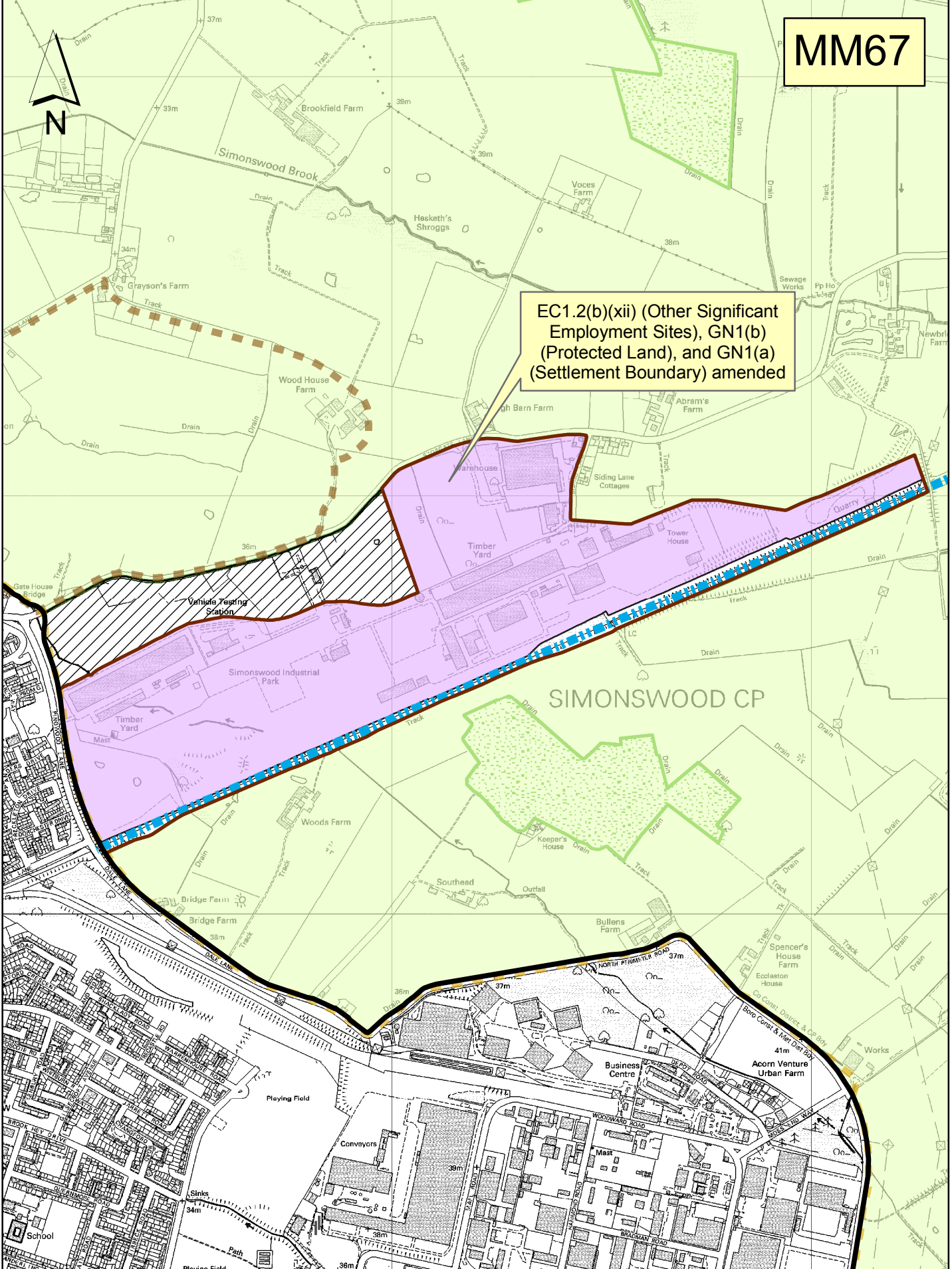


MM62

RS1(a)(viii) (Housing Allocation) added, replacing GN2(a)(vii) (Safeguarded Land Plan B Sites) and Green Belt.  
 GN1(a) (Settlement Boundary) amended to reflect new Housing Allocation.

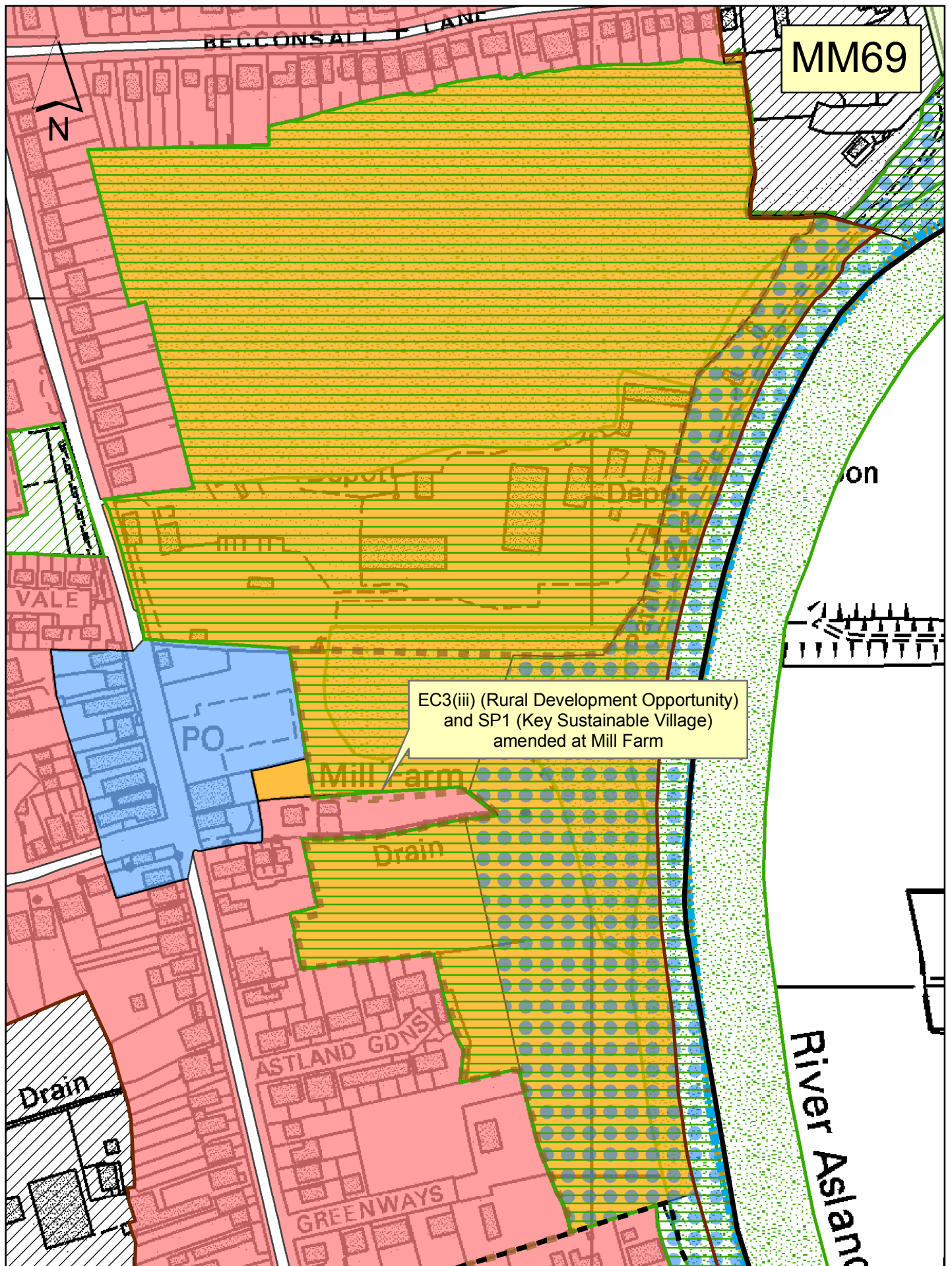


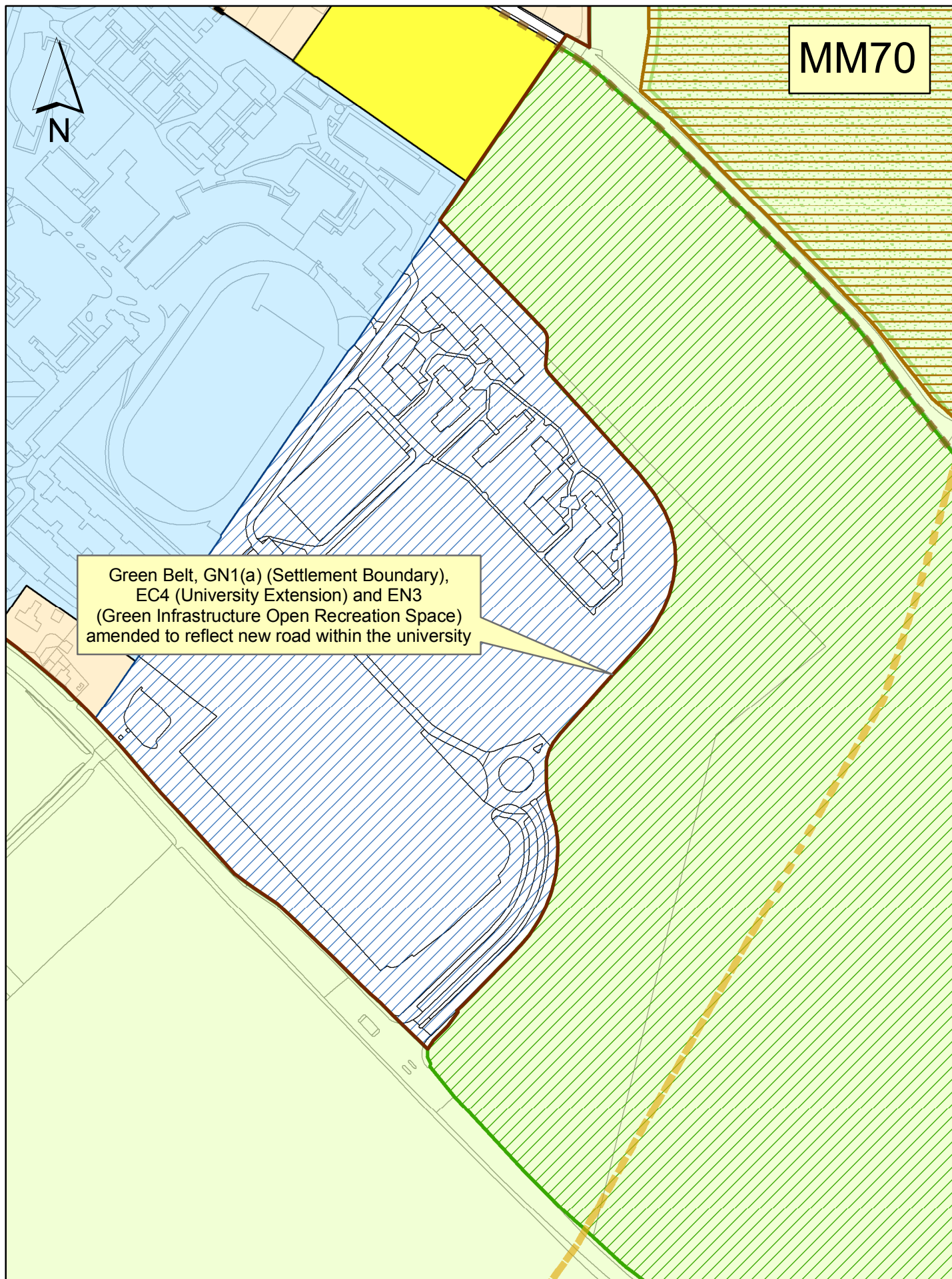
MM67



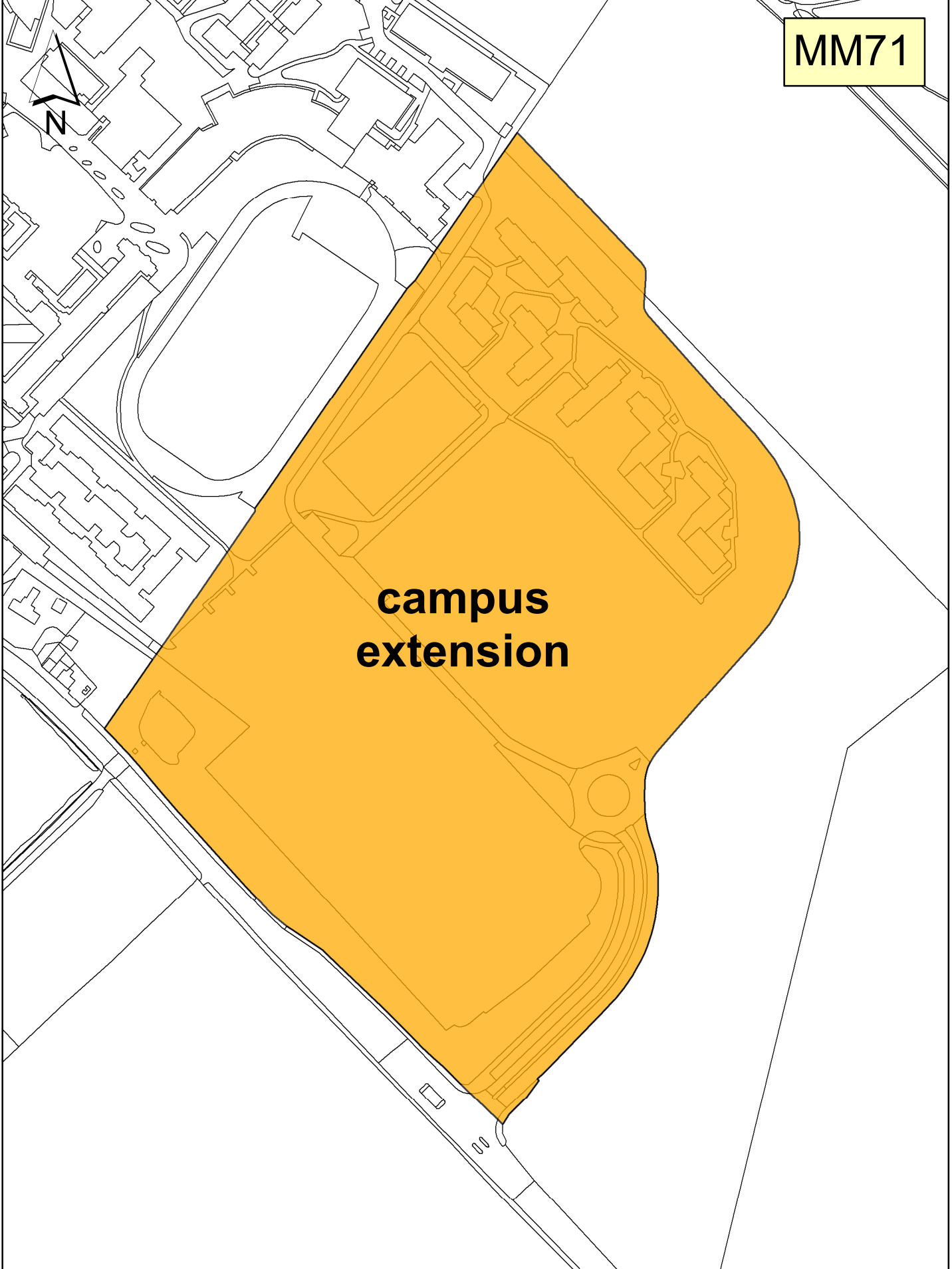
EC1.2(b)(xii) (Other Significant Employment Sites), GN1(b) (Protected Land), and GN1(a) (Settlement Boundary) amended

SIMONSWOOD CP





MM71



## Proposed Minor Modifications to policies SP1-SP3, GN1-GN2, EC1-EC4, RS1-RS2, RS4 (5 June 2013)

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min10	N/A	WLBC	Correction of typographical error	This modification has been superseded by MM51
Min11	N/A	WLBC	Correction	Amend second sentence of paragraph 4.6 to read: <i>"... without substantial efforts to mitigate against the impacts of climate change ..."</i>
Min12	N/A	WLBC	Clarification	Amend Justification of Policy SP2 (paragraphs 4.33 to 4.39) to read: <i>"4.33 The Strategic Development Site <del>set out as the preferred option</del> is larger than that previously outlined within both the West Lancashire Replacement Local Plan and the SPD / Masterplan. This is to allow for more housing to increase the ability of the scheme to deliver the public facilities and the high quality open spaces and public realm that are required. The housing is also being delivered in a sustainable location close to the Town Centre and helps meet the Council's housing target. In addition the provision of new housing improves the confidence of investors, such as new retailers.</i>  <b><u>4.34 In terms of the Firbeck Estate, this will need to be regenerated through environmental initiatives and by improving the housing stock, either through redevelopment or through remodelling if widespread demolition is shown not to be viable. Appropriate links will need to be made with the</u></b>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><b><u>adjacent Findon site to ensure that the sites are integrated.</u></b></p> <p><del>4.34</del> <b>4.35</b> The differences between the <b>Replacement</b> Local Plan <b>town centre</b> boundary (<b>Policy DE11</b>) and <del>the</del> SPD 'Project Area' boundary <del>will be</del> <b>have been</b> rectified so that the Strategic Development Site <del>will accord</del>s with the SPD boundary in all respects, other than the <del>extension of</del> <b>inclusion of additional</b> housing sites in the Tawd Valley area. <del>This means that the site of St John's RC School will be removed from the Town Centre area and that certain areas of the Tawd Valley, land at Delf Clough and land at Westheads Clough will be included within the Strategic Development Site. The Firbeck Estate will need to be regenerated through environmental initiatives and improving the housing stock either through redevelopment, or remodelling if widespread demolition is shown to not be viable. Appropriate links will need to be made with the adjacent Findon site to ensure that the sites are integrated.</del></p> <p>4.35 <b>4.36</b> In terms of the actual proposals for the Town Centre core, these have also been amended since the production of the SPD / Masterplan. The key reasons for this are:</p> <ul style="list-style-type: none"> <li>• To improve the deliverability and viability of the scheme – there is a need to link the new College building and Asda to the Concourse through new development and a new supermarket in this area could be the key to delivering this.;</li> <li>• The new College building has <del>had to be</del> <b>been</b> moved slightly from its previously anticipated position. This necessitates a review of the land uses in this area of the</li> </ul>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>Town Centre;</i></p> <ul style="list-style-type: none"> <li><i>To facilitate the relocation of the Co-operative Bank within new office accommodation within the Town Centre should they wish to relocate from Delf House; <b>and</b></i></li> <li><i>The need to introduce additional housing land in, and close to, the Town Centre to enhance the viability and deliverability of the scheme.</i></li> </ul> <p><i>4.36 <b>4.37</b> As a consequence the following amendments are put forward to <b>the Strategic Development Site proposes the following which are different to that proposed by</b> the SPD / Masterplan:</i></p> <ul style="list-style-type: none"> <li><i>The Asda overflow car park is shown as the preferred location for the wet and dry leisure centre, with a relocation of car parking spaces nearer to the Asda building. Development on this site should provide easy pedestrian links between the College and the Town Centre, and should improve the vehicular access to the College site;</i></li> <li><i>A site is identified for either major office or retail uses;</i></li> <li><i>Proposals are included for the Delf House and Whelmar House area should development opportunities arise;</i></li> <li><i>There is more flexibility given in terms of the site for a new supermarket;</i></li> <li><i>The housing areas to the north west of the Town Centre, adjacent to the Tawd Valley, are extended to allow for the delivery of more housing units; <b>and</b></i></li> </ul>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<ul style="list-style-type: none"> <li>The remodelling or redevelopment of the Firbeck estate including the development of new housing where appropriate and viable.</li> </ul> <p>4.37 <del>4.38</del> The SPD is still considered up-to-date in most respects, and will continue to be used for considering applications on an interim basis, but it will be updated to bring it in line with the new Strategic Development Site within Policy Area SP2 once the Local Plan has been adopted.</p> <p>4.38 <del>4.39</del> Proposals for new retail <b><u>in the town centre</u></b> are to be in accordance with the most up to date retail evidence relating to retail capacity within the Borough and to take account of the impact of the scheme on the retail centres within <del>the sub-region</del> <b><u>neighbouring authority areas and in particular, in relation to Skelmersdale, the impact on both Kirby and Wigan town centres should be considered.</u></b></p> <p><del>4.39. The West Lancashire Retail Study Update (December 2011) suggests that the Council should work towards a requirement for up to 7,500 sq.m of additional comparison sales area floorspace in the 2011 to 2021 period rising to 11,000 sq.m in the period up to 2027. In terms of convenience goods, the study suggests that there is a requirement for up to 2,800 sq.m of convenience sales area floorspace in the period 2011 to 2021, in addition to the commitment for a new Booths store in Burscough. In the longer term period to 2027, there is scope for between approximately 2,700 sq.m of additional convenience sales area floorspace under the rising retention scenario, and 3,300 sq.m when an allowance for over trading is also taken into account. These figures are Borough wide and all retail should be focused on the main towns</del></p>



Reference number	Representation No.	Repositor	Comment made	Modification proposed
				<i>within the Borough, to ensure their future vitality and viability.</i>
Min13	N/A	WLBC	Clarification	Superseded by MM76
Min14	119 / 579 / ch1 / S	Natural England	Concern that Policy SP3 does not include reference to conserving and enhancing biodiversity, landscape, recreation opportunities and access to green spaces.	Superseded by MM77
Min15	N/A	WLBC	Correction	Amend Paragraphs 5.1 and 5.3 to read: <i>"5.1 Strategic Policy SP1 provides an overarching strategy for development, setting out the general levels and types of development that will be permitted in the different settlements in West Lancashire. However, it does not specify the precise extent of these settlements. The most recent settlement boundaries were set in the West Lancashire Replacement Local Plan 2006 (WLRLP). It is likely that these boundaries will, in <b>In</b> the majority of cases, <b>these boundaries</b> continue to be the most appropriate for the Borough's settlements. However, where Green Belt sites are <del>proposed to be allocated for development or safeguarded for possible longer-term development, the settlement boundaries will</del></i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><del>require alteration</del> <b><u>have been altered.</u></b></p> <p>...</p> <p>“5.3 Whilst the majority of Open Land should remain outside settlement boundaries, there are a few sites that it would be more appropriate to consider as being within settlements. Open Land that is incorporated within settlements <del>will be</del> <b><u>has been</u></b> safeguarded under Policy GN2: Safeguarded Land. Open Land that remains outside settlement boundaries is marked on the Proposals Map as 'Protected Land', and will be subject to similar constraints to WLRLP Policy DS4, as set out in Policy GN1 below.”</p>
Min18	N/A	WLBC	Correction	Policy EC2 – remove numbering from fourth, fifth and sixth paragraphs
Min19	N/A	WLBC	Clarification	Superseded by MM78
Min20	N/A	WLBC	Clarification	<p>Amend 3<sup>rd</sup> paragraph of Policy RS1, part e) to read:</p> <p>“<del>New</del> <b><u>All new</u></b> homes will be expected to meet the Lifetime Homes Standard, ...”</p> <p>Amend paragraph 7.17 to read:</p> <p>“In addition, the Council will expect <b><u>all</u></b> new residential units to be designed to Lifetime Homes Standard ...”</p>
Min39	N/A	WLBC	Correction	Amend Appendix B, Objective 8 to read:

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>“To mitigate <del>against</del> and adapt to climate change ...”</i></p> <p>Amend Appendix E, Policy EN3, Contingencies for the Risks, fourth sentence to read:</p> <p><i>“In order to mitigate <del>against</del> the effects of additional pressure ...”</i></p>
Min46	120 / 307 / EC1 / S	Lancashire County Council	Reference to Mineral Safeguarding Areas should be made in relation to relevant sites allocated in Policy EC1, part 2 (a) and (b).	<p>Insert * against sites (a)(ii), (a)(iv), (a)(vi), (b)(iii) and (b)(xii) in Policy EC1 and insert associated footnote at end of Policy EC1 which states:</p> <p><b><u>“sites marked with a * in Policy EC1(a) and (b) are affected by Mineral Safeguarding Areas under Policy M2 of the Lancashire Minerals and Waste Local Plan and regard should be had to Policy M2 by applicants and in the decision-making process.”</u></b></p>
Min47	120 / 309 / RS1 / S	Lancashire County Council	Reference to Mineral Safeguarding Areas should be made in relation to relevant sites allocated in Policy RS1(a).	<p>Insert * against sites (ii), (iv), (v) and (vi) in Policy RS1(a) and insert associated footnote at end of Policy RS1 which states:</p> <p><b><u>“sites marked with a * in Policy RS1(a) are affected by Mineral Safeguarding Areas under Policy M2 of the Lancashire Minerals and Waste Local Plan and regard should be had to Policy M2 by applicants and in the decision-making process.”</u></b></p>
Min48	N/A	WLBC	Clarification of Paragraph 7.6 of justification to Policy RS1	<p>Amend Justification of Policy RS1, paragraphs 7.6 and 7.7 to read:</p> <p><i>“The phasing of sites in Skelmersdale needs to be planned in order to facilitate the regeneration of Skelmersdale Town Centre and the <b>wider town and to ensure</b> delivery of the benefits associated with the Strategic Development Site, <del>and also to take</del></i></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<del>account of infrastructure constraints. As set out in Policy SP1, Skelmersdale will be promoted for development during the first half of the Local Plan period because of the priority for regeneration, and infrastructure constraints elsewhere in the Borough. In certain cases, housing will function as enabling development, with some of the profits from residential development used, for example, to procure major benefits for the local area and / or to help deliver important elements of the Local Plan as a whole, for example. <b>This is particularly the case for the regeneration of Skelmersdale Town Centre.</b></del>
Min67	N/A	WLBC	Clarification of Paragraph 6.41 of justification to Policy EC4	Amend first sentence of paragraph 6.41 to read: <i>“Policy EC4 seeks to address this issue by allowing for growth <b>the expansion of the campus into 10 ha of land released from the Green Belt</b> during the Local Plan period, <del>where necessary</del>, whilst ensuring that existing and potential future problems are addressed.”</i>
Min68	N/A	WLBC	Clarification of Paragraph 7.32 of justification to Policy RS2	Amend Justification of Policy RS2, paragraph 7.32 to read: <i>“Exceptionally, and where it is <del>deemed appropriate</del> <b>robustly justified</b>, off-site provision of affordable housing ...”</i>
Min72-76	N/A	WLBC	Correction	Superseded by MM65
Min101	N/A	WLBC	Clarification	Amend sixth paragraph of Policy SP1 to read: <i>“Development in rural settlements will be focused on the Key and Rural Sustainable Villages. <u>Development in the Small Rural</u></i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>Villages will only be permitted where it involves a like-for-like redevelopment of an existing property, the appropriate re-use of an existing building or infill development <b><u>(in line with Policy RS1).</u></b></i>
<b>Modifications added in response to Inspector’s letter of 15 May 2013</b>				
Min107	N/A	Inspector	Clarification – Retail targets to be moved from SP2 justification to SP1 alongside other targets.	<p>SP1 Justification – amend the title to the sub-section after paragraph 4.19 to read:  <i>“Residential, <del>and</del> Employment Land <b><u>and Retail</u></b> Targets”</i></p> <p>Insert the following two paragraphs after paragraph 4.23:  <b><u>“4.24 The West Lancashire Retail Study Update (December 2011) suggests that the Council should work towards a requirement for up to 7,500 sq.m of additional comparison sales area floorspace in the 2011 to 2021 period rising to 11,000 sq.m in the period up to 2027. In terms of convenience goods, the study suggests that there is a requirement for up to 2,800 sq.m of convenience sales area floorspace in the period 2011 to 2021, in addition to the commitment for a new Booths store in Burscough. In the longer term period to 2027, there is scope for between approximately 2,700 sq.m of additional convenience sales area floorspace under the rising retention scenario, and 3,300 sq.m when an allowance for over-trading is also taken into account.</u></b></p> <b><u>4.25 These figures are Borough wide and all retail should be</u></b>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<b><u>focused on the Borough's Regional Town and Key Service Centres to ensure their future vitality and viability. However, the study identifies Skelmersdale as the priority for retail development given the existing under-provision of both comparison and convenience retail floorspace. Policy SP2 aims to address this shortfall through specific regeneration plans, focused on delivering a mixed use town centre scheme.</u></b>
Min108	N/A	Inspector	Update Appendices A, C, D and E	Update Appendices A, C, D and E to reflect modifications proposed to policies in the Local Plan and to reflect any changes necessary to update the Local Plan preparation position and the context of the Planning Policy background.
Min109	N/A	WLBC	Update references in key supporting documents to Policy SP1	Amend sixth, seventh and ninth bullet points after paragraph 4.29 as follows: <ul style="list-style-type: none"> <li>• <i>"Strategic Housing Land Availability Assessment 2011 <b>2012</b> update</i></li> <li>• <i>Housing Land Supply in West Lancashire 2011 <b>2012</b></i></li> <li>• ...</li> <li>• <i>Employment Land Monitor (2011 <b>2012</b>)"</i></li> </ul>
Min110	N/A	WLBC	Update references in key supporting documents to Policy RS1	Update and reformat paragraph 7.22 to read: <i>"Other Local Planning Policy and supporting documents</i> <b>7.22</b> <i>The following locally-produced documents are of particular relevance to this policy:</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<ul style="list-style-type: none"> <li>• <i>Strategic Housing Market Assessment (2009)</i></li> <li>• <i>Strategic Housing Land Availability Assessment 2011 <b>2012</b> update</i></li> <li>• <i>Housing Land Supply in West Lancashire 2011 <b>2012</b></i></li> </ul>
Min111	N/A	WLBC	Update Justification to reflect Main Modifications within Policy SP1	Amend second sentence of paragraph 4.15 to read: <i>“Policy SP1 does this and, in particular, focuses <del>over</del> <b>almost</b> half of all new development in the Borough’s only Regional Town, Skelmersdale with Up Holland.”</i>
Min112	N/A	WLBC	Update Justification to reflect Main Modifications within Policy SP1	Amend Table 4.2 to update anticipated development on brownfield sites consistent with other modifications to the Local Plan.
Min113	N/A	WLBC	Update Justification to reflect Main Modifications within Policy SP1	Amend third sentence of paragraph 4.27 to read: <i>“Much of this land will also be covered by the “Plan B” (see <del>Chapter 10</del> <b>Policy RS6</b>) and must be released from the Green Belt in case there is a need to trigger the “Plan B”.</i> ”
Min114	N/A	WLBC	Update Justification to reflect Main Modifications within Policy SP1	Amend paragraph 4.28 to read: <i>“4.28 Approximately <del>60ha</del> <b>70ha</b> of Green Belt will be required for release to meet development and associated infrastructure needs for 2012-2027. This is only <del>0.17%</del> <b>0.20%</b> of the 34,630ha of Green Belt in the Borough. Taking into account the other land to be removed from the Green Belt and safeguarded, a further <del>75ha</del> <b>67ha</b> of Green Belt will also be released, bringing the total Green</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>Belt release to approximately <del>135ha</del> <b>137ha</b>, which represents <del>0.39%</del> <b>0.40%</b> of the existing Green Belt."</i>
Min115	N/A	WLBC	Update Justification to Policy SP3 to reflect Main Modifications within Policy SP1	Amend paragraph 4.43 to read: <i>"4.43 It is clear from data on development land supply and deliverability that the development of 4,650 <b>4,860</b> dwellings and 75ha of employment land as required by Policy SP1 cannot be met within the existing settlement boundaries alone. Based on SHLAA data, knowledge of existing employment areas and knowledge of major pending applications, it is estimated that <del>3,900 dwellings and 65ha of</del> <b>the majority of the required residential and</b> employment land could be provided on sites within the existing settlements of the Borough. This therefore leaves <del>750 dwellings and 10ha of</del> <b>However, a small proportion of the required residential and</b> employment land that cannot be provided within existing settlements and so must be provided in the Green Belt <b>or on land previously designated as open land on the urban fringe in the Replacement Local Plan (2006).</b>"</i>
Min116			Update Justification to reflect Main Modifications within Policy EC4	Delete paragraph 6.42: <i><del>6.42 The Council will work with the University to seek the delivery of a suitable strategy and masterplan for all parties.</del></i>



West Lancashire Local Plan 2012-2027

**Strategic and Land Allocation Modifications to the Local Plan  
Options for Additional Housing and Employment Allocations**

May 2013

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## 1.0 Introduction

- 1.1 The Inspector's letter of 15 May 2013, setting out his interim views on the strategic and land allocation matters of the Local Plan, identified a need to provide an additional housing site(s) and an additional 5 ha of employment land in order to make the Local Plan sound. This Paper assesses the most suitable options for the necessary additional housing and employment sites to make the Local Plan sound, so that the deliberations of the Council in arriving at the proposed Main Modifications to the Local Plan related to the selected additional allocations are transparent and communicated to all who have an interest.
- 1.2 The additional housing site(s) is required to ensure that the increased housing requirement for the Plan period (4,860 dwellings) can be met and a rolling 5-year housing land supply can be maintained throughout the Plan period. Based upon the updated Housing Trajectory provided by the Inspector alongside his letter, and comparing it to the increased overall housing requirement for the Plan period and the amended annual housing targets within the Plan period recommended by the Inspector, the Council has identified that a further housing supply of at least 100 dwellings is required, with at least 50 dwellings being deliverable by 31 March 2018.
- 1.3 The additional 5 ha of employment land is required in order to make-up for the loss of supply within the existing Simonswood employment area that the Inspector considers is not justified by the available evidence.

## 2.0 Identifying an additional housing site(s) – Initial Sieve

- 2.1 Appendix A sets out the relative merits of each of the safeguarded sites in the submitted Local Plan, assessing each site as to its sustainability, deliverability and suitability to meet the identified additional need for housing supply in the Plan period. Other potential housing sites were discussed at the Matter 8 hearing session during the Examination, but it is the Council's view that these are not suitable for housing at this time or are not deliverable, particularly in relation to sites within the catchment of New Lane Waste Water Treatment Works. This focus on the safeguarded sites appears to be corroborated by the Inspector in paragraph 12 of his letter.
- 2.2 The conclusions of Appendix A draw out four of the safeguarded sites as being most suitable as additional housing allocations in the Local Plan, primarily because of their deliverability:
  - Parr's Lane (east), Aughton;
  - Parr's Lane (west), Aughton;
  - Fine Jane's Farm, Halsall; and
  - New Cut Lane, Halsall.
- 2.3 This is consistent with the views expressed by the Council in the Examination hearings and with the Inspector's views at paragraph 12 of his letter.

## 3.0 Identifying an additional housing site(s) – Assessing the Shortlisted Sites

### Parr's Lane, Aughton

- 3.1 Of the four shortlisted sites, two essentially form one large site, Parr's Lane in Aughton. This site is specifically addressed by the Inspector in his letter at paragraph 19, where he addresses the two sites in relation to their respective designations under Policy GN2. The Inspector recommends that consideration should be given to moving Parr's Lane (west) into the Plan B category alongside Parrs Lane (east). He

recommends this “because its merits as a potential Plan B site appear indistinguishable from those of the adjacent, proposed Plan B site at Parr’s Lane (east)”.

3.2 The Inspector goes on to say in paragraph 20 of his letter:

*“Putting both of the Parr’s Lane sites into the Plan B category ... would enable a co-ordinated approach to be taken to their masterplanning and development, which is especially desirable given that the western site controls the access to Prescott Road and its bus services.”*

3.3 Based on this recommendation from the Inspector, it is the Council’s view that, if the Parr’s Lane site is to be developed at some point in the future, be it in this Plan period or beyond, it would be most appropriate if the site were brought forward as a single development site guided by a masterplan. The two key landowners on the site have expressed a clear willingness during the Examination hearings to work together to bring the site forward as one (albeit with two developers able to deliver simultaneously) and such a comprehensive development would appear to be most appropriate in terms of impact on neighbours, as opposed to drawing development out into two (or more) entirely separate development phases, which prolongs uncertainty for neighbours and the impact caused by development.

3.4 Therefore, if the Parr’s Lane site were to be selected as the additional housing allocation for the Local Plan, it should be on the basis of a single, comprehensive development site of approximately 400 dwellings.

3.5 However, this fact in itself forms an argument against including the site as an additional housing allocation in the Local Plan at this time. The approximate additional housing supply required is only 100 dwellings, and so the inclusion of the Parr’s Lane site would enable development of a site four times larger than that which is required. This would not appear to be a sustainable use of land resources and the Borough may be better served by the continued safeguarding of the Parr’s Lane site until such a time as a further 400 dwellings are required for development.

#### Fine Jane’s Farm, Halsall

3.6 The Fine Jane’s Farm site appears readily deliverable and its development would involve the removal of a run-down agricultural site which, according to some, blights the local area. The Council’s only concerns on the site relate to highways access, the viability of the site and the relationship of the site to the neighbouring Borough of Sefton.

3.7 Highways access can, technically, be resolved through an improved and widened site access, which appears to be deliverable. However, the views when turning out of the site would be restricted somewhat by the bend in the road that the site access is on, which is not ideal.

3.8 The viability of the site is queried simply because the Council is not aware of any developer interest in this site (as there is in both the other shortlisted sites) and because there has been no evidence submitted that has assessed the costs of redeveloping this agricultural site (which is entirely hardstanding) and the costs of any piling issues because of the peat deposits in the area. However, at this time there has not been any evidence submitted which would definitively question the viability of this site, and so the Council assumes that there are no “show-stopping” constraints affecting the site.

3.9 With regard to the relationship of the site to Sefton, this is discussed further, together with the similar issue for the New Cut Lane site, below.

- 3.10 Ultimately, this site appears to be relatively sustainable, deliverable and suitable but would only deliver 60 dwellings. Therefore, if it were to be allocated, there would need to be a further allocation alongside it to meet the additional housing supply requirement for the Local Plan.

#### New Cut Lane, Halsall

- 3.11 The New Cut Lane site appears deliverable, with a willing consortium of landowners and a strong developer interest, and reassurances having been provided at the Examination hearings that any costs related to piling can be accommodated within the development. Therefore, the existing safeguarded (Plan B) site at New Cut Lane would appear a ready candidate for an additional housing allocation, barring any concerns with regards its relationship with the adjacent Borough of Sefton.
- 3.12 In relation to the enlarged New Cut Lane site put forward by the landowners of this site at Publication and Examination stage, this again appears very deliverable. The only concern regarding the allocation of this enlarged site would be that it involves the release of a further 3 ha of Green Belt.
- 3.13 However, it must be pointed out that this enlarged site is the same as parcel SEFB13a in the West Lancashire Green Belt Study. Parcel SEFB13a was one of only two parcels in the entire Green Belt Study found to not fulfil one single purpose of the Green Belt after the amendments made to the Study by the Addendum in July 2012. Therefore, the loss of this land from the Green Belt would not have any impact on the wider Green Belt in this location.
- 3.14 Therefore, this site is a very deliverable option for an additional housing allocation, either as the smaller safeguarded site or as the enlarged site equivalent to parcel SEFB13a.

#### Cross-boundary concerns with Sefton

- 3.15 The inclusion of either of the Halsall sites, which are either on or very close to the Sefton boundary, cannot be assessed without consideration of their potential implications for Sefton. In the spirit of the Duty to Co-operate, Sefton Council have been consulted on their views following the recommendations of the Inspector's interim views, but at the time of writing this Paper no formal feedback has been received from Sefton Council.
- 3.16 These sites raise several potential concerns in relation to Sefton:
- Their impact upon infrastructure and services in Sefton;
  - The potential market competition they may offer to development sites nearby within Sefton (e.g. Town Lane at Kew); and
  - The question of whether the sites meet the housing needs of Sefton or West Lancashire.
- 3.17 It has always been recognised that, were these Plan B sites to ever come forward, they would be partially reliant on infrastructure and services within Sefton given their distance to key services within West Lancashire. However, the same could be said for much of the Western Parishes of West Lancashire, and residents of any new developments on these sites would also be able to access services within the Western Parishes if they preferred (e.g. Primary Schools in Halsall and Scarisbrick). Ultimately, if new development places a strain on existing infrastructure, there are mechanisms by which developer contributions can be secured to mitigate that strain. While West Lancashire would be the body responsible for collecting those contributions if these

Halsall sites were to come forward, where infrastructure is required within Sefton directly as a result of these developments, West Lancashire would have the option of sharing those contributions with Sefton Council to mitigate impacts of development.

- 3.18 The potential for market competition between these Halsall sites and the Town Lane scheme or any other sites in the Birkdale area is minimal. There is a significant need and demand for new housing in both Sefton and West Lancashire and the addition of one or two relatively small sites will not provide especially significant market competition.
- 3.19 The question of whether the Halsall sites would meet West Lancashire's or Sefton's housing needs is one which it is extremely difficult to answer, and one where no obvious conclusion was drawn at the Examination hearings despite discussion on the topic. Ultimately, the housing markets of North Sefton and the western parts of West Lancashire are closely linked, and to attempt to segregate these markets upon an imaginary boundary would be very dangerous.
- 3.20 What is clear, however, is that the sites are within West Lancashire and so must be considered to contribute, at least in part, to the housing needs of West Lancashire and so it is more a question of what proportion, if any, of the housing on these sites would be considered to meet Sefton's needs.
- 3.21 There appears to be three options involving these Halsall sites which, if they were allocated, would potentially meet the identified additional housing supply required in the Local Plan:
- Allocate just the enlarged New Cut Lane site (capacity 150 dwellings)
  - Allocate the Fine Jane's Farm site and the smaller New Cut Lane site (combined capacity 130 dwellings)
  - Allocate the Fine Jane's Farm site and the enlarged New Cut Lane site (combined capacity 210 dwellings)
- 3.22 Either of the first two options would appear sufficient to meet the additional need for housing supply in the Local Plan, if the site(s) are only considered to meet West Lancashire's housing needs. However, the third option would provide more flexibility and enable a portion of the housing to count towards Sefton's housing needs, while still ensuring that the additional supply of housing required in the West Lancashire Local Plan is met.

### Conclusion

- 3.23 Weighing up the various considerations discussed above, it is the view of the Council that the most suitable additional housing allocations would be:
- An enlarged New Cut Lane site (capacity 150 dwellings); and
  - The Fine Jane's Farm site (capacity 60 dwellings).
- 3.24 Once they are allocated, if the Inspector considers that a portion of the housing on these sites should count towards Sefton's housing needs, there is the option to stipulate that whilst still maintaining the supply of housing required within West Lancashire.

## **4.0 Identifying an additional employment site(s)**

- 4.1 In considering where the 5 ha shortfall of employment land supply identified by the Inspector in paragraph 30 of his letter could be provided, the Council have returned to re-assess those sites put forward by representors at Publication stage as alternative



employment sites and which were considered at the Matter 12 Examination hearing session. These sites were:

- i) Land adjacent to White Moss Business Park (including land owned by Whitemoss Landfill);
- ii) Land north of Vale Lane, Skelmersdale;
- iii) Land at HMS Ringtail, Burscough; and
- iv) A 21ha extension of Simonswood Industrial Estate?

- 4.2 Appendix B provides an assessment of these four locations (or variations upon them) to consider their relative merits in relation to sustainability, deliverability and suitability for making up the 5 ha shortfall identified. It concludes that two of the locations are potentially viable and suitable for the additional employment site(s) (Burscough employment area and Simonswood industrial estate).
- 4.3 It would be the Council's view that the Simonswood industrial estate is the most appropriate location because the loss of employment land supply outlined in the Inspector's letter occurred within the Simonswood industrial estate, and so this "lost" land supply would be replaced directly adjacent to where it was "lost", maintaining the status quo in relation to the submitted Local Plan in all senses except land-take.
- 4.4 It is the Council's view that only a portion of the 21 ha of Protected Land available adjacent to the industrial estate would be necessary for allocation as employment land and that this portion should be located at the eastern end of the Protected Land, adjacent to Fredericks Dairies, so as to minimise the impact of the development of the land on the residential area of Tower Hill (in Knowsley). Based on the ownership plan submitted during the Examination hearings (EX.239b – also included at Appendix C of this Paper), there is a 6.79 ha area of land to the eastern end of the Protected Land which it has come to the Council's attention is in the ownership of Fredericks Dairies, the adjoining business. Fredericks have made the Council aware of their desire to expand their business into this land, and so the allocation of this 6.79 ha for employment uses would appear a readily deliverable and suitable allocation.
- 4.5 Given the location of this site so close to the Borough boundary with Knowsley, and in the spirit of the Duty to Co-operate, Knowsley Council have been consulted on their views following the recommendations of the Inspector's interim views. Knowsley Council responded on 30 May 2013 (see Appendix D) to the effect of that they do not consider that the allocation of an extension to Simonswood industrial estate would be the best way forward for the reasons set out in their letter and they encourage WLBC to consider other alternative locations instead. However, they do note that, were any land to be proposed for release adjacent to Simonswood industrial estate, the land adjacent to Fredericks Dairies would be the least harmful to Knowsley.
- 4.6 However, given that Knowsley Council have not previously objected to the inclusion of 5 ha of employment land within the existing Simonswood industrial estate, and given that the allocation of 6.79 ha adjacent to the industrial estate would essentially replace the original 5 ha of supply, there would appear to be limited net increase in impact compared to the submitted Local Plan, other than land-take. The additional land-take has been minimised and has been located as far away from the Knowsley boundary as possible within the area of Protected Land, so as to minimise the impact.

## 5.0 Summary

- 5.1 The Council acknowledge and appreciate the recommendations of the Inspector in his letter of 15 May 2013, setting out his interim views. To this end, the Council have prepared this Paper to assess the options for additional sites to meet the requirements for housing and employment land over the 15-year period of the Plan.

- 5.2 Having assessed the various options available, and taking into consideration the discussions at the Examination hearings on the various alternative sites put forward by representors, the Council have concluded that there should be three “new” allocations for housing and employment land:
- The allocation of an enlarged **New Cut Lane site in Halsall** as a housing allocation, and the removal of the part of this site that was previously proposed as a safeguarded site for the Plan B. This enlarged site (see map in Appendix E) totals approximately 5.5 ha and has an indicative capacity of 150 dwellings.
  - The allocation of the **Fine Jane’s Farm site in Halsall** as a housing allocation, and the removal of this site as a safeguarded site for the Plan B, as had been previously proposed. This site (see map in Appendix E) is approximately 2.2 ha in size and has an indicative capacity of 60 dwellings.
  - The allocation of 6.79 ha of **land adjacent to Simonswood industrial estate**, which was previously proposed as Protected Land, for employment land (see map in Appendix E).
- 5.3 In addition, within its strategic and land allocation main modifications, the Council propose the allocation of a housing site at **Guinea Hall Lane, Banks**, which was previously proposed as a safeguarded site (see map in Appendix E). Despite its original proposed allocation as a safeguarded site, the site gained outline planning permission in March 2013 for 115 dwellings. Given this permission, it has been included in the Inspector’s updated housing trajectory as part of the supply for housing, and it is therefore inappropriate to continue to allocate it as a safeguarded site and most appropriate to allocate it as a housing site.

## Appendix A: Initial Sieve of Safeguarded Housing Sites

Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
Land at Parr's Lane (east), Aughton	400 dwellings (200 + 200)  As noted by the Inspector, both parcels are "indistinguishable" and a masterplanned approach is "especially desirable". Therefore, both parcels should be considered jointly.	Up to 0.5 miles (10 minute walk) from Aughton Park rail station.  Bus route and bus stops on Prescott Road (B5197) adjacent to site, although service is relatively infrequent.  Primary school across road from site on Prescott Road.  Some local facilities in the form of convenience shopping at Moss Delph Lane and Town Green.  Not close to Ormskirk town centre (30 minute walk).	Both parcels robustly promoted through Local Plan process on behalf of volume housebuilders.  All Landowners identified and a delivery programme submitted through the examination relating to Parrs Lane East.  Access to M58 (J1) on B5197, less than 10 minute drive.  Access would be onto more minor roads and through residential roads in Aughton to reach A59 or Ormskirk town centre.	As noted, the two parts of the site should most logically be delivered jointly, particularly as the west parcel unlocks access to Prescott Road and the bus services.  The total capacity of the combined site is 400 dwellings, which is significantly more than is currently required (100 dwellings).	This site (east and west) has both sustainability and deliverability merits as a result of the good access to sustainable transport links (mainly rail) and some local services.  The additional housing supply requirement is only for 100 dwellings, and so it would be excessive to allocate the entire site.  To allocate a portion of the site may lead to a disjointed approach and the desired benefits of a masterplanned site may not be achieved.
Land at Parr's Lane (west), Aughton		Land is in agricultural use, although more recent assessments by landowners suggest that the quality of this land for agriculture is not as high as first thought.	Existing properties (and gardens) on periphery of site must be built around and at a relatively low density to reflect local character.		However, aside from this concern, site is deliverable and relatively sustainable and should be considered as an option.
Land at Ruff Lane, Ormskirk	10-20 dwellings, depending on density of development	Nearest bus stop 0.5 miles away (10 minute walk through University campus) on St Helens Road.	Access to M58 (J3), approx 6 minute drive, but requiring use of Ruff Lane and Scarth Hill Lane to reach A570 from site.	Site capacity is for 10-20 dwellings, significantly lower than the current need of 100 dwellings.  Therefore, this site would	Although the site is on the edge of the Ormskirk settlement, accessibility is not as good as some of the other sites.

Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
		<p>Up to 0.8 miles (16 minute walk) from Ormskirk rail station</p> <p>1 mile (20 minute walk) to nearest primary school</p> <p>Site 14 minute walk (0.7 miles) from Ormskirk town centre and its facilities</p>	<p>Site has been promoted for several years by agent on behalf of a single land owner.</p> <p>Area is subject to waste water constraints of Ormskirk and Burscough, although the likely impact of 10-20 dwellings would be de minimus.</p> <p>Low density required ensuring local context and character is taken account of.</p>	<p>need to be considered in conjunction with other sites.</p>	<p>Main concern relates to the waste water treatment constraint and site capacity as it will not meet the current requirement for additional housing supply, so would be preferable to remain as a Plan B site unless it can be delivered with other lower capacity sites and the waste water treatment constraint overcome.</p>
Land at Red Cat Lane, Burscough	60 dwellings	<p>Access possible onto Red Cat Lane – limited site capacity unlikely to exceed capacity of road.</p> <p>Bus route on A59, 0.4 miles (8 minute walk) and Burscough Bridge train station about 5 minute walk away.</p> <p>0.5 miles (about 10 minute walk) to Burscough Town Centre.</p> <p>Three Primary schools within 0.6miles (12 minute walks).</p> <p>Appears to be mainly Grade 1 agricultural land.</p>	<p>Access to M58 (J3) either via Ormskirk or more minor roads (B5240) – approx 15 minute drive.</p> <p>Public Right of Way across site would need to be maintained.</p> <p>Multiple ownerships may limit development potential.</p> <p>Area is subject to waste water treatment constraints of Ormskirk and Burscough.</p>	<p>Site capacity of 60 dwellings would not meet current need alone and would need to be considered in conjunction with other sites.</p>	<p>The site has good sustainable access links to various transport modes and services but would appear to result in the loss of the best grade agricultural land, which is less than favourable.</p> <p>However, from a deliverability perspective the multiple ownership of site and waste water treatment constraints raise questions at this time.</p> <p>This site should remain as Plan B until deliverability is more certain.</p>

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Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
Land at Mill Lane, Up Holland	120 dwellings	<p>There is a bus stop on the eastern periphery of the site providing links into Wigan, Skelmersdale and Ormskirk.</p> <p>Public right of way to the north of the site for access to surrounding countryside.</p> <p>There is a village hall within walking distance just north west of the site and the local facilities such as basic shopping, library and post office are all less than five minutes walk to the south of the site.</p> <p>Two Primary schools are also within walking distance of the site.</p> <p>Open space directly to the south of the site.</p> <p>The nearest train station is Up Holland which is approximately 1.5 miles south of the site (about 30 minutes walking distance).</p>	<p>The M58 can be easily reached via the A577 in less than 10 minutes.</p> <p>The A577 is generally free flowing and provides good links into Skelmersdale and Wigan.</p> <p>Site access is potentially an issue but site could be accessed from Mill Lane to the north via an opening where there is currently a track or to the south via the creation of a new road which utilises part of the open space.</p> <p>Topography of site could create constraints to development.</p> <p>Current land dispute may inhibit deliverability of this site.</p>	<p>Site capacity of 120 dwellings would be adequate to meet the identified additional housing need (100 dwellings).</p>	<p>Site has good access to local facilities and a bus service but rail links are weak.</p> <p>Access issues, topography and land ownership dispute could all hamper deliverability.</p> <p>Therefore, despite the broad suitability and sustainability of the site in terms of scale to meet need, deliverability issues pose a risk at this time. Site should remain as Plan B.</p>
Land at Moss Road (east), Halsall	450 dwellings (240 + 210)	<p>Bus route and stops on Bentham's Way, adjacent to site.</p> <p>Within 10-15 minute walk of two primary schools in</p>	<p>Significant costs may result in relation to connections to utility infrastructure and as a result of the relatively deep peat deposits in this</p>	<p>The total capacity of the combined site is 450 dwellings, which is significantly more than is currently required (100</p>	<p>This site has significantly greater capacity than is currently required and is on the best and most versatile agricultural land.</p>

Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
Land at Moss Road (west), Halsall					
Land at Fine Jane's Farm, Halsall	60 dwellings	<p>Run down nature of site means redevelopment would be beneficial.</p> <p>Bus route and stops on Bentham's Way, 4 minute walk (0.2 miles) from site.</p> <p>Within 10-15 minute walk of two primary schools in Sefton.</p> <p>Nearest rail station (Birkdale) 1.2 miles (24 minute walk) away.</p>	<p>Significant costs may result in relation to connections to utility infrastructure and as a result of the previous use (removal of concrete. etc) and relatively deep peat deposits in this area.</p> <p>However, site is being promoted by a willing landowner for residential development.</p> <p>Site access not ideal because of blind bend on</p>	<p>Site capacity of 60 dwellings would not meet current need so would need to be considered alongside other sites.</p>	<p>Site has some sustainability benefits such as reuse of previously developed land and access to a bus route.</p> <p>However, some services are further away and questions remain in relation to deliverability of the site, although the land owner promoting the site suggests delivery is realistic.</p>

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Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
		Nearest Local Centre is over a mile away (20 minute walk).	Moss Road and existing site access would likely need widening.  Potential impacts on unclassified (moss) roads and access to the strategic road network is not ideal – 20 minute journey via Ormskirk to J3 M58 or 30 minute journey via A565 to Switch Island.		Highway issues are not entirely prohibitive.  The site capacity does not meet the identified need in isolation, but together with another deliverable site, Fine Jane's Farm should be considered a potential option.
Land at New Cut Lane, Halsall	Plan B site in submitted Local Plan has capacity for 70 dwellings, but enlarged site with a capacity of approximately 150 dwellings promoted by landowners at Publication and Examination	Bus route and stops on Guildford Road a 2 minute walk away (0.1 miles).  Within 2 minute walk (0.1 miles) of primary school in Sefton.  Nearest rail station (Hillside) approx 1 mile (20 minute walk) away.  Nearest Local Centre approx 1 mile away (20 minute walk).  The enlarged site at New Cut Lane would result in further Green Belt release (approximately an additional 3 ha).  However, enlarged site no longer considered to fulfil any of the purposes of the Green Belt – one of only	Significant costs may result in relation to connections to utility infrastructure and as a result of the relatively deep peat deposits in this area.  However, landowners confirmed a serious developer interest in the site at Examination and addressed concerns of viability due to peat deposits..  Potential impacts on unclassified (moss) roads and access to the strategic road network is not ideal – 20 minute journey via Ormskirk to J3 M58 or 30 minute journey via A565 to Switch Island.  Site access could be	The site capacity could potentially be 150 dwellings, which is slightly more than the required additional housing supply need, but not excessively so.	The site has some sustainability merits including access to bus routes and local services within 2 minutes.  Other services and rail plus the loss of the best agricultural land are less desirable.  The delivery issues relating to costs are likely to be less of a concern due to the confidence instilled by the willing land owners.  Site capacity is suitable to meet required need.  The risks associated with the less desirable sustainability merits are lower than other risks associated with other Plan

Safeguarded Site	Indicative Capacity	Sustainability	Deliverability	Suitability	Conclusion
		two assessed as such in the entire Green Belt Study.	provided onto New Cut Lane via existing gap in residential properties.  Willing land owners promoting site with a developer interest.		B sites.  At this time, for reasons of suitability, deliverability and to some extent sustainability, the merits of this site present it as a reasonable option to meet additional housing need.
Yew Tree Farm, Burscough	500 dwellings	Sustainability merits of site have been established in relation to the existing allocation of 500 dwellings and 10 ha of employment land on this site.	While delivery of further housing is very possible in the long-term, it is considered that to anticipate further housing development on this site in the Plan period (beyond the 500 dwellings already identified) would be unrealistic.	Suitability of site is only questioned by the deliverability concern.  Any proportion of the additional 500 dwellings could be incorporated into the existing allocation if it were deliverable.	It is considered unlikely that further housing development at Yew Tree Farm in the Plan period would be deliverable, so safeguarded part of the site should not be considered for development at this time.



**Appendix B: Assessment of Alternative Locations for Employment Land Shortfall**

Proposed Location	Sustainability	Deliverability	Suitability	Conclusion
Land adjacent to White Moss Business Park, Skelmersdale	<p>It is acknowledged that, although White Moss Business Park is an established business park on the edge of Skelmersdale, it is not especially sustainable in terms of access by public transport or access to local services.</p> <p>However, the principle of employment uses at this location is established and existing allocated land at the business park is considered sustainable enough for inclusion in the Local Plan.</p> <p>An extension of the business park onto additional land would, however, involve the release of Green Belt and potentially impact upon local nature designations, and so, environmentally, may not be ideal.</p>	<p>The deliverability of an additional release at White Moss Business Park would have to be questioned, given the challenging economic environment at this time, and especially the level of demand for B1 employment uses in the Borough when White Moss Business Park already has land available for this purpose that has not been taken up.</p>	<p>Given the need to maintain the character of White Moss Business Park, B1 employment uses would only be appropriate, and so the allocation of this option would be replacing B2/B8 at Simonswood with B1 at White Moss. This would not be a suitable replacement for the supply lost at Simonswood.</p> <p>In addition, the only alternative site actually put forward by representors for employment land at White Moss was a small area (approximately 1 ha) adjacent to the Hazardous Waste Landfill. Even if this site were deemed appropriate, it could not, in isolation make up the entire 5 ha shortfall.</p>	<p>The deliverability of further employment land at this location is questionable, and it would not deliver the same type of employment land as that lost at Simonswood.</p> <p>Furthermore, only one small alternative site has been put forward for employment development at White Moss.</p>
Land north of Vale Lane, Skelmersdale / Lathom	<p>This location covers a large area of Green Belt to the north west of Skelmersdale and it is unclear precisely which part of the large site put forward would be most suitable for employment.</p> <p>The large site put forward has no strong boundaries within it, and so any release of Green Belt in this location would require the release of the whole site to ensure amendment</p>	<p>The land in question is greenfield land and so there should be limited constraints on development.</p> <p>However, there is already available land and empty units within the XL</p>	<p>Given the scale of Green Belt release that would be involved in this location, it would be unsuitable to release such a large amount of land from the Green Belt simply to identify 5 ha of it for employment</p>	<p>This location is not suitable for release from the Green Belt for employment land at this time, especially given the fact that there is land and empty units in the nearby XL Business Park already</p>

	<p>of the Green Belt boundary to a sufficiently strong boundary.</p> <p>The site has limited public transport access or access to local services given its peripheral location to Skelmersdale, but any employment development would essentially form an extension of the XL Business Park / Stanley Industrial Estate.</p>	<p>Business Park that would meet any demand for employment uses in this area.</p>	<p>development now.</p>	<p>available for employment uses.</p>
<p>Land at HMS Ringtail / Yew Tree Farm, Burscough</p>	<p>This location covers a large area of land incorporating the existing Strategic Development Site (SDS) at Yew Tree Farm, and land to the west of this on the site of the former airfield.</p> <p>If 5 ha of employment land were to be released in this location it would logically be as an increase of the employment land allocation within the SDS, utilising some of the land proposed for safeguarding in the Local Plan or as a release of the strip of land directly to the west of Tollgate Road from the Green Belt.</p> <p>The former would appear to have less impact on the Green Belt, but the latter would likely only have limited impact on the Green Belt, given its shape and location.</p> <p>Both sites would act as an extension of the existing employment areas and would benefit from existing services and transport infrastructure servicing the estates and proposed improvements so services and transport as a result of the SDS.</p> <p>However, there must be consideration of the impact of further employment land in this location, on top of the existing employment areas and the 10 ha already proposed within the SDS.</p> <p>In particular, any traffic impact of further HGV</p>	<p>There is little doubt that the greenfield nature of the land in this location and its proximity to the existing employment areas would make it an attractive location to the market.</p> <p>However, there must be a question of how much the market will deliver in this area over the Plan period given that 10 ha is already proposed within the SDS at Yew Tree Farm.</p>	<p>The suitability of this location must focus on whether allocating a further 5 ha of employment land in Burscough would be deliverable in the Plan period and whether the traffic impacts of this could be managed and mitigated.</p> <p>The likelihood is that traffic impacts could be managed and mitigated suitably, but it is difficult to be sure how the market would respond to a further 5 ha in Burscough in this Plan period.</p> <p>However, the land is available and, if there is market interest, could be brought forward with relative ease.</p>	<p>This location is a viable option and, if it were to be selected as the preferred location for an additional employment allocation, increasing the supply of employment land within the SDS from 10 ha to 15 ha would appear the most sustainable option.</p>

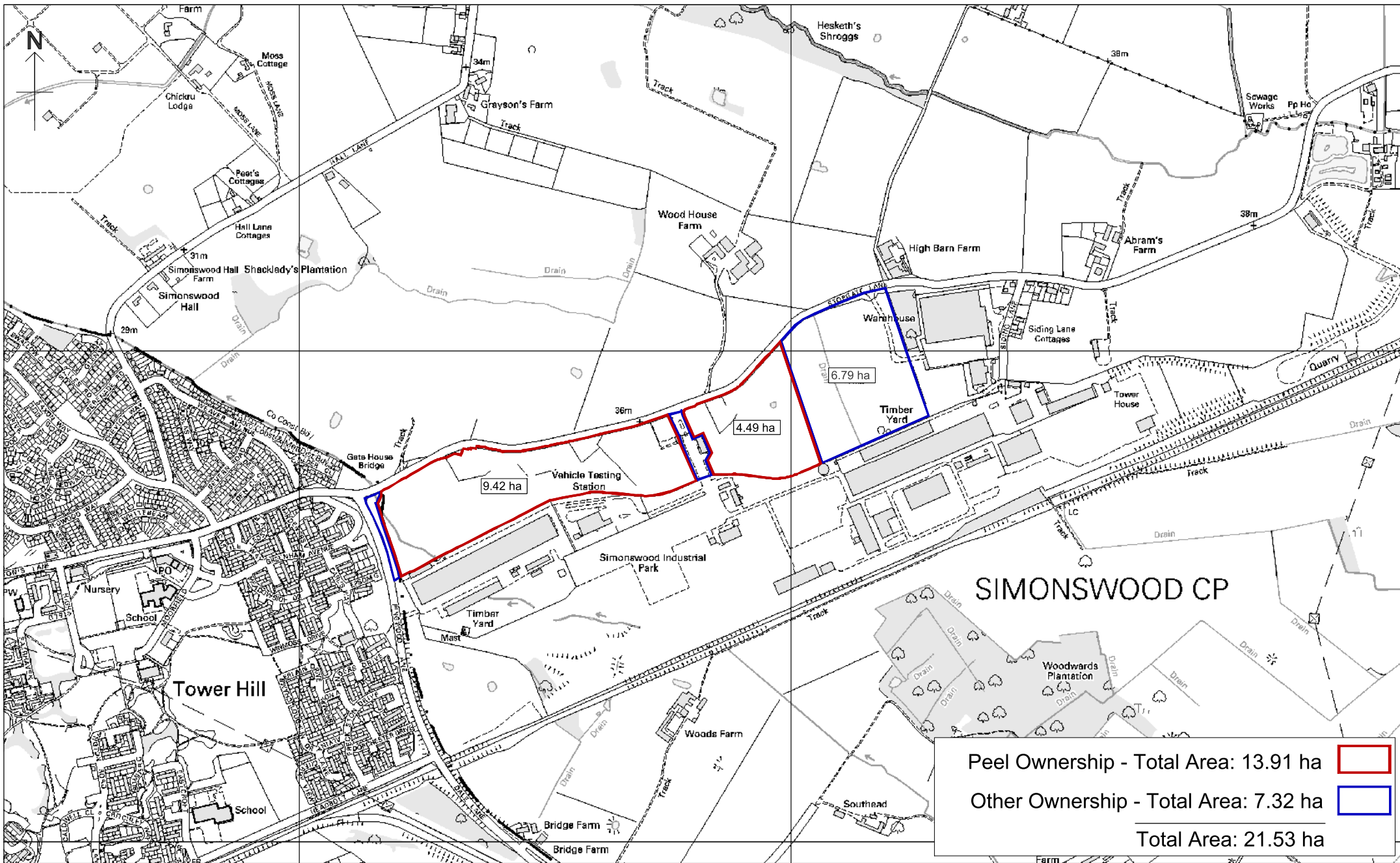
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	<p>movements not only within Burscough but further afield as the HGVs access the motorway network and the Port of Liverpool must be weighed into the balance.</p>			
<p>Land adjacent to Simonswood Industrial Estate</p>	<p>Simonswood industrial estate is relatively sustainable in that it adjoins the built-up area of Kirkby (specifically Tower Hill) within Knowsley and so has access to public transport and other services via adjoining residential area.</p> <p>However, it is acknowledged that Simonswood is fairly peripheral in relation to West Lancashire, and direct public transport links with the rest of West Lancashire are poor.</p> <p>The land adjacent to Simonswood industrial estate is currently proposed as Protected Land within the submitted Local Plan, and so utilising a portion of this land for employment would not involve further loss of Green Belt.</p> <p>In addition, aside from the additional take-up of land required, the selection of this option would not demonstrate a net increase in any impact associated with employment development compared to the submitted Local Plan.</p> <p>The submitted Local Plan included an allowance of 5 ha of new employment land within the existing industrial estate which the Inspector has concluded is unjustified.</p> <p>Therefore, replacing those 5 ha lost within the estate with 5 ha adjacent to the site will have no net increased impact on matters such as traffic, noise or any other impact caused by the use of the site for employment.</p>	<p>There is no reason to consider that any part of the 21 ha of land adjacent to the industrial estate is not deliverable within the Plan period.</p> <p>The majority is in the ownership of Peel Holdings, who promoted the site for employment uses at Publication and Examination stage, and the remainder is in the ownership of Fredericks Dairies who own the business premises to the east of the land in question and are seeking to expand their premises.</p>	<p>Simonswood industrial estate is a suitable location for the additional employment site, particularly because the 5 ha of land lost from the employment land supply was within the industrial estate.</p> <p>If this location was selected for the additional employment site, only a portion would be needed (with the remainder maintained as Protected Land) and it would appear most prudent to utilise the land to the eastern end of this Protected Land, furthest away from Tower Hill, to minimise any impacts.</p>	<p>This location is a viable option that would have no net impact compared to the submitted Local Plan other than the additional land-take of approximately 5 ha.</p>

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**Appendix C: Examination document EX.239b – landownership adjacent to  
Simonswood Industrial Estate**



Peel Ownership - Total Area: 13.91 ha

Other Ownership - Total Area: 7.32 ha

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**Total Area: 21.53 ha**



# Simonswood Ownership Plan



BDS: n/a      Ref: NB / RK  
 Date: 06:03:13      Scale: 1:10000  
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**Appendix D: Letter from Knowsley Council (30 May 2013)**







**Knowsley Council**

**Please ask for:** Jonathan Clarke  
**Tel No:** 0151 443 2299  
**Email:** jonathan.clarke@knowsley.gov.uk

Peter Richards  
LDF Team Leader  
West Lancashire District Council  
PO Box 16,  
52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Our Ref: West Lancashire / JC  
Date: 30 May 2013

Dear Peter,

**RE: MODIFICATIONS TO THE WEST LANCASHIRE LOCAL PLAN**

Thank you for your letter dated 17 May 2013. We understand that you need to address the issues raised in the Inspector's letter and we would like to assist in this process.

As you correctly state Knowsley Council did not object to the submission draft of the West Lancashire Local Plan. This included proposals to make more efficient use of the existing Simonswood Industrial Estate through a remodelling exercise and thereby effectively create the equivalent of about 5 hectares of "new" employment land. The basis for our approach on this was that although in our view the existing Industrial Estate is not well located or attractive for a wide range of employment uses it is also poorly laid out and would therefore benefit from internal remodelling if this were practicable. A future remodelling of this area would also have offered the opportunity to improve the current environment of the industrial estate.

It is clear that the Inspector is not (on the basis of available evidence) convinced of the deliverability of the remodelling exercise and has therefore asked you to consider how the 5 hectares of new employment land could be otherwise provided.

Unfortunately we do not consider that the proposal to allocate the additional 5 hectares of employment land in the area identified in the "Simonswood Ownership Plan" attached with your letter is the best way forward. The reasons for this were set out in the evidence which we provided for hearing session 12 (in response to the objection by Peel). Our concerns about any proposal to expand the current industrial estate into the areas that you have identified include:

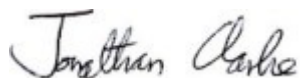
- The lack of evidence that these sites are in fact the most suitable to meet West Lancashire's needs given the minor nature of the highways which serve this area from the remainder of West Lancashire;
- the site is more closely linked to Knowsley in terms of accessibility but is not required to meet Knowsley's employment needs which are in our view suitably met by the diverse range and quality of sites for example in Knowsley Industrial Park; and
- the unnecessary competition that the expanded Simonswood site would present to the nearby Knowsley Industrial Park (KIP).

We would therefore stress the need for West Lancashire District Council to consider other alternative site options to provide the additional 5 hectares of employment land allocation requested by the Inspector.

If notwithstanding the above points West Lancashire does pursue a new site allocation at Simonswood the area edged in blue on the "Simonswood Ownership Plan" maybe slightly the least harmful. This part of the site is (unlike the area edged red on your site plan) at least adjacent to an existing employment use fronting Stopgate Lane and may therefore integrate slightly better with the character of the area. However, as mentioned above we would urge you to consider if there are better locations available in the West Lancashire area.

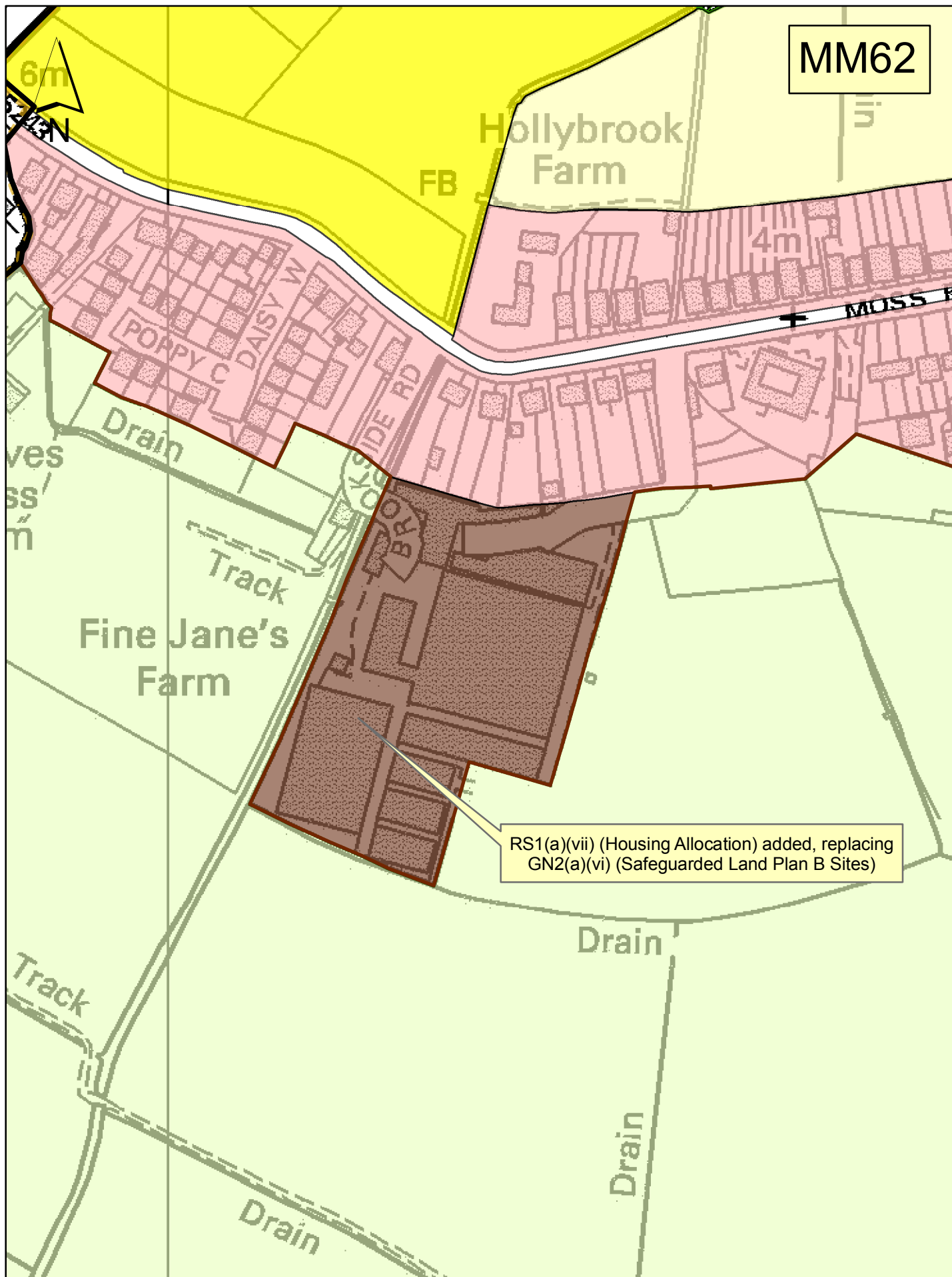
Please do not hesitate to contact me if you wish to discuss this matter again.

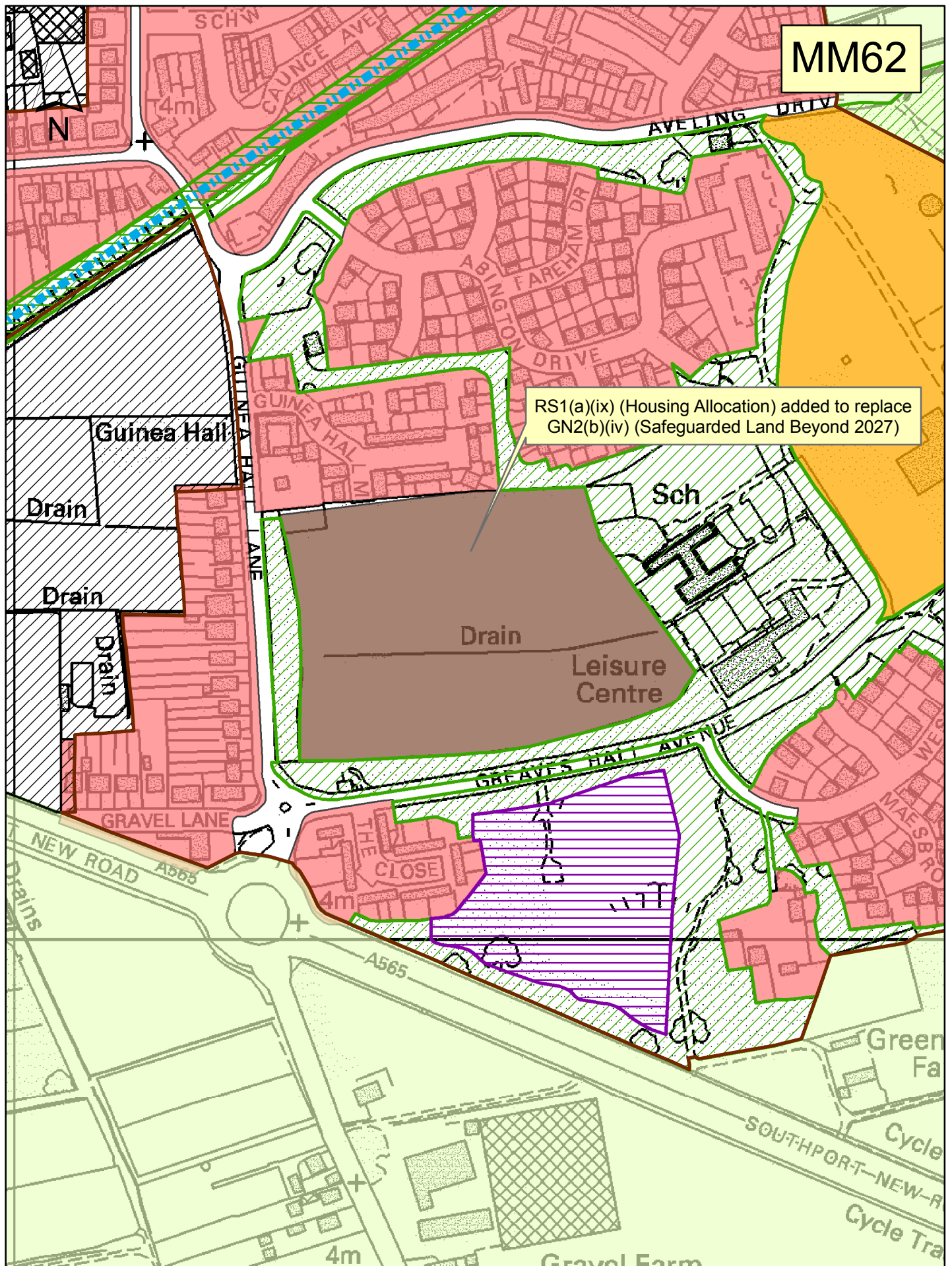
Yours sincerely,

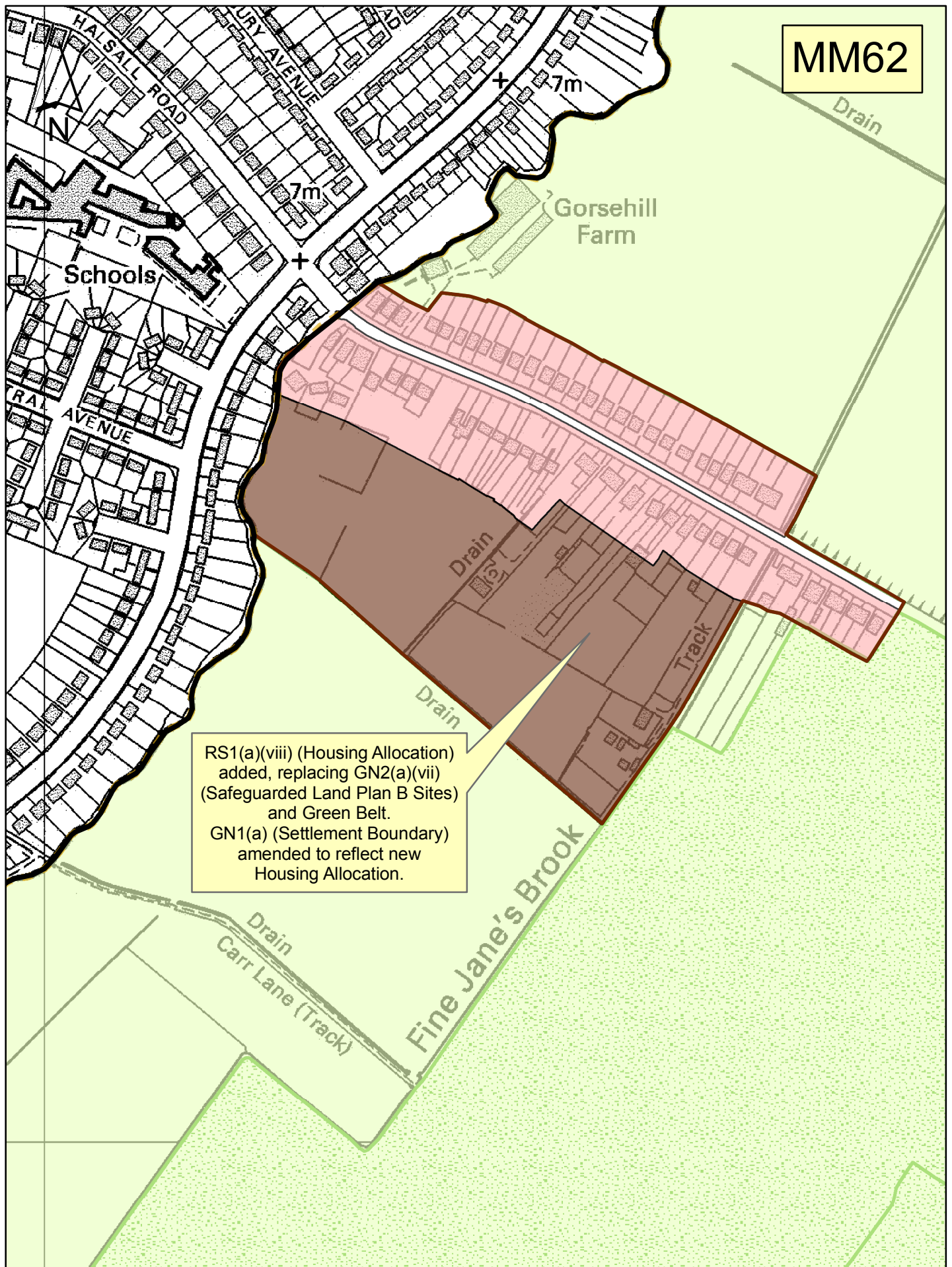


**Jonathan Clarke**  
Policy Manager - Places

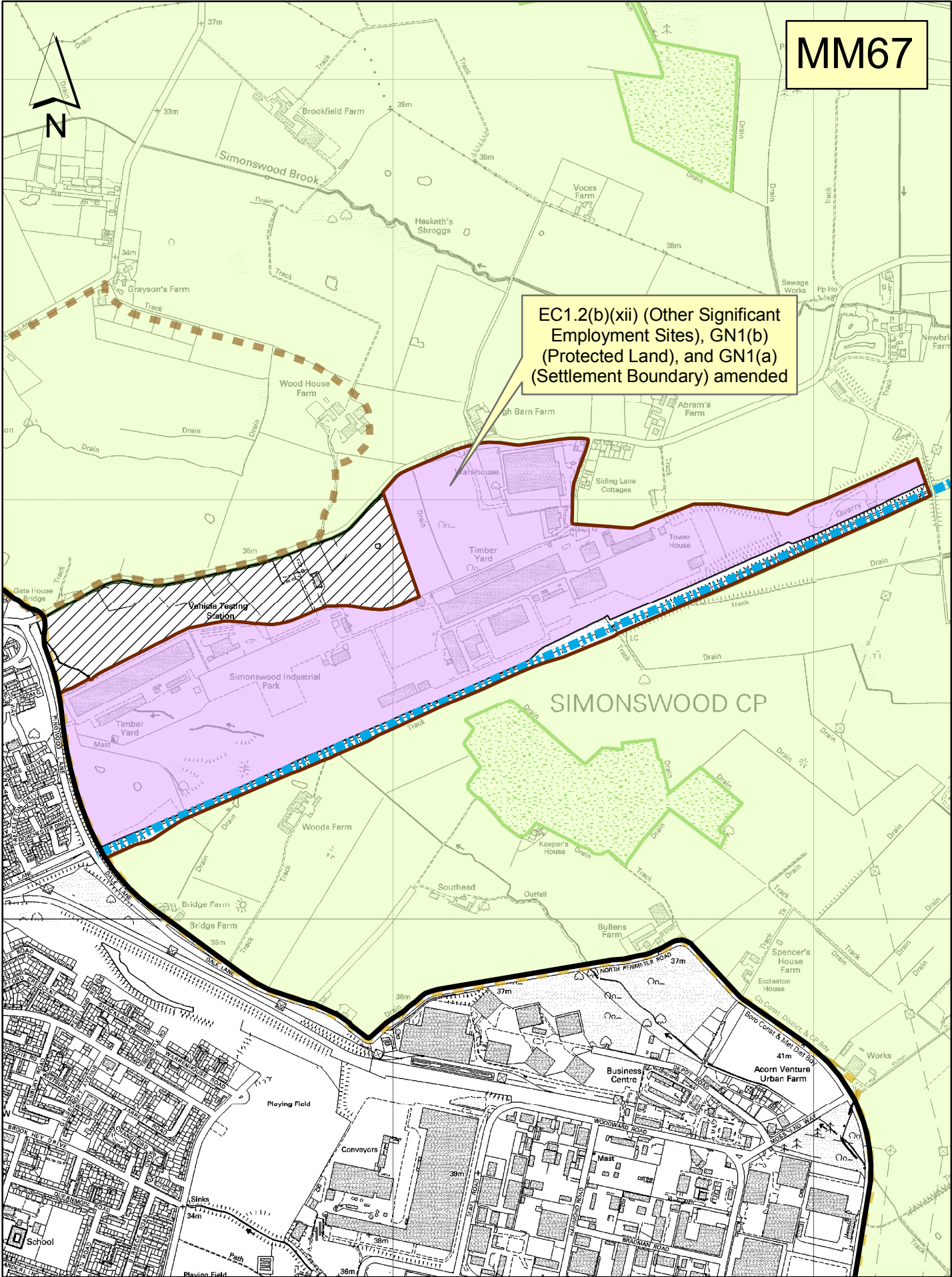
**Appendix E: Maps of proposed additional housing and employment sites**







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**Knowsley Council**

**Please ask for:** Jonathan Clarke  
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**Email:** jonathan.clarke@knowsley.gov.uk

Peter Richards  
LDF Team Leader  
West Lancashire District Council  
PO Box 16,  
52 Derby Street  
Ormskirk  
West Lancashire  
L39 2DF

Our Ref: West Lancashire / JC  
Date: 30 May 2013

Dear Peter,

**RE: MODIFICATIONS TO THE WEST LANCASHIRE LOCAL PLAN**

Thank you for your letter dated 17 May 2013. We understand that you need to address the issues raised in the Inspector's letter and we would like to assist in this process.

As you correctly state Knowsley Council did not object to the submission draft of the West Lancashire Local Plan. This included proposals to make more efficient use of the existing Simonswood Industrial Estate through a remodelling exercise and thereby effectively create the equivalent of about 5 hectares of "new" employment land. The basis for our approach on this was that although in our view the existing Industrial Estate is not well located or attractive for a wide range of employment uses it is also poorly laid out and would therefore benefit from internal remodelling if this were practicable. A future remodelling of this area would also have offered the opportunity to improve the current environment of the industrial estate.

It is clear that the Inspector is not (on the basis of available evidence) convinced of the deliverability of the remodelling exercise and has therefore asked you to consider how the 5 hectares of new employment land could be otherwise provided.

Unfortunately we do not consider that the proposal to allocate the additional 5 hectares of employment land in the area identified in the "Simonswood Ownership Plan" attached with your letter is the best way forward. The reasons for this were set out in the evidence which we provided for hearing session 12 (in response to the objection by Peel). Our concerns about any proposal to expand the current industrial estate into the areas that you have identified include:

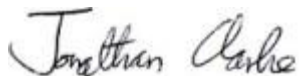
- The lack of evidence that these sites are in fact the most suitable to meet West Lancashire's needs given the minor nature of the highways which serve this area from the remainder of West Lancashire;
- the site is more closely linked to Knowsley in terms of accessibility but is not required to meet Knowsley's employment needs which are in our view suitably met by the diverse range and quality of sites for example in Knowsley Industrial Park; and
- the unnecessary competition that the expanded Simonswood site would present to the nearby Knowsley Industrial Park (KIP).

We would therefore stress the need for West Lancashire District Council to consider other alternative site options to provide the additional 5 hectares of employment land allocation requested by the Inspector.

If notwithstanding the above points West Lancashire does pursue a new site allocation at Simonswood the area edged in blue on the "Simonswood Ownership Plan" maybe slightly the least harmful. This part of the site is (unlike the area edged red on your site plan) at least adjacent to an existing employment use fronting Stopgate Lane and may therefore integrate slightly better with the character of the area. However, as mentioned above we would urge you to consider if there are better locations available in the West Lancashire area.

Please do not hesitate to contact me if you wish to discuss this matter again.

Yours sincerely,



**Jonathan Clarke**  
Policy Manager - Places

## Examination of the *West Lancashire Local Plan 2012-2027*

Please reply via the Programme Officer  
[Tony.Blackburn@westlancs.gov.uk](mailto:Tony.Blackburn@westlancs.gov.uk)

Mr P Richards  
LDF Team Leader  
West Lancashire Borough Council

15 May 2013

Dear Mr Richards

### **MODIFICATIONS TO THE LOCAL PLAN**

1. As I indicated in my letter of 29 April, I am now writing to set out my interim views on the modifications needed to those policies which cover the strategic and land allocation aspects of the Local Plan, in order to make the Plan sound. This letter covers policies SP1-SP3, GN1, GN2, EC1-EC4, RS1, RS2 and RS4, along with Chapter 10 and the Appendices.
2. I am sorry that this communication has taken rather longer to arrive than I had estimated at the last examination hearing session. As you are aware, that is because it has since become necessary to consult examination participants on the forthcoming revocation of the *North West Regional Spatial Strategy* [NWRSS] and on the Government's recently-published 2011-based interim household projections, and for me to take account of the responses to that consultation before writing to you.
3. In reaching my interim views, I have also given full consideration to all the representations made to date on the Local Plan as well as the discussions at the hearing sessions. The detailed reasons for my findings will be given in my report of the examination, which will be produced following consultation on the proposed modifications and will take account of that consultation. Thus not all the issues addressed in the examination are dealt with in this letter, whereas they will be in my report. Nonetheless, in order to assist understanding of the need for the modifications, I shall also provide an outline of my reasons for them in this letter.
4. My interim views may be altered, should that be justified in the light of further evidence, and are given here without prejudice to the conclusions that will appear in my report of the examination.

### **Housing land**

5. I find that **the total housing requirement over the Plan period is 4,858 dwellings**, that is, just over 200 dwellings more than in the submitted Local Plan. That figure is based on consideration of all the evidence on housing need, including the DCLG interim 2011-based

household projections which were published after the close of the examination hearings.

6. As West Lancashire does not intend to make provision for housing need arising in any other local authority, or expect any other authority to meet any of its own need, it follows that the figure of 4,858 dwellings represents what I regard as the full, objectively assessed need for housing in the borough over the Plan period. It is made up of two elements: 679 dwellings to make up the accrued shortfall in provision against the NWRSS requirement for the years 2003 to 2012<sup>1</sup>, and 4,179 dwellings to meet needs arising in the Plan period itself. The latter figure is derived by combining the household growth rate from the interim projections for 2011-2021 with (for the period after 2021) the average growth rate over the Plan period estimated in the *2011-based SNPP Scenario 2* produced for the examination hearings by Nathaniel Lichfield and Partners<sup>2</sup>.
7. I accept that some phasing of this overall housing requirement is appropriate, in the light of two factors. First, the continuing effects of the post-2008 recession on the demand for housing. Secondly, and perhaps more importantly, the fact that the Plan relies on the release of safeguarded and Green Belt land to meet a substantial proportion of the housing requirement, meaning that there will be an inevitable lead-time before houses can actually be built on that land. However, these are both likely to be short-term factors, and it is important that the anticipated recovery in housing demand over the period as a whole is not artificially constrained by any under-provision of land. There is a danger that this could occur if the heavily-staggered residential targets set out in Table 4.1 of the submitted Local Plan were adopted.
8. Bearing all this in mind, I recommend that **the housing requirement over the first five years of the Plan period, 2012-2017, should be 1,510 dwellings, or 302 dwellings per annum [dpa]**. This figure represents the average annual requirement derived from the 2011-based interim housing projections, that is to say 257 dpa<sup>3</sup>, plus a third of the accrued NWRSS shortfall<sup>4</sup>. **For the remaining 10 years of the Plan period, 2017-2027, the yearly requirement should be an equal annual share of the total residual requirement of 3,348 dwellings, that is to say 335 dpa**, in order to achieve the overall housing requirement by 2027<sup>5</sup>.

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<sup>1</sup> See Examination document SP.102, Table 3.2 (p9). The shortfall figure of 679 dwellings supersedes the figure of 750 in the submitted Local Plan.

<sup>2</sup> See examination document HS.145-01.

<sup>3</sup> The average annual household growth figure for West Lancashire from the interim projections is 247, to which an allowance of 4% for vacant and second homes needs to be added, giving the figure of 257.

<sup>4</sup> That is, 225 dwellings, arrived at by dividing 679 by 15, rounding the result down to 45 dpa and multiplying by 5.

<sup>5</sup> The sum of these phased requirements would exceed the overall requirement of 4,858 dwellings by 2, due to rounding.

9. Turning to housing supply, I refer to the *Updated Housing Trajectory* which the Council prepared for the examination hearings<sup>6</sup>. The upper part of that table sets out the expected delivery of housing for each year of the Local Plan period from each of the sites and groups of sites on which the Plan relies. I have no substantial concerns over the soundness of the housing site allocations in the submitted Local Plan. Based on the evidence provided to me at the examination, however, I consider that some amendments to the detailed delivery figures are necessary to ensure that they are robust and realistic.
10. The revised table attached at Annex A shows those necessary amendments, highlighted in red. In some cases the figures, where amended, are lower than the originals, as the evidence has led me to conclude that expectations of site capacity or, more commonly, likely delivery rate were over-optimistic. But in the case of Grove Farm, Greaves Hall Hospital and Alty's Brickworks there are increased delivery figures, reflecting more recent evidence on the capacity of those sites.
11. **I would ask you to reassess the housing trajectory based on these amended delivery figures.** It appears to me that one or more additional sites will need to be allocated for housing in order to meet the overall housing requirement identified in paragraph 8 above, and to ensure that a five-year supply of deliverable sites can be maintained in accordance with the advice in paragraph 47 of the NPPF. **In assessing the five-year supply, a 5% buffer should be applied,** as I do not consider that there has been a record of persistent under-delivery of housing in West Lancashire.
12. In the Council's evidence to the hearing session on Matter 8, you indicated that, if additional housing sites were found to be needed, it would be most appropriate to give consideration to those sites which are already safeguarded in the Local Plan and for which evidence of deliverability was provided to the examination<sup>7</sup>. Based on the evidence I have heard so far, I would agree with that assessment. As it is your Local Plan, however, it is appropriate that in the first instance **you should come forward with proposals for additional housing site allocations, together with an amended housing trajectory to demonstrate how they would meet the overall housing land requirement and ensure an adequate five-year supply.** I would ask you to do this as soon as possible in order that I can assess the proposals without undue delay.
13. You will of course need to ensure that the selection of the additional site allocations is informed by adequate Sustainability Assessment and any necessary assessment under the *Habitats Regulations*.

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<sup>6</sup> Examination document EX.131.

<sup>7</sup> That is to say, Parr's Lane (east) and (west), Aughton and Fine Jane's Farm and New Cut Lane, Halsall.

14. **Substantial consequential modifications will be needed to policies SP1, SP2, GN2 and RS1**, and their reasoned justification, to reflect these recommended changes to the housing requirement and supply. To ensure the effectiveness of the Plan, **I also recommend that the expected housing delivery figure for each allocated site is set out in policies GN2, EC3 and RS1**, as is already done in policies SP2 and SP3 and in Chapter 10.

### **Plan B and land safeguarded by policy GN2**

15. I endorse the concept of Plan B as a constructive response to the uncertainty inherent in planning for housing provision. It gives the flexibility to address unforeseen circumstances, including a substantial failure of the allocated housing sites to deliver at the expected rate, so as to maintain housing land supply. I also find that quinquennial reviews of housing delivery, as proposed in the Plan, are sufficiently frequent to enable supply to be maintained while allowing for peaks and troughs in the overall trend of provision.
16. Setting the trigger-point at 80% of the required level of supply is also appropriate, in my view, since it means that there would be robust justification, in the form of a demonstrated significant shortfall in provision over time, for the release of Green Belt land under Plan B which would otherwise be safeguarded for development after 2027. The provisions of Plan B would be supplemented by the mechanism contained in paragraphs 49 and 14 of the *National Planning Policy Framework* to address any failure to maintain a five-year housing land supply.
17. However, in order for Plan B to be effective, **I consider that it should be included in the Local Plan as a formal policy**, probably as part of Chapter 7. I suggest that the policy should be worded along the following lines:

*Land safeguarded in the Plan B category by policy GN2 will be released for residential development should any of the following circumstances arise:*

*[Insert the bullet points from paragraph 10.5 of the Local Plan]*

*In determining which of the Plan B sites to release, the Council will ensure that the capacity and deliverability of the released land is sufficient to meet the identified shortfall in housing delivery within the remainder of the Plan period.*

18. The rest of the text of Chapter 10 should be edited and relocated to provide a reasoned justification for the policy. I also recommend that the detailed timetable you provided for Implementation of the Plan B Triggers<sup>8</sup> is included in the reasoned justification to provide certainty over how the policy will be implemented.

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<sup>8</sup> Examination document EX.234.

19. I have no substantial concerns over the soundness of any of the sites safeguarded by policy GN2 as Plan B sites or as land for development after 2027. However, it may well be that the allocation of Plan B sites in the submitted Plan will need to be revised as a result of my recommendation at paragraph 13 above. In this context, **I recommend that consideration** (including any necessary Sustainability Assessment) **should be given to moving site GN2(b)(ii) (Land at Parr’s Lane (west), Aughton) into the Plan B category**<sup>9</sup>. This is because its merits as a potential Plan B site appear indistinguishable from those of the adjacent, proposed Plan B site at Parr’s Lane (east).
20. Putting both the Parr’s Lane sites into the Plan B category would not necessarily mean that both – or indeed either – would be developed if it became necessary to activate Plan B. But it would give greater flexibility in the choice of sites should that eventuality occur, including the option of bringing both Parr’s Lane sites forward at the same time. Doing so would enable a co-ordinated approach to be taken to their masterplanning and development, which is especially desirable given that the western site controls the access to Prescott Road and its bus services.

### **Affordable and specialist housing**

21. I am satisfied that the thresholds for the provision of affordable housing in policy RS2, and the proportions of affordable housing to be provided at each threshold, are justified by robust evidence, including the *Council’s Housing Needs and Demands Study*, *Affordable Housing Viability Study* and the more recent *Draft Community Infrastructure Levy Viability Report*<sup>10</sup>. The policy advises that viability will be taken into account when assessing individual schemes and allows for reduced provision in circumstances where development proposals would be rendered unviable by its requirements.
22. Policy RS2 also makes it clear that other specific requirements for affordable housing, including tenure, size and type, and provision of lifetime homes, will be negotiated on a case-by-case basis. However, **the policy needs to include “affordable rented housing” in its bullet point on tenure**, as it is a category of affordable housing recognised by the NPPF.
23. As regards the requirement under policy RS1 for 20% of residential developments of 15 units or more to be designed to accommodate the elderly, I note that your proposed Main Modifications MM26 and MM27 would require any negative effect it may have on viability to be taken into account. While the overall need for homes for older

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<sup>9</sup> That is, if it is not included in your proposed modifications as an additional housing site allocation.

<sup>10</sup> Examination documents SP.104 & 101 & EX.121a & 121b.

people in the borough is demonstrated by evidence<sup>11</sup>, **these modifications are necessary to make the policy sound.**

### **Provision for gypsies and travellers**

24. I endorse the approach to this matter set out in the Borough Planner's letter of 11 April 2013<sup>12</sup>.

### **Employment land**

25. The employment land requirement, in the submitted Local Plan, of 75ha over the Plan period was arrived at by taking an annual average of the actual delivery of employment development since 1992 (excluding delivery in 1997/98 and 2003/04 which the Council regard as anomalously high), multiplying by 15 and adding a 20% contingency allowance. Even if the annual average calculation is better-balanced by excluding the two years of lowest delivery as well as the two highest years, the 15-year requirement would still lie comfortably within the overall 75ha allocation. There is no substantial evidence to show that employment land take-up in future is likely to exceed these long-term average rates. On this basis I consider that **the employment land requirement of 75ha over the Plan period is justified.**
26. It is likely that take-up will be low in the early years of the Plan period, due to the ongoing effects of the post-2008 recession. But I am not aware of any clear evidential basis for the staggered targets set out in Table 4.1 of the submitted Plan. There are no significant constraints affecting most of the land which the Plan identifies to meet the requirement. Nor is there any national policy requirement to demonstrate a five-year supply of employment sites, as there is for housing.
27. Thus I find no clear justification for the phased employment land targets in Table 4.1. **I recommend that they are replaced with a single figure of 75ha for the Plan period as a whole.** This is necessary to ensure that the Plan is sufficiently flexible to allow a rapid response to changes in economic circumstances.
28. Turning to the supply of employment land, the Council's *Technical Paper 3*<sup>13</sup> identifies about 40ha of undeveloped land in existing employment land allocations brought forward from the 2006 *Replacement Local Plan*. It also refers to 18ha of supply to be brought forward through re-modelling and regeneration of the existing Skelmersdale industrial estates. I am satisfied that these figures reflect a robust assessment of those existing sites, based on survey work carried out for the *Joint Employment Land and Premises Study* [JELPS] and your own Council's *Study into the Regeneration /*

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<sup>11</sup> See paragraphs 7.14-7.16 of the Local Plan.

<sup>12</sup> Examination document EX.405a.

<sup>13</sup> Examination document SP.602.



*Remodelling Opportunities of Employment Areas in West Lancashire*<sup>14</sup>. Moreover, I have no substantial concerns over the soundness of the new employment land allocations of 10ha and 2ha respectively at Yew Tree Farm and Banks.

29. The Plan also identifies 5ha coming forward on the existing Simonswood Industrial Estate through existing allocations and remodelling. The Table on pp11-12 of *Technical Paper 3*, however, identifies the 5.02ha at Simonswood allocated in the *Replacement Local Plan* as "unrealistic land supply". While the following Table, on p12, identifies 5ha at Simonswood as a regeneration opportunity, that does not appear to be borne out by the findings in paragraphs 4.2-4.8 and 5.3 of your own *Study into Regeneration / Remodelling Opportunities*. *Technical Paper 3* itself acknowledges that "further investigations will be required" into land availability at Simonswood. On this basis, I do not regard the Plan as justified in relying on the provision of 5ha of employment land at Simonswood.
30. Thus, on the evidence before me, **there appears to be a shortfall of 5ha in the amount of land allocated by the Plan for employment development**. I consider that this needs to be addressed, either by the submission of further evidence to substantiate the Simonswood allocation (on which other examination participants would be invited to comment), or by the allocation of one or more additional employment sites. If the latter course of action is taken, the advice in paragraph 13 above will need to be followed.

### **The Rural Development Opportunity [RDO] sites**

31. I have no substantial concerns over the soundness of the RDO site allocations at Greaves Hall Hospital, Banks, East Quarry, Appley Bridge or Tarleton Mill, Tarleton, in policy EC3.
32. In general terms, I also endorse the allocation of land at Alty's Brickworks, Hesketh Bank for development in accordance with policy EC3. However, despite the requirement in policy EC3(iii) for a masterplanned approach to the development of that designated RDO site, there is no evidence that the majority landowners wish to include other land within the RDO site, but outside their ownership, in any development which they bring forward. This is evidenced by the exclusion of that other land from the masterplan on which public consultation has recently taken place, and from the related Screening Opinion request to the Council<sup>15</sup>.
33. In this light, I consider that there is little prospect of achieving an effective, co-ordinated development of the RDO site as a whole. This particularly affects the land at Mill Farm which, in the *Replacement Local Plan*, lay within the rural settlement boundary of Hesketh Bank

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<sup>14</sup> Examination documents SP.201-216 & SP.223a.

<sup>15</sup> See examination documents EX.401a-EX.401e.

and thus benefited independently from the potential for development conferred by that policy.

34. Taking all this into account, **I find that the inclusion of the Mill Farm land in the RDO allocation is unsound, and that it should instead be designated as part of the Hesketh Bank Key Sustainable Village under policy SP1.** Through their development control powers, the Council should be able to ensure that any future developments on the Mill Farm and RDO sites are compatible with one another.

### **Edge Hill University**

35. I endorse the approach set out in policy EC4 to maximise the role of Edge Hill University and its benefits to the borough, while seeking to minimise its adverse effects. To update and clarify the policy, I suggest that sub-paragraph (i) should be amended to read:

*Supporting the continued growth, development and improvement of Edge Hill University and its facilities, in accordance with the approved masterplan, both on the existing campus and on the extension into the Green Belt to the south-east delineated on the Policies Map, where such development incorporates measures to alleviate any existing or newly-created traffic and/or housing impacts;*

and that sub-paragraph (ii) should be deleted.

36. The tree belts which marked the boundary of the Green Belt extension as shown on the Policies Map have been removed as part of the University expansion. NPPF paragraph 85 advises that Green Belt boundaries should be defined clearly, using physical features that are readily recognisable and likely to be permanent. **I would invite you to consider this matter further and come forward with detailed proposals for redefining the Green Belt boundary appropriately in this location.**

### **Retail capacity**

37. Paragraph 4.39 in the submitted Local Plan sets out the capacity for retail development in West Lancashire as a whole. Hence it is inappropriately located as part of the reasoned justification for policy SP2, which deals only with Skelmersdale Town Centre<sup>16</sup>. **I recommend that it be relocated to the reasoned justification for policy SP1**, where it would sit alongside the residential and employment land requirements. **The reference in the paragraph to “main towns within the Borough” also needs rewording** to make it consistent with the terminology used in the policy SP1 Settlement Hierarchy and/or in the Town Centre Hierarchy of policy IF1.

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<sup>16</sup> The same applies to paragraph 4.40 and the first sentence of paragraph 4.41 in Minor Modification Min 12.

## Appendices

38. Appendix B contains a series of objectives and targets, some of which are likely to be affected by the modifications recommended above, and **so may themselves require modification**. Appendices A, C, D and E are also likely to need to be updated to reflect current circumstances and the recommended modifications. I have no changes to recommend to Appendices F, G or H.

## Next steps

39. I am not inviting comments from the Council or any other party on my interim views as set out in this letter. They are provided for the purpose of identifying those matters of soundness on which I consider that further modifications to the Local Plan need to be brought forward. However, I would ask the Council to let me know as soon as possible if there are any points of fact or clarification you wish me to address.
40. I now invite the Council to propose main modifications to the relevant Local Plan policies to address the matters of soundness identified above, after carrying out any necessary Sustainability Assessment and *Habitats Regulations* assessment. Where you see a need for other (minor) modifications not specified in this letter I am happy for those also to be proposed.
41. Given that many of the main modifications are likely to be quite substantial, I have not at this stage commented on the modifications you have already proposed to the Plan's strategic and land allocation policies<sup>17</sup>. Once you have brought forward all the necessary proposed modifications, I would expect to engage in a process of dialogue over their detailed wording, similar to that which has just been concluded for the development management policies.
42. Following the conclusion of that process, all the proposed modifications will need to be the subject of public consultation for a minimum of six weeks. I will take the responses to that consultation into account in compiling my report and recommendations.

Yours sincerely

*Roger Clews*

Inspector

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<sup>17</sup> Examination documents Ex.403b & 403c.



**Equality Impact Assessment - process for services, policies, projects and strategies**  
**Appendix F**

<p>1. Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races / ethnicities / nationalities;</i>  <i>Men;</i>  <i>Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p><b>No</b></p>
<p>2. What sources of information have you used to come to this decision?</p>	<p><b>The Local Plan Evidence Base</b></p>
<p>3. How have you tried to involve people / groups in developing your service / policy / strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p><b>The Local Plan has been consulted upon extensively and report relates to a further public consultation exercise that is required by the Local Plan Inspector</b></p>
<p>4. Could your service / policy / strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:</p> <p><i>Eliminate discrimination, harassment and victimisation;</i>  <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); and</i>  <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p><b>Help – an improved Local Plan document will seek to deliver development, infrastructure and environmental improvements that benefit all and endeavour to support a more equal society</b></p>
<p>5. What actions will you take to address any issues raised in your answers above?</p>	<p><b>N/A</b></p>



## WEST LANCASHIRE BOROUGH COUNCIL

### **The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”)**

A meeting of the Cabinet will be held on 18 June 2013 at which Agenda Item 7(b) “West Lancashire Investment Centre – Staff Relocation” is to be considered.

Cabinet is advised to move into private session during that part of the meeting at which the item 7(b) “West Lancashire Investment Centre – Staff Relocation” is considered as it is likely, in view of the nature of the item of business, that if members of the public were present during that item, exempt information would be disclosed to them (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, namely ‘information relating to the financial or business affairs of any particular person (including the authority holding that information)’).

In accordance with Regulation 5(6) as the date by which the meeting of the Cabinet must be held makes compliance with the requirements of Regulation 5 (procedures prior to private meetings) impracticable, Councillor Paul Greenall, Chairman of the Executive Overview and Scrutiny Committee, has agreed that in respect of Agenda Item 7(b) the item may be considered in private (should Cabinet pass a resolution to exclude the public during this item) as the item is urgent and cannot reasonably be deferred as an early decision is required to provide certainty on the trading and financial position of the Investment Centre, and to ensure the uninterrupted delivery of services provided from that site.

Dated: 6 June 2013

Gill Rowe L.L.B (Hons) Solicitor  
Managing Director (People and Places)

Copy to: Notice Board  
Website