

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		
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 because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 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 (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<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.

PRESENT:

Councillor: D Westley (Leader of the Council, in the Chair)

Portfolio

Councillors:	P Greenall	Deputy Leader & Street Scene
	M Forshaw	Planning and Development
	A Fowler	Housing Finance, Regeneration and Estates
	D Griffiths	Town and Village Centres
	Mrs J Houlgrave	Landlord Services and Transformation
	D Sudworth	Health, Leisure and Community Safety
	D Whittington	Resources

In attendance: Moran & Pendleton
Councillors

Officers: Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing & Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Borough Treasurer (Mr M Taylor)
Transformation Manager (Mr S Walsh)
Strategic Planning & Implementation Manager (Mr P Richards)
Principal Member Services Officer (Mrs S Griffiths)

1. APOLOGIES

There were no apologies for absence.

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

There were no items of special urgency.

3. DECLARATIONS OF INTEREST

1. Councillor Sudworth declared a pecuniary interest in agenda item 6(i) (Council land at Whitemoss, Skelmersdale) as a company he does part-time work for provides services to Whitemoss, he knows the site owners and is also a member of the Whitemoss Community Fund Advisory Group. He left the meeting during consideration of this item.

2. Councillors Fowler and Westley declared non pecuniary interests in agenda item 6(c) (Use of Section 106 monies in Ormskirk) as Trustees of the Comrades Club.

4. MINUTES

RESOLVED That the minutes of the meetings of Cabinet held on 18 March 2014 and 16 April 2014 be approved as a correct record and signed by the Leader.

5. CONFIRMATION OF PROCEDURAL MATTERS

- RESOLVED
- A. That the appointment of Cabinet, Committees, and Working Groups for 2014/15, as circulated at the Annual Meeting of the Council on 11 June 2014, with the terms of reference included in the Constitution, be noted.
- B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be noted.

6. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 17 – 293 of the Book of Reports.

7. USE OF SECTION 106 MONIES IN UP HOLLAND AND HESKETH WITH BECCONSALL

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered requests from Up Holland and Hesketh with Becconsall Parish Councils regarding the enhancement of public open space and recreation provision within the Up Holland and Hesketh with Becconsall Wards.

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

- RESOLVED
- A. That the expenditure of the Section 106 commuted sum of £19,411 be approved for the project identified in paragraph 5.1 of the report.
- B. That the expenditure of the Section 106 commuted sum of £3,690 be approved for the project identified in paragraph 5.2 of the report.

8. USE OF SECTION 106 MONIES IN WRIGHTINGTON

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered a request from Wrightington Parish Council regarding the enhancement of public open space and recreation provision within the Wrightington Ward.

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

RESOLVED That the expenditure of the Section 106 commuted sum of £18,774 be approved for the project identified in paragraph 5.1 of the report.

9. USE OF SECTION 106 MONIES IN ORMSKIRK

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and Assistant Director Planning which considered a request from Ormskirk Bowling Club regarding the enhancement of public open space and recreation provision within the Derby Ward.

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

RESOLVED That in addition to the existing allocation of £40,000 Section 106 funds approved by Cabinet in November 2013, the expenditure of the Section 106 commuted sum of £136,000 generated from the redevelopment of the Comrades Club site in Ormskirk, be approved for the project identified in paragraph 6.1 of the report.

10. CCTV ANNUAL REPORT

Councillor Sudworth introduced the report of the Assistant Director Community Services which sought approval of the Council's Annual CCTV Report 2013/2014.

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

RESOLVED A. That the Annual CCTV Report 2013/2014, attached as an Appendix to the report be approved.

- B. That authority be delegated to the Assistant Director Community Services in consultation with the relevant Portfolio Holder to publish future reports.

11. CORPORATE PERFORMANCE INDICATORS Q4 2013-2014

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 March 2014.

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

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 31 March 2014 be noted.
 - B. 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 and Scrutiny Committee on 16 July 2014.

12. PROTOCOL FOR AMENDING OR ADDING NAMES TO COUNCIL OWNED WAR MEMORIALS

Councillor Forshaw introduced the report of the Assistant Director Planning which considered the adoption of a protocol for dealing with residents requests to amend or add new names of fallen servicemen on Council owned war memorials.

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

- RESOLVED
- A. That the protocol appended to the report (Appendix A) be approved.
 - B. That the Assistant Director Planning be authorised to implement the provisions of the application process identified in the protocol.
 - C. That authority be delegated to the Assistant Director Planning, in consultation with the relevant Portfolio Holder to determine any applications for amending or adding new names to Council owned war memorials in accordance with the agreed protocol.
 - D. That authority be delegated to the Assistant Director Planning in consultation with the relevant Portfolio Holder to make any minor amendments to the protocol deemed necessary following its implementation.

13. ADOPTION OF DEVELOPMENT BRIEFS FOR HOUSING SITES AT GROVE FARM, ORMSKIRK AND FIRSWOOD ROAD, LATHOM/SKELMERSDALE

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended the final development briefs for the allocated housing sites at Grove Farm, Ormskirk and Firswood Road, Lathom/Skelmersdale for adoption.

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 Grove Farm and Firswood Road Consultation Feedback Reports as set out at Appendices A and B of the report be noted.
 - B. That the agreed comments of Planning Committee set out at Appendix F of the report be noted.
 - C. That the adoption by the Council of both the Grove Farm and Firswood Road Development Briefs, set out at Appendices C and D of the report be approved, subject to any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of this report and its appendices by Executive Overview and Scrutiny Committee.
 - D. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

14. PROVISION OF PUBLIC OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended that the Open space and Recreation Provision in New Residential Developments Supplementary Planning Document (“the Open Space SPD”) be adopted.

The Assistant Director Planning circulated revised recommendations.

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

- RESOLVED
- A. That the agreed comments of Planning Committee set out at Appendix D of the report be noted.

- B. That the Open Space SPD, attached as Appendix A of the report, subject to any minor amendments to be made by the Assistant Director Planning in consultation with the Portfolio Holder for Planning and Development following consideration of this report and its appendices by Executive Overview & Scrutiny Committee, be adopted from the time at which the Council adopts a CIL Charging Schedule, and for the avoidance of doubt the current Open Space SPD shall remain in force until that time.
- C. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 17 July 2014.

15. COUNCIL LAND AT WHITEMOSS

Councillor Fowler introduced the report of the Assistant Director Housing & Regeneration which sought authority to resist the Compulsory Acquisition of land owned by the Council at Whitemoss, Skelmersdale.

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 be noted.
 - B. That the Assistant Director Housing & Regeneration in consultation with the relevant Portfolio Holder be authorised to take all necessary steps to conduct the Council's case in relation to resisting the Compulsory Acquisition of "the Land" by Whitemoss Landfill Ltd. and all matters incidental thereto having regard to paragraph 4 of the report.

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LEADER



AGENDA ITEM: 5

CABINET: 16 September 2014

Report of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Westley

**Contact for further information: Mrs J Denning (Extn. 5384)
(E-mail: jacky.denning@westlancs.gov.uk)**

SUBJECT: HRA BORROWING – PILOT SCHEME CABINET WORKING GROUP

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the resolution of Council on 23 July 2014 under the item 'HRA Borrowing' to ask the Leader to establish a Cabinet Working Group to investigate the feasibility of incorporating a pilot scheme using offsite manufactured low-carbon homes.

2.0 RECOMMENDATION

2.1 That the resolution of Council on 23 July 2014, detailed in paragraph 4.1 of the report, be noted and it be noted that, for the reasons stated in paragraph 5 below, the Leader has asked the Findon/Firbeck Cabinet Working Group to look into this matter as described.

3.0 BACKGROUND

3.1 It is for the Leader to appoint Cabinet Committees and Working Groups.

4.0 DECISION OF COUNCIL – 23 JULY 2014

4.1 During consideration of the report of the Assistant Director Housing and Regeneration in respect of HRA Borrowing, Council resolved:-

“That the Leader be asked to establish a Working Group of 4 Councillors (2 Conservative and 2 Labour) and 2 tenant representatives, advised by the Assistant Director Housing and Regeneration, to investigate the feasibility of incorporating a pilot scheme using offsite manufactured low-carbon homes. These homes produce on average 50% of the carbon emissions of traditional brick build homes and 50% lower fuel bills, reducing the cost both to the HRA and our tenants. These are companies that can supply these highly insulated 1, 2, 3 and 4 bedroom houses and bungalows, for which the panels can be erected onsite in just one day and that a report come back to Council within 4 months and appropriate resources be made available.”

5.0 LEADER’S VIEW

- 5.1 The Leader is concerned that delays would be caused to the project if another Cabinet Working Group was established looking into wooden prefabricated homes. He feels that the existing project should go ahead without delay but the existing Findon/Firbeck Working Group could look into the possibility of wooden prefabricated frames as part of planning a further project that can be held in readiness should the Government announce the availability of a new funding pot or further relaxation of the HRA borrowing cap.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There would be some financial/ resource implications arising from this report should the Leader decide to establish an additional Working Group, which would have to be borne by the HRA.

8.0 RISK ASSESSMENT

- 8.1 The Firbeck Revival Project is partly funded from “One for One Replacement” capital receipt funding. There is a requirement for this funding to be spent within 3 years of receipt, or else it has to be paid over to the Government with interest. Consequently there is a need to ensure the project is completed within a reasonable timescale.

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: 16th September 2014

Report of: Assistant Director Housing and Regeneration

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor A. Fowler

Contact for further information: Rachel Kneale (Extn. 2611)

Email: rachel.kneale@westlancs.gov.uk

Georgina Isherwood (Extn.5123)

Email: georgina.isherwood@westlancs.gov.uk

SUBJECT: STRATEGIC ASSET MANAGEMENT PROJECT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To update Members on the progress of the Strategic Asset Management Project and to advise on the outcomes of the Rufford and Aughton Park ward; to inform Members of the updated consultation process; and to seek approval to appraise the assets within the remainder of the Wards.
- 1.2 To update Members of and seek authorisation to dispose of a site located at Gillibrands Industrial Estate, Skelmersdale.

2.0 RECOMMENDATIONS

- 2.1 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.
 - 2.2 That the Ward Mapping Delivery Plan as set out in Appendix C is adopted and used by officers to map the remainder of the wards in the Borough.
 - 2.3 That the Member consultation process illustrated in Appendix D be noted.
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3.0 BACKGROUND

3.1 The Strategic Asset Management Project commenced in September 2010. The purpose of the project is to scrutinise all the Council's property assets, challenge the reasons for holding them and, if appropriate, produce a disposal strategy which will maximise the capital receipt for the Council. Each individual asset within the Council's property portfolio is reviewed and a comprehensive appraisal form is completed for each one. The appraisal forms are used to inform the Asset Management Action Plan, which in turn assists the decision making process as informed by existing delegations. Any proposed acquisitions or disposals exceeding the delegation limit are referred to Cabinet for a decision. To date asset reviews have been completed for the following wards:

Burscough West	Ashurst
Knowsley	Parbold
Wrightington	Digmoor
Birch Green	Scarisbrick
North Meols	Aughton & Downholland
Newburgh	Derby
Skelmersdale North	Scott

3.2 Some of the assets have development potential and, where appropriate, planning applications have been submitted to secure their enhanced value. To ensure there is no delay in marketing sites with an enhanced value anticipated to exceed the current delegation level of £20,000, authorisation for disposal has been sought as each ward is referred to Cabinet.

3.3 As detailed in the November 2013 Cabinet report, at the start of August 2013 the full time Graduate Planner Post was vacated. This position worked primarily on the SAMP. At the start of January 2014 the part time Principal Planning Officer post was also vacated leaving just one full time officer within the Regeneration Team. A Senior Planning Officer post was created and the post filled at the end of April 2014. Given the slippage that had occurred with the SAMP it was decided that a new Ward Mapping Delivery Plan should be created to reflect current workloads and staff resources (Appendix C).

4.0 CURRENT POSITION

4.1 The Rufford ward has a small number of Council owned assets, requiring the assessment of only 12 sites. The results are set out in Appendix A. Members will note that all sites have been identified as category 3 to be retained.

4.2 Similarly the Aughton Park ward required the assessment of only 10 sites as set out in Appendix B. Members will note that all sites have been identified as category 3 to be retained.

4.3 Since the November 2013 Cabinet Meeting, work has been continuing on sites previously approved for disposal. This can be summarised as:

- The sales of sites are near completion at Trevor Road in Burscough, Park Avenue in Ormskirk and Hoole Lane in Banks

- The sale of a site at Churchfields in Ormskirk has recently been completed.
- A site at Elmers Green Lane in Skelmersdale is currently being re-marketed.
- Work is continuing on the submission of Planning Applications at sites throughout the Borough and one has recently been submitted for residential development at a site on Sephton Drive in Scott ward.

- 4.4 The main changes to the Delivery Plan are the timescales now proposed to complete this exercise. Originally the Plan covered the time period January 2012 to December 2014. This has been extended by two years. This is in the main due to two members of staff now working on the project as opposed to three, along with the period of time when the SAMP was put on hold to allow other projects such as the Employment Area Remodelling Assessment, Ormskirk Town Centre Strategy and Garage Strategy to be progressed. Looking ahead to future projects and strategies along with the continuing current work involvement, it is considered that the additional two years is realistic and achievable. The order in which the Wards are to be mapped has not been altered. The only exception to the original Plan in these terms is Tanhouse. This was omitted from last year's programme as it is a large Ward with over 100 assets and only one Officer was working on the SAMP. The decision was taken to undertake the mapping of the two following Wards, Rufford and Aughton as they are considerably smaller in asset numbers and this allowed the Delivery Plan to stay as close to target as possible. Prior to the mapping of Wards recommencing, Officers will spend two months undertaking a broad sweep of all remaining Wards to ascertain if there are any "easy win" windfall sites that can be brought forward in a more timely fashion as opposed to waiting until the Ward within which the asset sits is appraised as a whole. This will potentially allow for any capital receipt income to be maximised at an earlier opportunity. Details of any such windfall sites will be reported back to Cabinet as appropriate.
- 4.5 Whilst the mapping of the wards was put on hold the opportunity was taken to review at and revise the notification process by which Ward Councillors and internal colleagues are notified and consulted on the Ward currently being appraised. The new process (Appendix D) is intended to involve Ward Councillors in greater depth at an early stage of the process. This is in terms of seeking opinions on assets and also proposals for development. It is anticipated that this additional consultation and involvement will greatly aid Officers and help in the process of determining which sites are suitable for disposal or alternative uses. It is also hoped that this early involvement with Members in the process will allow Officers to gain background knowledge on particular issues or problems within the Wards e.g. an area of land which regularly suffers from fly tipping could be looked at for disposal to solve the issue. Without the history of the site Officers may well not be aware of any problems and it is for this reason the increased interaction and discussion with Members is essential.
- 4.6 After a ward has been fully appraised it is proposed to discuss the findings and proposals with the Portfolio Holder and then Ward Councillors to ensure that there is agreement on the Categorisation of assets. Finally, prior to Planning Permission being sought on any site, further discussions will take place again with the Ward Councillors. This is in the main to gain the views and opinions of Members and also, where possible, local residents.

- 4.7 Overall it is considered that the new notification process will greatly improve the delivery of the Ward Mapping Plan, in terms of sharing background and historic knowledge of sites, particular issues within Wards and also delivering disposal and development opportunities in line with the key aims and purpose of the SAMP.
- 4.8 As previously reported, there will also be 'opportunity sites' when sites outside the wards being reviewed, require consideration e.g if an enquiry to purchase is made. Rather than lose a potential capital receipt, such sites will be considered alongside, and in a similar manner to, the wider programme of Asset Management. One such site is Garnett Place, which is an unused section of land that runs between two industrial units on Gillibrands Industrial Estate in Skelmersdale (See Appendix E). The Council has been approached by an individual wishing to purchase this land. Although a cycle path currently runs across this site, the prospective purchaser has agreed to pay for the cost of diverting this cycle path and is aware that the new path will need to be fully opened before the sale completes. As such, this site can now be considered for disposal and has been identified as a category 1 site.

5.0 PROPOSALS

- 5.1 Appendices A and B set out recommendations for all the sites in the Rufford and Aughton Park wards.
- 5.2 Officers will continue to spend time working on the assets previously identified within wards to progress to pre-application and planning application stages.
- 5.3 In accordance with the newly agreed Ward Mapping Delivery Plan, the next ward to be considered is Tanhouse.

6.0 SUSTAINABILITY IMPACTS

- 6.1 The outcomes of the Strategic Asset Management Project and the nature of any schemes that come out of this project will ultimately ensure a number of key objectives of the Community Strategy are met, including affordable housing, young and older people, the economy and jobs and better environment, plus cross cutting themes such as reducing deprivation in our communities.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 Cabinet will be aware that there are potential dangers of flooding the market if all the potential sites are released within a single location at one time and as such the Estates and Valuation Manager has been determining a timely release process which will ensure that best value is realised whilst producing a steady stream of capital receipts. To secure sales, all possible mediums have been utilised, including the Council's web site.

8.0 RISK ASSESSMENT

- 8.1 As previously reported, the project has demonstrated that many of the assets held by the Council have the potential for development or for being utilised in a different way. If this potential is realised, their value will be significantly enhanced either financially or as benefit to the community. There will be opportunities in some cases to generate capital receipts from their disposal. If the assets are not considered in a timely fashion, taking into consideration other development such as Skelmersdale Town Centre project, this could represent a significant loss of capital receipts for the Council or the reduction in value if a successful adverse possession claim is made by a third party.

9.0 CONCLUSIONS

- 9.1 It is important to continue to roll out the Strategic Asset Management Project across the Borough to enable all assets to be identified and assessed, but equally officers need to spend time working on assets categorised as 1 for pre-applications and planning applications. The project will ultimately ensure the asset register is fully up to date and the ownership of all the assets is challenged to determine those that are suitable for further development are identified and progressed.

Background Documents

West Lancashire Strategic Asset Management Plan, which is available at:
www.westlancs.gov.uk/living_in_west_lancs/regeneration_projects/action_plans.aspx

Equality Impact Assessment

The previous Equality Impact Assessment undertaken for the Cabinet report prepared for the September 2010 meeting will suffice for this report as the content of the project remains the same.

Appendices

Appendix A - Rufford asset recommendations
Appendix B – Aughton Park asset recommendations
Appendix C – Previously approved and proposed Ward Mapping Delivery Plan
Appendix D – Proposed notification process
Appendix E – Land at Garnett Place, Skelmersdale

APPENDIX A

Strategic Asset Management– Rufford Ward Recommendations

Site Ref	Site Location	Recommendation	Category
RUF 1	Land adjacent to 1-2 Flash Lane	Retain	3
RUF 2	Access road to Pumping Station off Highsands Avenue	Retain	3
RUF 3	Play area and Open Space off Highsands Avenue	Retain	3
RUF 4	Land Adjacent to 7 Highsands Avenue	Retain	3
RUF 5	Land adjacent to 8 The Grove	Retain	3
RUF 6	Open space adjacent to 2-28 Smithy Lane	Retain	3
RUF 7	Housing within Highsands Avenue	Retain	3
RUF 8	Highway land within Highsands Estate	Retain	3
RUF 9	Housing within Smithy Lane	Retain	3
RUF 10	5 & 8 Holmeswood Road	Retain	3
RUF11	Highway land Smithy Lane	Retain	3
RUF 12	4 Holmeswood Road	Retain	3

Key to scoring

1 - SEEK TO DISPOSE - Assets which have development potential which we would seek to dispose of with or without planning permission.

Assets which could be sold to adjoining owners eg pieces of land to enable curtilage extensions.

2 - DISPOSE IN FUTURE - Assets that have a worth which cannot be realised at the present time e.g. existing tenancy or lease agreements.

3 - RETAIN - Assets which should be retained.

APPENDIX B

Strategic Asset Management– Aughton Park Ward Recommendations

Site Ref	Site Location	Recommendation	Category
AP 1	Housing at 8 Gaw Hill Lane and 44 Liverpool Road	Retain	3
AP 2	Housing at 1 and 3 Scarth Hill Lane	Retain	3
AP 3	Housing at 4 and 5 Holly Lane	Retain	3
AP 4	Open Space at Victoria Road	Retain	3
AP 5	Open Space at Swan Delph Lane	Retain	3
AP 6	Landscaping at Cromwell Close	Retain	3
AP 7	Open Space at junction of Parr's Lane and Maltkiln Lane	Retain	3
AP 8	Housing at Liverpool Road and Rothwell Drive	Retain	3
AP 9	Garage Court off Moss Delph Lane	Retain	3
AP 10	Landscaping and Parking at Rothwell Drive	Retain	3

Key to scoring

1 - SEEK TO DISPOSE - Assets which have development potential which we would seek to dispose of with or without planning permission.
Assets which could be sold to adjoining owners eg pieces of land to enable curtilage extensions.

2 - DISPOSE IN FUTURE - Assets that have a worth which cannot be realised at the present time e.g. existing tenancy or lease agreements.

3 - RETAIN - Assets which should be retained.

Previously Approved Ward Mapping Delivery Plan

Prior to the agreement of this Delivery Plan, the following Wards had been appraised:

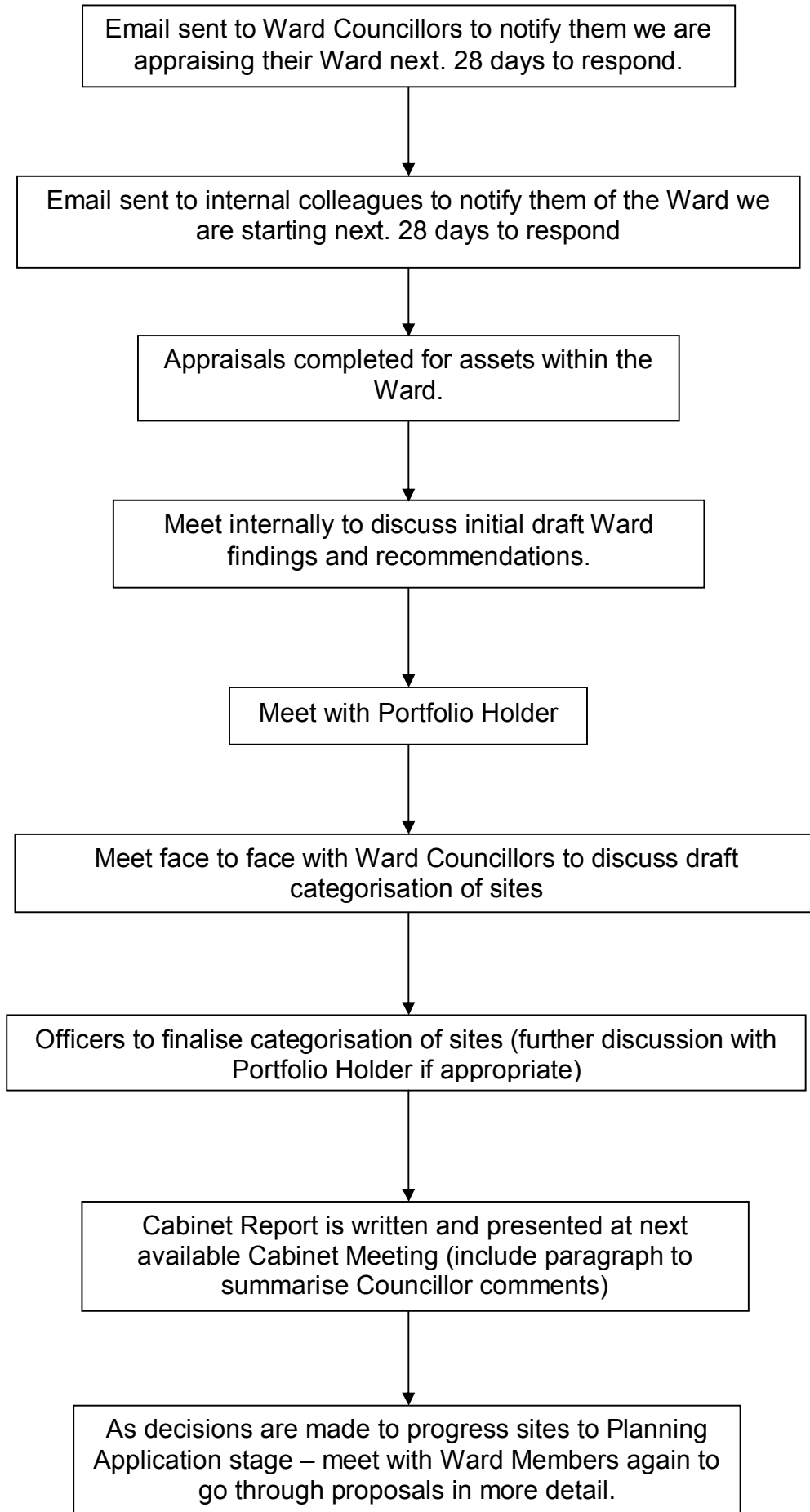
- Burscough West** – Cabinet Decision March 2011
- Knowsley** – Cabinet Decision September 2011
- Birch Green** Cabinet Decision January 2012
- Wrightington** 2012 – Cabinet Decision January 2012

Year 1 January 2012- December 2012	Ward	Ward Cllrs Notified	Internal Colleagues Notified	Decisions for Cabinet
January/February	North Meols	26.04.12	16.02.12	12 June 2012
February/March/April	Ashurst	26.04.12	16.02.12	12 June 2012
May	Parbold	26.04.12	27.04.12	11 September 2012
May/June/July	Digmoor	26.04.12	27.04.12	11 September 2012
August	Scarisbrick	20.07.12	20.07.12	15 January 2013
September	Newburgh	20.07.12	20.07.12	15 January 2013
Oct/Nov/Dec	Aughton & Downholland	20.07.12	20.07.12	15 January 2013
Year 2 January 2013- December 2013				
Jan/Feb/Mar	Derby	01.10.12	01.10.12	19 March 2013
Apr/May	Skelmersdale North	04.12.12	04.12.12	17 September 2013
June/July	Scott	05.06.13	05.06.13	12 November 2013
Aug/Sept	Tanhouse			
October	Rufford	11.10.13	11.10.13	16 September 2014
Oct/Nov	Moorside			
December	Aughton Park	5.11.13	5.11.13	16 September 2014
Year 3 January 2014- December 2014				
Dec/Jan	Burscough East			
Jan/Feb/March	Up Holland			
April	Bickerstaffe			
May/June/July	Skelmersdale South			
August	Hesketh-with-Becconsall			
Sept/Oct/Nov	Tarleton			
December	Halsall			

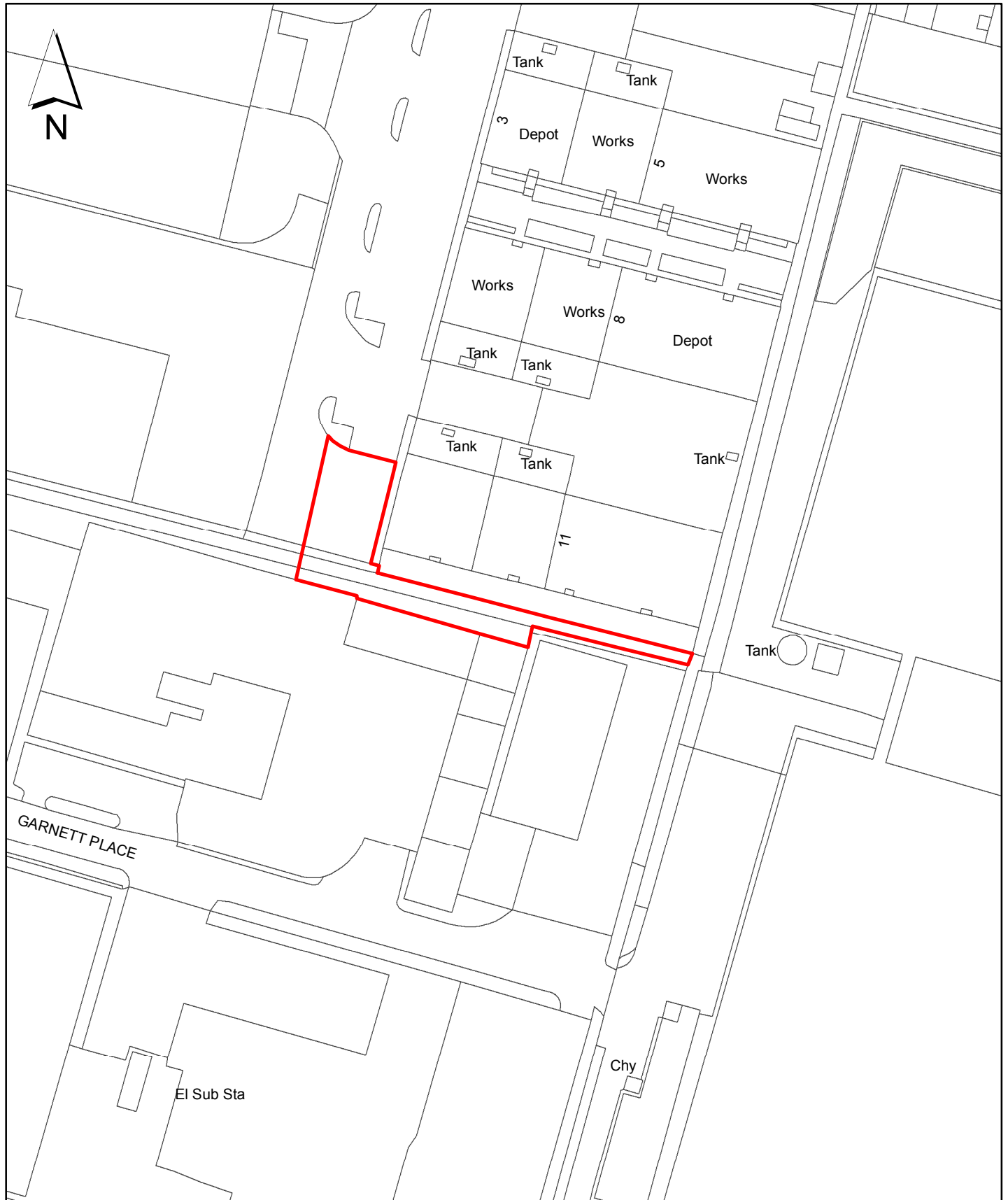
Proposed Ward Mapping Delivery Plan

Year 1 January 2012- December 2012	Ward	Ward Cllrs Notified	Internal Colleagues Notified	Decisions for Cabinet
January/February	North Meols	26.04.12	16.02.12	12 June 2012
February/March/April	Ashurst	26.04.12	16.02.12	12 June 2012
May	Parbold	26.04.12	27.04.12	11 September 2012
May/June/July	Digmoor	26.04.12	27.04.12	11 September 2012
August	Scarisbrick	20.07.12	20.07.12	15 January 2013
September	Newburgh	20.07.12	20.07.12	15 January 2013
Oct/Nov/Dec	Aughton & Downholland	20.07.12	20.07.12	15 January 2013
Year 2 January 2013- December 2013				
Jan/Feb/Mar	Derby	01.10.12	01.10.12	19 March 2013
Apr/May	Skelmersdale North	04.12.12	04.12.12	17 September 2013
June/July	Scott	05.06.13	05.06.13	12 November 2013
October	Rufford	11.10.13	11.10.13	16 September 2014
December	Aughton Park	05.11.13	05.11.13	16 September 2014
Year 3 January 2014- December 2014				
Sept	Broad sweep for Windfall Sites	Broad sweep for Windfall Sites	Broad sweep for Windfall Sites	Broad sweep for Windfall Sites
Oct/Nov/Dec	Tanhouse			
Year 4 January 2015- December 2015				
Jan/Feb/March/April	Moorside			
May/June/July	Burscough East			
Aug/Sept/Oct	Up Holland			
Nov/Dec	Bickerstaffe			
Year 5 January 2016- December 2016				
Jan/Feb/March/April	Skelmersdale South			
May/June/July	Hesketh-with-Becconsall			
Aug/Sep/Oct	Tarleton			
Nov/Dec	Halsall			

Notification process for SAMP



Land between Greetby Place & Garnett Place,
Gillibrands,
Skelmersdale,
WN8 9UL





AGENDA ITEM: 6(b)

CABINET: 16 SEPTEMBER 2014

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Mrs Natasha Bryan (Extn. 5098)
(E-mail: natasha.bryan@westlancs.gov.uk)**

SUBJECT: RISK MANAGEMENT

Borough Wide Interest

1.0 PURPOSE OF THE REPORT

1.1 To set out details on the Key Risks facing the Council and how they are being managed.

2.0 RECOMMENDATION

2.1 That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

3.0 BACKGROUND

3.1 Risk management is not about being 'risk averse' – it is about being 'risk aware'. Risk is ever present and some amount of risk taking is inevitable if the Council is to achieve its objectives. Risk Management is about effectively managing risks that could affect the Council and the community. It is also about making the most of opportunities and achieving objectives. By being 'risk aware' the Council is in a better position to avoid threats and take advantage of opportunities.

- 3.2 It is a best practice requirement that the Risk Management Policy and Strategy and the Key Risks Register are reviewed and reported to Members on a regular basis. Consequently it is our standard practice to report on Risk Management issues to Cabinet every 6 months.
- 3.3 Risk Management covers the whole spectrum of risks and not just those associated with finance, business continuity, insurance and health and safety. It also considers risks associated with service provision, compliance with legislation, public image (reputation) and environment. Key Risks are defined as the highest priority risks that may prevent the Council from achieving its objectives, or may result in the failure of a service, or the failure to comply with legislation. The Key Risks Register gives a summary of these risks and the work that is being undertaken to mitigate them, although many of these risks will have already been the subject of separate committee reports. In addition each Service maintains its own Service risk register of the specific risks that they face.

4.0 KEY RISK REGISTER

- 4.1 The Key Risk Register attached (Appendix A) shows the current Key Risks and the measures in place to manage those risks. The regular reporting of the Register provides Members with an opportunity to scrutinize key risks and provides assurance that these risks are being effectively controlled.
- 4.2 Some of the key risks and changes in the register are as follows:
- The previous risk on “Failure to deliver the Affordable Housing Strategy” has been replaced with a new risk on “Delivery of the Housing Strategy”, which reflects the new Housing Strategy that was agreed by Cabinet in March 2014
 - Failure to deliver a new Local Plan – Significant progress has been made on implementing the new Local Plan, and consequently it is no longer assessed as being a key risk and so it has been removed from the Key Risk Register
 - Government Benefit Reforms – The Department of Work and Pensions (DWP) are planning to implement new Universal Credit arrangements for a limited number of benefit claimants in West Lancashire from mid September. There is a separate report elsewhere on the agenda on entering into a Delivery Partnership Agreement with the DWP, which should help to mitigate the risks associated with this change
- 4.3 There are no risks that have been assessed in the “very concerned” category that would require urgent action at the highest level to reduce the risk to an acceptable position. There are a number of risks in the “concerned” or “uneasy” category but this is largely due to external factors that are not within the direct control of the Council.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 The successful management of the key risks facing the Council will ensure that resources are used effectively and efficiently.

7.0 RISK ASSESSMENT

7.1 The continued identification and review of key risks is essential to ensure the management and mitigation of those risks, the successful achievement of the Authority's objectives, and the maximisation of opportunities.

7.2 By continually monitoring and reviewing the Risks and the Risk Management Framework we will ensure that it continues to improve, develop and meet external assessment criteria and best practice requirements.

Background Documents

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

Appendices

Appendix A – Key Risks Register

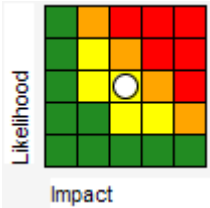
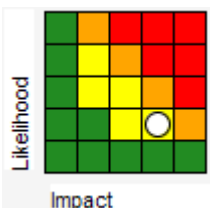
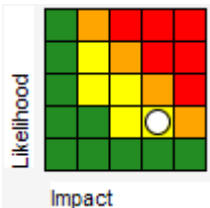
Equality Impact Assessment

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.

Appendix A Key Risk Register



Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Corporate Services: Borough Treasurer	Treasury Management Investments are riskier given current market conditions	The volatility in financial markets in recent years has meant that investments are now less secure than previously. There is the potential that significant sums of money could be lost.	There is a treasury management policy and strategy in place. Well trained staff make investments with the guidance of brokers and treasury advisors. Investments can only be made in top rated UK based institutions or other local Authorities and for a maximum of three months.	Borough Treasurer	Operational arrangements continue to be reviewed and monitored in the light of current market conditions. The treasury management outturn position for 2013/14 was reported to Council in July 2014.		5 Content
Corporate Services: Borough Treasurer	Achieving a balanced budget position for 2015/16	The latest spending review has announced further cuts in Government funding for 2015/16 which will need to be addressed to meet the statutory requirement to set a balanced budget.	The medium term financial forecasting process and business plan will set out how this financial challenge will be met.	Borough Treasurer	A new Business Plan for 2015/18 is currently being drawn up to address the Council's medium term financial challenges. There will be a series of financial reports to Committees in the next few months as part of the budget setting process.		10 Concerned
Community Services	Business Continuity - Potential for disruption	Lack of Business Continuity planning could have a severe impact on service provision across critical Service Areas.	Key Service areas have been identified and individual plans put in place. These plans are tested on a regular basis and updated accordingly.	Assistant Director Community Services	Key Service areas, together with their Business Continuity Plans, have been reviewed this year and have been updated accordingly. Major test exercise scheduled for November 2014.		4 Content

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Housing and Regeneration : Housing	Delivery of the Housing Strategy	<p>The Housing Strategy 2014 -2019 – is intended to deliver a series of plans across five housing objectives, namely:-</p> <ul style="list-style-type: none"> · Achieve the right supply of new homes including maximising affordable housing · Regenerate and remodel areas of Skelmersdale · Make the best use of all existing homes · Encourage well managed and maintained homes across all tenures · Encourage investment to meet specialist housing requirements · Deliver the Council's Sustainable Energy Strategy 2012- 2020 Residential and Domestic Sector objectives. 	Regular monitoring will occur via the Service Action Plan monitoring process. Each action contained in the Year 1 Housing Strategy Action Plan will have its own delivery risks.	Assistant Director Housing and Regeneration	The Housing Strategy was agreed at Cabinet in March 2014.		9 Uneasy
Corporate Services: Transformation	Failure to maintain supported ICT Microsoft Infrastructure	Several ICT systems/software applications coming to end of life in future years	The ICT Strategy has put funding in place and prioritised the refresh of infrastructure for 2014. A Strategy Board with WLBC/BTLS membership monitors the delivery of the strategy.	Transformation Manager	Addressed through the ICT Strategy		8 Uneasy
Corporate Services: Transformation	Failure to manage the impact of the Government's Benefit Reforms	The introduction of Universal Credits represents a significant change in benefit support and could have a major impact on benefit claimants and revenue collection including Council Tax and Housing rents.	A working group has been established with membership from DWP, WLBC, and LCC/BTLS to consider and manage the introduction of the various emerging changes regarding Welfare Reform	Transformation Manager	<p>A Member Update report on Welfare Reform was provided in June 2014.</p> <p>There is a separate report on a Delivery Partnership Agreement with the DWP included elsewhere on this agenda.</p>		8 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Council Wide	Loss of personal data	The Information Commissioner can take a range of actions against the Council for breaches of the Data Protection legislation including issuing undertakings to commit the Council to a particular course of action to improve its compliance with DPA, audit, serve enforcement notices and Stop Now Orders and, in the case of a serious breach, can serve a Monetary Penalty Notice up to £500,000. A loss of personal data would result in negative press coverage, damage to the Council's reputation, officer time and resources in addressing the breach and potentially action against the Council by the data subject.	<p>The Council has had Data Protection policies and associated working practices in place for some years. Corporate policies have been improved and updated. Service specific policies and procedures are in place for many services with the remainder being updated. Management of Council contractors remains a concern, although suitable actions are in place to address this. Senior Information Risk Owner (SIRO) arrangements are in place via an updated DP policy.</p> <p>Comprehensive training has been organised and delivered, with annual refreshers planned. A detailed Action Plan is in place and managed to assist compliance with this ongoing obligation.</p>	Managing Directors and Heads of Service	The original Action Plan has now been completed and a revised version created to carry forward continuing obligations and new requirements. This will continue to be reviewed and developed accordingly.		6 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Planning Services	Failure to deliver Skelmersdale Town Centre Regeneration	<p>Opportunity - The project will provide a mix of residential, commercial, leisure and education accommodation opportunities.</p> <p>Threat - We could fail to address the economic issues, not address residents' requirements and have an impact on the Council's reputation.</p>	<ol style="list-style-type: none"> Continue to consult with public where relevant. Collaboration agreement in place. Continue to engage with the "other" landowners to encourage their participation in the scheme. This risk is reviewed regularly as part of the ongoing project management. Maintaining regular contact with developer and potential retail / commercial / leisure occupiers. Project Board meets regularly to review progress. 	Assistant Director Planning	<p>Currently working with development partners, St Modwen, HCA and LCC:</p> <p>To explore alternative options to deliver retail/leisure/night time economy within the town centre; and</p> <p>To securing developer interest in respect of three housing sites located adjacent to the town centre.</p> <p>In addition we have sought to strengthen engagement with the owners of The Concourse.</p> <p>Work is also underway in relation to the Firbeck Revival scheme and construction of the town centre Youth Zone building.</p>		9 Uneasy

Level of Concern	Action Required
Very concerned	Urgent attention required at highest level to ensure risk is reduced to an acceptable level. Action planning should start without delay. Progress on actions should be reported to Joint Managing Directors and / or the Leader.
Concerned	Requires mitigation, contingency plan and identification of early warning indicators. Progress reported to DSH.
Uneasy	Acceptable. Requires mitigation. Reviewed at Head of Service Level.
Content	Acceptable. Keep under review but no action required unless changes occur.



AGENDA ITEM: 6(c)

**PLANNING COMMITTEE:
4 September 2014**

**CABINET:
16 September 2014**

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Miss Gillian Whitfield
(e-mail: gillian.whitfield@westlancs.gov.uk)

SUBJECT: YEW TREE FARM DRAFT MASTERPLAN

Wards affected: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To update Members on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and to recommend the “Draft” version of the document for a period of public consultation from 9 October – 21 November 2014.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

2.1 That the content of this report, the Yew Tree Farm Options Consultation Report and the Yew Tree Farm Draft Masterplan document be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

3.1 That Cabinet consider the contents of the Yew Tree Farm Options Consultation Feedback Report set out at Appendix A of this report.

- 3.2 That Cabinet approve the Yew Tree Farm Draft Masterplan document (Appendix B to this report) for public consultation from 9 October to 21 November 2014, having regard to the agreed comments of Planning Committee (provided at Appendix C to this report) and subject to any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Draft Masterplan Document by Executive Overview and Scrutiny Committee, as per recommendation 2.3 below.
- 3.3 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Draft Masterplan document, in the light of agreed comments from Executive Overview and Scrutiny Committee, before the document is published for consultation.
- 3.4 That Call In is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 2 October 2014.

4.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 4.1 That the content of this report, the Yew Tree Farm Options Consultation Report and the Yew Tree Farm Draft Masterplan document be considered and that agreed comments be referred to the Assistant Director Planning for consideration, in consultation with the Portfolio Holder.

5.0 BACKGROUND

- 5.1 Following the adoption of the West Lancashire Local Plan in October 2013, the Council committed to produce a Masterplan SPD to guide development on the Yew Tree Farm site in Burscough. This commitment was formalised and set out in writing within Policy SP3 of the Local Plan and a briefing report was brought to Cabinet in September 2013 to advise that work on this project was due to get underway.
- 5.2 During October 2013, contact was made with a selection of interested parties in order to establish a Stakeholder Group. The purpose of the group was to engage with every step of the production of the Yew Tree Farm Masterplan SPD and to help shape the document and how wider consultation on the Masterplan would take place. The group consisted of local ward councillors, portfolio and shadow portfolio holders, land owners, residents, local businesses, parish council representatives, voluntary sector bodies, infrastructure providers including, highways, utilities, education, public transport and other agencies such as the Environment Agency.
- 5.3 In total the Stakeholder Group met six times for the following purposes:
- Introduction and welcome meeting

- To consider the background evidence and issues relating to Yew Tree Farm
 - Review of the Burscough context and consideration of design concepts
 - To guide the consultation process
 - To consider the feedback from the consultation on the first options document
 - To consider the contents of the proposed Draft Masterplan document and to provide any initial feedback to further shape the document before Council approval and further public consultation in Autumn of this year.
- 5.4 Whilst the Stakeholder Group have been engaged with every step of the process, they are not a decision-making body and responsibility for production and adoption of the document rests solely with the Council. All notes and evidence that was made available to the Stakeholder Group is available on the Council's website at westlancls.gov.uk/ytf.
- 5.5 Since commencing work on the masterplan last October, Council officers have produced a baseline report which consolidated all of the available evidence relating to the site and identified all the main issues that the SPD would need to address.
- 5.6 Once the baseline was established, an 'Options' document was produced. This gave a detailed account of all of the issues associated with the site including key concerns such as drainage, highways and access. The report then suggested a number of responses to the issues and then set out four options for how the site may look and how each of the issues could be addressed.
- 5.7 The 'Options' Report was produced to encourage feedback on all of the possible responses to such issues including how the site should be accessed, what type of open space is required and which part of the site should come forward and which should be safeguarded from development. The public were also asked how the overall design of the site should look and were presented with four options to help demonstrate this.
- 5.8 A six week consultation exercise was then undertaken on the "Options" document in February and March of this year and the feedback from this consultation, along with Council responses to the comments and recommendations to be carried forward into the Draft Masterplan, are set out at Appendix A to this report.
- 5.9 The consultation exercise included a leaflet drop to all Burscough homes and businesses, posters, emails, four drop-in sessions held at Burscough Wharf and a school engagement session between Planning Officers and Year 9 students of Burscough Priory Secondary School. Almost fifty written responses were received, along with a number of completed questionnaires. The feedback reported has been considered in moving the Yew Tree Farm Masterplan SPD forward to the next stage.

6.0 CURRENT POSITION

- 6.1 Having regard to the feedback collected through the public consultation, Stakeholder Group meetings and one to ones with infrastructure providers, the Options document has been refined and a proposed Draft Masterplan has been produced and is set out at Appendix B.
- 6.2 The document sets out a high level framework to ensure the most appropriate type of development comes forward. It establishes the expectations of the site including what will be delivered, when and where on the site and this is supported by an indicative layout plan. A detailed account of the site constraints is included to ensure that all applicants are aware of the site context. The document then details a series of place-making principles which will act as criteria to assist applicants in preparing proposals for the site and the Council and statutory consultees in assessing these proposals.
- 6.3 The “Place-Making Principles” form the heart of the Masterplan and are set out under the headings Character, Connectivity, Climate and Community. Within each of these high level principles lie detailed criteria to address all aspects of the site’s delivery, including the key issues of drainage and highways that were noted by the Burscough community.
- 6.4 Character – This provides a useful starting point to the document and requires that any applications for development consider the existing landscape and features such as hedgerows, field demarcation and planting, when working up the site layout. This will help to provide a maturity to the site once development commences and will ensure a strong synergy between the new development and the existing countryside.
- 6.5 The Character Principle includes the following criteria based requirements:
- Density
 - Creative but simple designs
 - Good quality materials
 - Flexible and adaptable buildings
 - Integration – public spaces, buildings, design process
 - ‘Gateway’ to the site
 - Green corridors and water features
 - Primary Road Network – Creation of ‘boulevards’
 - Secondary Road Network – Narrower with appropriate massing of buildings
 - Access Routes – consistent street design
 - Architectural language – gradual changes
 - Contemporary interpretation of local townscape
- 6.6 Connectivity – seeks to encompass all aspects of movement around the site and the locality, addresses the local concerns with highways matters and includes the following principles:
- Overarching Connectivity Principles

- Proposed Connections
- Promoting Sustainable Movement
- Site Specific Highways and Transport Guidance

- 6.7 This portion of the document has been directly influenced by technical guidance and advice provided by Lancashire County Council as Highways Authority and includes requirements that the development is accessible to all, prioritisation of walking and cycling over car use, designing the site to access public transport, inclusion of safe vehicular access and that any proposals must be consistent with the draft West Lancashire Highways and Transport Masterplan.
- 6.8 One of the key delivery requirements of the site is that the Ormskirk to Burscough Linear Park must be developed along with a comprehensive walking and cycling network that will connect the site to the wider area. As the network extends beyond the site, developers will be required to support the delivery of the necessary improvements to ensure junctions and existing routes are compatible for sustainable transport use e.g. toucan crossings, junction improvements, cycle path installation.
- 6.9 In terms of highways matters, the document requires that a clear and legible internal road network is provided with 2 internal east-west link roads for connectivity, rather than relief, to the A59. Whilst both routes will not require completion at the outset of development, they must be completed alongside each phase of development, with one being completed within this Local Plan period to serve the initial phase of 500 houses and 10 ha of employment land. In addition, the northern route is likely to provide some HGV relief to Higgins Lane which may facilitate closure of Higgins Lane to through traffic in the future.
- 6.10 Access to the site should be limited to three primary points, one onto the A59 opposite Lordsgate Drive which should be signalised and two onto Tollgate Road, north and south, in accordance with each respective phase. The Highways Authority have provided clear advice that vehicular access into each individual parcel of land within the site directly from surrounding roads is not recommended in order to ensure a comprehensive and inclusive development comes forward and that this is particularly relevant along the A59 which is at its most congested between Square Lane and Mill Dam Lane.
- 6.11 The document also establishes which junctions will require some form of improvement works to ensure highway capacity and flow is managed within the area. All proposals must also be supported by a full Transport Assessment and Travel Plan, both of which require early engagement with the Highways Authority and will establish the specific impacts of each phase which will drive the specific mitigation measures required.
- 6.12 Finally, parking provision should be in line with Policy IF2 and a review of all Traffic Regulation Order's in the surrounding area of influence is required to better manage network operation and efficiency.
- 6.13 Climate – This section covers overarching climate change principles, drainage matters, green infrastructure and biodiversity. The matter of drainage has been a priority to the local community from the outset so the Draft Masterplan places

important emphasis on this by requiring a Drainage Strategy at outline planning that is comprehensive to the site and includes criteria such as:

- How the proposal accords with Policy SP3 requirements to reduce flows to New Lane WWTW
- A phasing plan
- A drainage design code to ensure no phase prejudices the delivery of Sustainable Drainage on any other phase
- Technical details
- Future management and maintenance
- Offsite drainage infrastructure improvements to support development

6.14 United Utilities have had direct input into the development of this aspect of the document and consider the requirements reflect recent good practice on large major development sites within the North West. Lancashire County Council, as the Lead Local Flood Authority, and the Environment Agency have also been engaged on this matter.

6.15 Other matters within this section include a requirement for Green Infrastructure to support recreation, biodiversity, flood alleviation, food growing (allotments), health & wellbeing and sustainable transport through a network of footways and cycle ways. Proposals must also be supported by a Habitats Regulation Assessment, Ornithology Report and must adhere to Environmental Impact Screening and Scoping requirements.

6.16 Community – This principle establishes how land use will be distributed across the site and the overarching healthy community principles which include:

- Community consultation on planning applications
- Mixture of housing tenures
- Adaptable homes - flexibility
- Variety of open spaces and links to encourage community cohesion in well-designed public spaces
- Strong connection with Burscough's existing centre
- Requirement for any new local facilities to be central to the site and easy to find

6.17 In establishing the land use principles the Council has had regard to community feedback and also the need for phasing the development and safeguarding a portion of the site from development during this Local Plan and until such a time as a need can be demonstrated to support the release. Land uses accommodated within the site include:

- Housing – 500 dwellings for this plan period and safeguarded land for a further 500 if needed in the future.
- Specialist Housing for the Elderly – land for 20% of housing to meet elderly needs.
- Employment – 11 ha of land for this plan period and 9 ha to be safeguarded.
- Local Facilities / Retail – central to the site with good access to elderly accommodation and employment area.

- Community Facilities – that cannot be delivered or supported in Burscough centre.

- 6.18 When considering which land to safeguard and which land to bring forward as the first phase of development, this has been influenced by the need to deliver important aspects of the infrastructure requirements including an internal through route within the site and the Linear Park. The land that has been identified as first phase is considered to ensure this delivery in a timely fashion with only limited parts of this land being multiple-ownership, thereby reducing the likelihood of delivery issues and conflict.
- 6.19 The layout has been designed in such a way that once the first phase of development is completed it should look and feel like a completed development within its own right. However, the overall layout allows for the safeguarded land to come forward as a potential second phase of development that links well with the first phase and will ensure that, if the whole site does ultimately come forward, it forms a single, cohesive neighbourhood.
- 6.20 The Draft Masterplan also makes reference to developer contributions and sets out clearly what the developers of the Yew Tree Farm are expected to contribute and through which mechanisms, including Community Infrastructure Levy and Section 106 Obligations.

7.0 NEXT STEPS

- 7.1 Subject to Cabinet's approval and agreed comments from the Planning Committee and Executive Overview and Scrutiny Committee, the Draft Masterplan will be published for a further period of public consultation. This consultation exercise will include activities similar to the spring 'Options' consultation such as drop-in sessions, leaflets and an invitation for written representations from consultees.
- 7.2 Following the close of consultation in November, all responses will be considered and any refinements necessary will be made to the document before the final Yew Tree Farm Masterplan SPD is produced. This will then be taken back to Cabinet in early 2015 for Members to consider the final document for adoption by the Council. Once adopted the SPD will form part of the planning decision-making framework and will assist applicants in preparing proposals for the site and the Council in determining such applications.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 The purpose of the Local Plan is to facilitate sustainable development in West Lancashire. The Yew Tree Farm Masterplan SPD, referred to above, seeks to facilitate the provision of sustainable development in West Lancashire through the provision of additional guidance. The Local Plan has been prepared in such a way that its objectives are aligned with those of the Sustainable Community Strategy.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The Yew Tree Farm Masterplan SPD will guide delivery of development at the Yew Tree Farm site which includes at least 500 homes within this Local Plan period. This development will attract revenue including New Homes Bonus, Community Infrastructure Levy and potential funding or infrastructure secured through Section 106 obligations. All of which has the potential to be used by the Council to help improve community infrastructure and local facilities. In respect of resource implications, the Masterplan SPD has formed part of the Strategic Planning and Implementation team's work programme since September 2013 and its preparation has required a significant amount of officer time, as well as Member input. However, this cost has been factored into existing planning service budgets.

10.0 RISK ASSESSMENT

10.1 This report seeks authorisation for the Yew Tree Farm Draft Masterplan to go out for a period of consultation with the public. Responses received will help shape the document further before a decision is required by the Council in respect of adoption of the document. Therefore, no decisions are being made at this stage. As such, this report does not require a formal risk assessment and no changes have been made to risk registers.

Background Documents

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

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
Adopted October 2013	West Lancashire Local Plan (2012-2027)	

Equality Impact Assessment

There is a direct impact on members of the public. 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 – Yew Tree Farm Options Consultation Feedback Report – Spring 2014
- Appendix B - Yew Tree Farm Draft Masterplan SPD (colour copies available via the Council Website or by request).
- Appendix C – Planning Committee minute 4 September 2014 (Cabinet only), Cabinet minute 16 September 2014 (Executive Overview and Scrutiny Committee only)
- Appendix D - Equality Impact Assessment

CONSULTATION SUMMARY REPORT

Masterplan Options Yew Tree Farm, Burscough

Feb-Mar Spring 2014

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Appendices

Appendix 1 – Consultation Representations and the Council’s Responses

1. Introduction

The development of a Masterplan for the Yew Tree Farm site as a Supplementary Planning Documents (SPD) will give supporting guidance for this development which has been identified as a strategic site through the Local Plan. Masterplans can be used to establish how a site may be laid out to accommodate the development and which areas of the site may be safeguarded for future development purposes.

Masterplans are normally prepared in consultation with the public and stakeholders such as infrastructure providers, regulatory authorities and, where appropriate, the developers, land owners and those with an interest in the land.

In accordance with this, and in addition to the work the Council has carried out with a specific group of stakeholders, the Council prepared a series of Options for the Masterplan and publically consulted on them between 6 February and 21 March 2014.

This document provides a summary of how the Council consulted, the general issues raised through representations and the Council response to those issues. This document also sets out how the Masterplan will be shaped as a direct result of the comments received, to illustrate how consultation informs decision making.

It should be acknowledged that the Council do consider all comments received, although may not always agree with opinions and therefore changes cannot be made in all cases. The Council are required to make balanced decisions, taking into account the views from all sides.

2. Consultation and publicity methods

The Council publicised consultation on the Masterplan Options through the following methods:

- Half page press advert in the free, local Champion paper
- Front cover 'headline' advert in the free, local Champion paper
- Leaflet distributed to all homes and businesses in Burscough
- Email / letters to all consultees on the consultation database, including statutory consultees
- Press release
- Posters displayed in Burscough shops and Burscough Bridge rail station
- Council website and social media (Facebook)

Throughout the consultation, planning officers were available to answer questions:

- At four exhibitions (two held mid-week 2-6.30pm, two held on Saturdays 10am-4pm)
- By email
- By phone
- In person at Council offices

Consultation materials were available to read at:

- Libraries
- Post Offices
- Council offices
- On the Council Website

Comments were invited through

- An online form available from the Council website (powered by surveymonkey)
- By returning forms through email or post
- An online questionnaire available from the Council website (powered by surveymonkey)
- By returning questionnaires through email or post

3. Summary of comments received

48 comments were received on Yew Tree Farm. A report containing those comments, in full, can be found on the Council webpage at www.westlancs.gov.uk/YTF or in [Appendix 1 to this document](#). Comments generally focused on a series of key concerns, as set out below. Further comments were received in relation to the actual options presented through the consultation and these are also detailed through this section.

Traffic, highways and transport

There were concerns expressed about creation of a new access road on the A59 given the proximity of a new junction to Lordsgate Primary school, and the ensuing fears for the safety of children. Many emphasised the problems that parents parking vehicles to drop off / collect their children creates to congestion and suggested that parking areas be provided to resolve this issue. It was felt that this would help reduce road traffic accidents.

The use of traffic lights at a junction also creates fears about increased congestion as traffic would 'back up' along the A59. However, complaints were received at the current difficulty in turning right onto the A59 from Higgins Lane due to the volume of traffic and subsequently support was also received for the installation of a light controlled new junction to facilitate easier navigation. Some also felt that this would improve safety in connection with Lordsgate School.

Some consultees registered their doubts over whether accurate assessments have been undertaken in relation to increased traffic flows and the impact on local roads, including 'pinch points'. This included whether assessments had been undertaken at school start and finish times when traffic is at its highest. Concerns were registered over the current speed of traffic, and the creation, or worsening, of existing rat –runs. Consultees questioned whether the recommendations of the surveys, for example remodelling junctions, would sufficiently address and resolve the identified issues.

A number of consultees suggested alternative locations for the proposed new junction onto the A59, including land opposite 230 Liverpool Road South in the gap between existing houses. Other consultees suggested additional accesses should be considered through the land at 77 Liverpool Road South and support for an access at Meadowbrook.

However, significant opposition to access to the site via Meadowbrook was also registered by many, including Lancashire County Council as the Highways Authority.

Support was registered for a 20mph speed limit on the internal road network of the site and encouraging delivery of cycle and footpaths.

It was highlighted that parking provision at the rail stations is insufficient with few available spaces.

Network Rail raised concerns over ensuring the safety of level crossings as a result of an increased volume of traffic and pedestrians and urged that considerations are made into how this traffic could be diverted and managed around the site. Network Rail also acknowledged the limited parking at stations but suggested that there was some small scope to extend the number of spaces using funding generated by developer contributions. Network Rail encourage the provision of cycle and walking routes to the stations, and support the case for improved frequency of rail services and the delivery of the electrification of the Ormskirk to Burscough line.

There were concerns over traffic and flooding in areas outside of Burscough, including Scarisbrick and Newburgh.

It was suggested that access to the employment land should be separate from the residential use to avoid adverse impact on residential occupiers. Creation of new roads should take into account the diversion of industrial traffic away from the residential areas, and to minimise congestion. An access was suggested at 77 Liverpool Road, which is an existing employment site currently for sale.

LCC submitted a series of recommendations and suggestions for vehicular access, cycle and pedestrian link, incorporation of existing public footpaths into the linear park, and internal roads which would support public transport services. These were submitted in relation to each of the 4 options.

Council response

Lancashire County Council (LCC), as the local Highways Authority, have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough alongside the Masterplan process, and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport measures.

In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission.

The Council is satisfied that the principles set out within the Draft Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Drainage and flooding

Many of the comments cited the issues relating to surface water problems, including flooding, on the site and registered concerns that these problems would be exacerbated once building commences. There were concerns that attenuation ponds would be insufficient.

Reassurances were requested that flooding issues will be tackled prior to, or during, development to ensure flooding does not occur on the site or within the surrounding area. Further surveys and evidence were requested to ensure that property and land will not be at risk. Some wanted reassurances as to which agencies would be responsible for resolving any issues, should problems occur in the future following development.

Concerns were registered over the safety of Sustainable Drainage Systems (SuDS) in the event children fell in to open water.

The Environment Agency (EA) re-iterated the importance of ensuring drainage is provided to the site. They stated that it is essential that no surface water from the site discharges to the existing combined sewer network and the treatment and disposal of surface water from the whole site is managed sustainably to prevent any increase in flood risk off-site.

The EA also support the requirement of SuDS within each phase of development, ensuring that all phases should then link together as a whole. A drainage scheme should include principles based on the hydrological and hydrogeological contexts of the site. The scheme also needs to include sufficient capacity for the surface water run-off from adjacent properties which is required to be removed from the current combined waste water network, as required by the Local Plan Policy SP3. The EA also set out a series of ecological principles for the ecology of the site and the water environment.

Council response

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated.

In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the development's own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Advice proposed by the Environment Agency in respect of flood risk, surface water drainage and ecology will be taken on board and will feature within the Draft Masterplan.

Education and Health

Many consultees cited concerns that the primary schools and secondary schools in Burscough are already at capacity and cannot take on more pupils.

Similar concerns were also voiced in relation to health provision, whereby an increase in the resident population generated by development of the site would create additional health provision demands that could not be managed.

It was proposed that provision for a school should be contained within the safeguarded land, so that a need could be assessed later down the line. For this reason, it was suggested a separate single access from Higgins Lane leading to a school site at the north of the site should be provided.

Council response

Lancashire County Council, as the Education Authority, has provided a high level analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the length of time it may take to deliver this site in its entirety. Therefore, assumptions may change in future.

Notwithstanding this point, LCC have determined that there is currently no need for the addition of a new primary school until beyond this plan period i.e. 2028 or whenever the Local Plan is reviewed. They have also confirmed that any interim requirements for additional primary school provision can be met through improvements and extension to existing primary school facilities and that this requirement should not occur until later in the plan period, beyond 2020. With regard to secondary provision, there is also a requirement for support to assist in the delivery of improvements and extension to the existing secondary school within this plan period but no indication that a new secondary school would be required at any point in the development of this site.

A requirement for development to contribute towards the delivery of educational improvements will be included within the Masterplan, subject to viability considerations.

The Council are aware that health provision in Burscough is under pressure, based on feedback from local GP Practices, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. The Masterplan will ensure that any development on the Yew Tree Farm site contributes to the delivery of improved health care provision which is likely to take place through extension and improvement to existing facilities within Burscough centre.

Community services and retail

Consultees registered concerns that development of the YTF site would threaten the integrity, vitality, viability and sustainability of the shops and services currently in the centre of Burscough.

A request was received that any developer generated funding should be given to existing community facilities e.g. the Arts Centre at the Wharf, to enable the services to continue and improve.

It was considered that a library, and any new services, should be located in the existing centre of Burscough using developer contributions. Similarly, it was felt that developer contributions should be used to provide improvements to existing sports facilities rather than provide entirely new ones. The YTF site should provide some element of outdoor play space along with a linear park.

It was noted that flexibility should be applied to the type of retail and local facilities to be located within the Yew Tree Farm site to ensure they are truly required and driven by market forces. In addition, a number of representations stated that the local facilities should be located within the centre of the site rather than close to the A59 to ensure they would serve the majority of the homes on the site and the employment area.

Council response

Comments relating to community services and local facilities, including small scale retail were all welcomed. The Council will ensure that the Draft Masterplan focuses any improved community facilities within the existing Burscough centre. The Draft Masterplan should also ensure that any onsite retail and / or local facilities are delivered closer to the centre of the site to ensure the best catchment area and that the components of such facilities are given a degree of flexibility to avoid the land being sterilised in the event the market does not deliver such requirements.

Non-material planning considerations

Many consultees voiced their concerns over the loss of value in their homes. A minority expressed concerns that there has been enough affordable housing provided in Burscough and that people should train and work sufficiently hard to be able to afford their own homes.

Council response

Whilst the Council empathises with residents genuine concerns regarding such matters, the planning system does not allow consideration of these factors in determining when and where land should come forward for development that will meet the needs of the Borough as a whole. This is to ensure that development can reasonably be delivered as these issues effect most people, regardless of the location of development.

Design

Support was registered for the development, with the recognition that employment, housing and infrastructure need to be provided or improved in Burscough. The need for good design was emphasised, taking into account the context and character of the surrounding area to encourage a 'sense of place'. There was support for a mix of houses, varying densities and design and creating a character which also integrates with existing built design.

Council response

Ensuring the development fits into the local context and delivers good design is a key concern to the Council and will be a fundamental principle of the Draft Masterplan document. Therefore, support for good design is welcomed.

Employment

It was considered that the north-west corner of the site is the most suitable for employment purposes, providing a logical extension to the existing employment area, and that live/work units could form part of such development subject to evidence of demand. Live/work units would also serve to provide a buffer between uses. However, some felt that to require live / work units was too stringent within a masterplan guidance document as there was no evidence that there was market demand for such types of development and this could be inflexible for delivery of development.

Other employment uses on the site should similarly be determined by market demand. In order to accommodate the predominant movements of traffic to and from the employment site, it was suggested that a link road should be provided on a west-east axis as shown on options 1, 2 and 4. However, this would need to be well designed to ensure it did not disrupt the amenity of the residential areas within the site.

In relation to the options proposed for development, the Environment Agency highlighted that a number of occupants on the adjacent industrial sites have their operations regulated by the EA under an Environmental permit. The location of new housing on the site therefore needs to be determined in mind of these operations.

Council response

The Council concurs with the majority of feedback received regarding employment uses and will ensure the Draft Masterplan seeks to locate the employment uses in the most appropriate place (north and west of the site), whilst factoring in the amenity of surrounding uses. Flexibility regarding the type of employment uses will also be considered whilst ensuring the document does provide some guidance on this matter. In respect of live / work units, whilst these were generally supported, some felt that they may not be delivered if there was no appetite for them. Therefore, to avoid potentially stifling development of a proportion of the employment land, the Draft Masterplan will support the delivery of such units but will not require it in order to provide flexibility in the document.

Housing

Social rented housing provision in Burscough was supported by some consultees, including the Parish Council. The Parish Council also supported public open space but raised concern that maintenance costs should be manageable.

Elderly housing was supported by consultees and it was felt that this should be provided during the first development phase, and located close to public transport and local facilities. If a secondary access could be provided to the south of the site, then it was considered that elderly housing would be suitable to be located here, as well as at the proposed main entrance to the north of the site. Although limiting delivery of elderly housing to one location was not considered entirely deliverable or appropriate.

Affordable housing should be provided with the residential development.

It was proposed that residential amenity should be protected through the segregation of employment and residential uses and the direction of construction traffic through the employment side of the site would assist in limiting the impact on residents. Landscape buffers should also be used to help protect amenity.

Council response

In accordance with the Local Plan policies the Council will support the delivery of elderly and affordable housing within the Draft Masterplan. In order to assist this, greater detail will be provided regarding the expected location of elderly accommodation and the proposed suitable mix and cross over between affordable housing and elderly accommodation types, based on current need.

Other

There was support for the provision of decentralised energy networks, carbon neutral development and standards for encouraging low carbon design. Renewable energy provision was deemed to be a positive inclusion, with support for solar panels in the design of residential and commercial properties.

There were still on-going objections to using agricultural farmland / Green Belt for development, and the volume of development which is being granted in Burscough – including the Pippin St development - and the fears that this would affect the character of Burscough.

Concerns were voiced that features promised as part of the development (open spaces, community facilities, shops) may not be provided when building work has been completed. A distrust of the development process generated calls for monitoring and enforcement should developers fail to deliver their promises.

Natural England submitted comments emphasising the importance of providing green infrastructure and urging the Masterplan to provide more details. Provision of green infrastructure will help manage environmental risks, and minimise adverse effects on biodiversity. Natural England refer the Council to a number of documents to provide examples of best practice, and reiterate the importance of ornithological surveys and mitigation of any impacts on SPA / Ramsar sites near to the development site.

LCC reinforced the need to consider the impact on local ecology and mineral resources on the site, which may impact on the layout, phasing and density of the proposed development. LCC also reiterated the need for latest education forecasts and the support for the provision of a new or improved library facility.

A suggestion was made that the employment site should consist of 10 hectares of high-tech greenhouses or a 500 bungalow retirement village.

Council response

Comments relating to support for various elements of the development were welcomed by the Council. Although some representations expressed concern regarding development that has taken place in Burscough in the past, the Council is satisfied that the delivery of the Masterplan document will assist in avoiding occurrences of incomplete or poorly designed development.

Comments submitted by Natural England were also welcomed and reinforced the Council's own views in respect of ecological and drainage matters. Additional guidance provided by Natural England will be included in the Draft Masterplan.

Phasing and Safeguarded land

It was considered that the phasing of the site should be dictated by the provision of infrastructure.

One consultee noted that the scheduling process should take into consideration risk and funding of land delivery. It was felt that the site should be identified as separate parcels of land dependent on the intentions of each landowner. Layout and delivery of the site could then be based on the likelihood of each of those parcels coming forward.

Areas of safeguarded land were suggested – primarily the land behind the existing properties on the A59, and the south-east section of the site.

Council response

Whilst the Council must have regard to the multiple land owners within the Yew Tree Farm site, decisions relating to land to be brought forward and that which is to be safeguarded will be based on expected delivery of both development and other key components of the Masterplan including infrastructure.

Comments relating to safeguarding land near to existing residential properties have also been noted but this is not considered the most appropriate reason for safeguarding land given adjacent uses would, in most cases, be compatible i.e. new residential adjacent to existing residential.

Consultation

Some objections were received in relation to the consultation, and the omission of adequate details which would enable the public to respond to the consultation. There was some confusion registered in relation to the full site being shown as developed, with people assuming that this meant safeguarded land had been abandoned. Furthermore, one person complained that the Council was misleading local residents by increasing the housing allocation from 500 to 'at least 500'.

Council response

Consultation was undertaken in accordance with national requirements and the Statement of Community Involvement.

The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered in a piecemeal way and that relevant infrastructure required in the event the entire site is developed can be planned for. Notwithstanding this, the Council still intends to safeguard a proportion of the site and a key element of the consultation was to ask the public which parts of the site should be safeguarded. The Draft Masterplan document will provide clarity on safeguarding and phasing of development.

The Options

There was broad support for most of the options, although Option 3 rarely received support. Each option was recognised as having its individual advantages and disadvantages and many consultees suggested the development of a hybrid option to take account of identified issues. Comments mirrored that detailed above and included:

- Allotments can provide buffer between employment and residential uses
- Elderly housing provision should be on north east side of site close to services
- Industry should be separated from housing
- Avoidance of rat-runs
- Access from Meadowbrook not supported
- Large green space in centre supported
- Support for closing access to Higgins Lane
- Demand for protecting current residential properties by securing green space behind homes

Hybrid options were presented by some consultees, including using the landscape options from Option 1, green spaces from Option 4, facilities and elderly accommodation as shown in Option 4, and employment areas of Option 3.

4. Questionnaire results

The results of the questionnaire reflected many of the comments submitted via written representation and are detailed below.

It is important to note that the percentages and numbers quoted below are representative of those surveys the Council received, and are not intended to show or suggest a wider opinion. Consultation is not a vote of popularity, and results are reported here for openness. The Council will use the quality of the arguments presented to inform decisions as the Masterplan progresses.

Q1. Where on the site should employment uses be located?

35 answered, 11 skipped

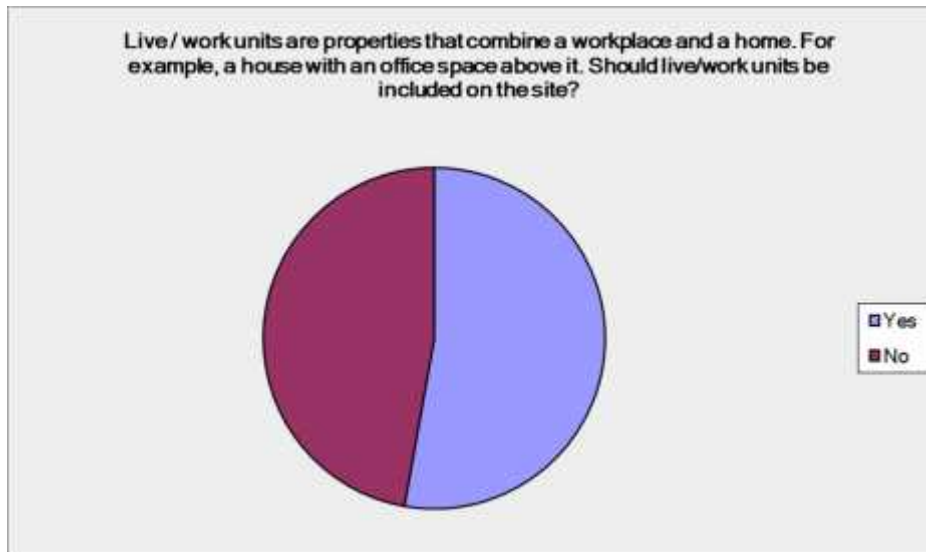
Almost all respondents supported employment uses being provided adjacent to the existing industrial site, and as far away as possible from residential areas. A minority of respondents had no opinion or maintained that no development should take place.

Q2. Live /work units are properties that combine a workplace and a home. For example, a house with an office space above it. Should live/work units be included on the site?

36 answered, 10 skipped

53% thought that live/work units should be provided on site. Some considered that these unit types would encourage start-up businesses and employment opportunities, act as a buffer between employment and residential uses, and reduce traffic as fewer people need to commute. Others thought that it would lead to a conflict of uses, it would lead to an avoidance of council tax, there would be little demand for the type of use, and would increase traffic.

Chart 1: Live/work units



Q3. What type of employment uses on the site do you support?

42 answered, 4 skipped

The largest support was received for office and light industry. The largest opposition was received for heavy industry and warehousing. It was considered that the latter uses would not be appropriate and there are sites elsewhere in the Borough (Skelmersdale) to accommodate these heavy industries. It was felt that lighter industries would bring more employment opportunities. Others felt that employment opportunities should reflect the skills of a local work force, and that Burscough will not attract large companies due to its location.

Q4. Where should elderly and affordable housing be located on the site?

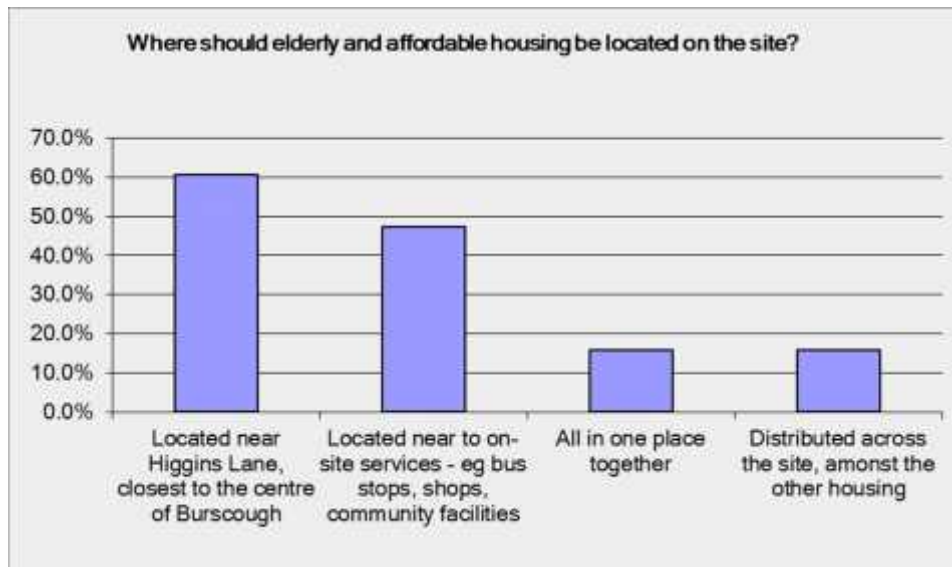
38 answered, 8 skipped

The greatest support was received for locating the housing near Higgins Lane, close to the centre of Burscough. There was further support for locating housing near to on-site services. A minority considered that elderly and affordable housing should be distributed across the site or be located all together in one place.

Some still felt that elderly housing anywhere on the site is too far from the village centre and amenities. It was suggested that elderly accommodation should be close to the A59 where bus services are more likely to be maintained. It was considered that locating the elderly housing together would provide opportunities for better socialisation between residents.

There was support for affordable housing, but also opposition. Some felt that affordable housing should not be provided in Burscough, as affordable housing should be provided in affordable areas.

Chart 2: Location of elderly and affordable housing



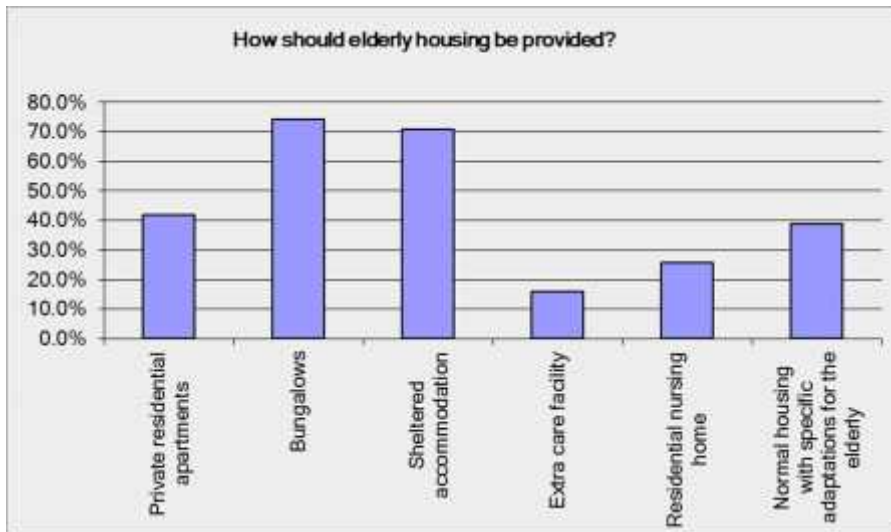
Q5. How should elderly housing be provided?

31 answered, 15 skipped

The highest support was registered for bungalows and sheltered accommodation. The lowest levels of support were for extra care facilities and residential nursing homes.

There was little supply for flats, with many stating that any development should be low rise and no higher than two storey. 'Whole of life' provision was supported, so that houses can be adapted as people grow old and their needs change.

Chart 3: Elderly housing provision



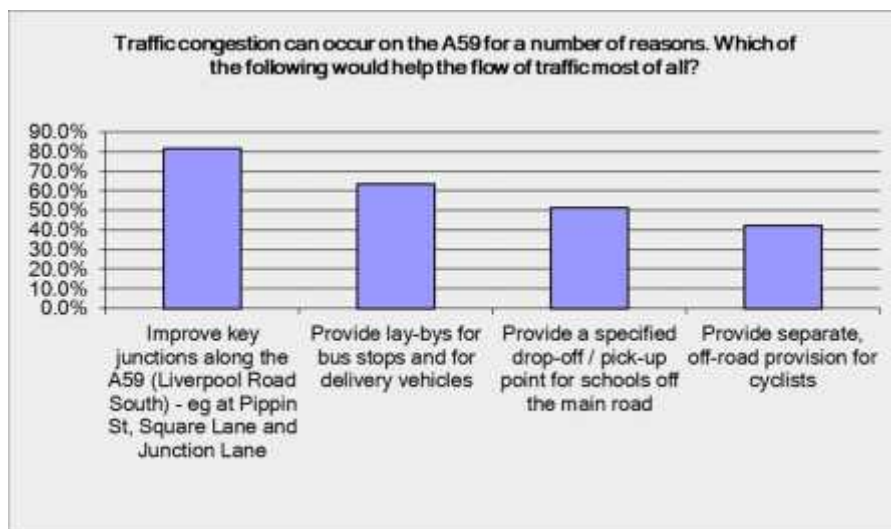
Q6. Traffic congestion can occur on the A59 for a number of reasons. Which of the following would help the flow of traffic most of all?

33 answered, 13 skipped

The highest support was registered for improving key junctions along the A59, followed by support for lay-bys and school pick-up / drop-off points along the main road.

It was suggested that multiple accesses should be created to the site in order to spread the impact of increased traffic. Traffic surveys and evidence should be used to recommend traffic improvements. There were further calls received for reducing the speed of traffic.

Chart 4: Reducing traffic congestion



Q7. Should a relief road through the site be developed to try and help reduce traffic along the A59

39 answered, 7 skipped

70% of responses supported a relief road through the site to try and reduce traffic along the A59.

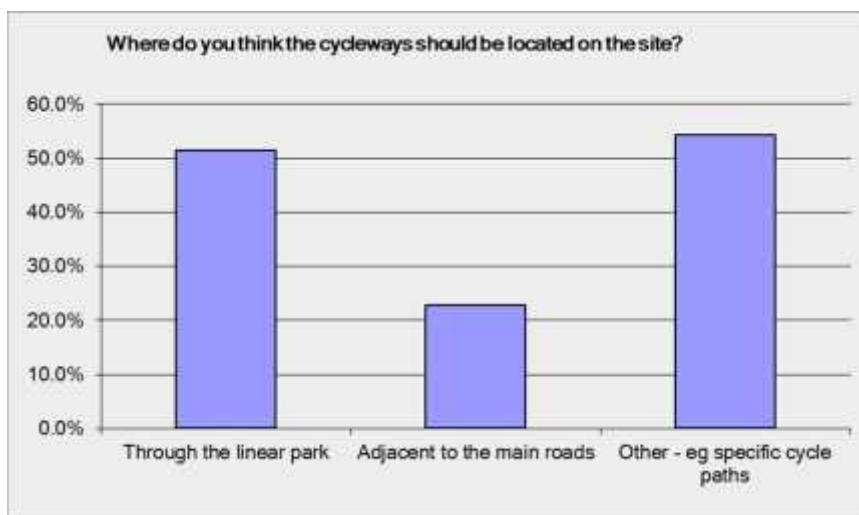
Suggestions were received that heavy traffic for the employment area should be required to use Tollgate Road. There were concerns that a relief road would create rat-runs

Q8. Where do you think the cycle ways should be located on the site?

35 answered, 11 skipped

The majority of responses supported the provision of cycle paths through the linear park, and the creation of specific cycle paths. Few supported cycle paths adjacent to the main roads due to safety issues.

Chart 5: Location of cycle-ways



Q9. Which would be the best route for cycle paths into the town centre?

34 answered, 12 skipped

The majority of respondents considered the best route for cyclists to the town centre would be along the A59.

Q10. How can we improve walking and cycling facilities in the rest of Burscough, to help encourage people to walk and cycle?

34 answered, 12 skipped

It was suggested that cycle paths need to be well thought out and well-lit to make them useable all year. They should be well placed so as to take users direct to the town centre, the employment area, public transport links and surrounding areas. The creation of shortcuts would also mean it would be quicker to cycle/walk than to drive. There should also be means of preventing motorcyclists from using the paths. Dog waste bins should be provided to encourage people to walk without mess.

There was a suggestion that the footpath running from Richmond Park through to Junction Lane should be used.

Q11. The current library is too small for Burscough and the building cannot be extended to make it bigger. A new library could be supported through the development. Where should the library be located?

36 answered, 10 skipped

80% of respondents supported a new library in the centre of Burscough.

Q12. Do you have any suggestions as to specific places a new library could be located?

27 answered, 19 skipped

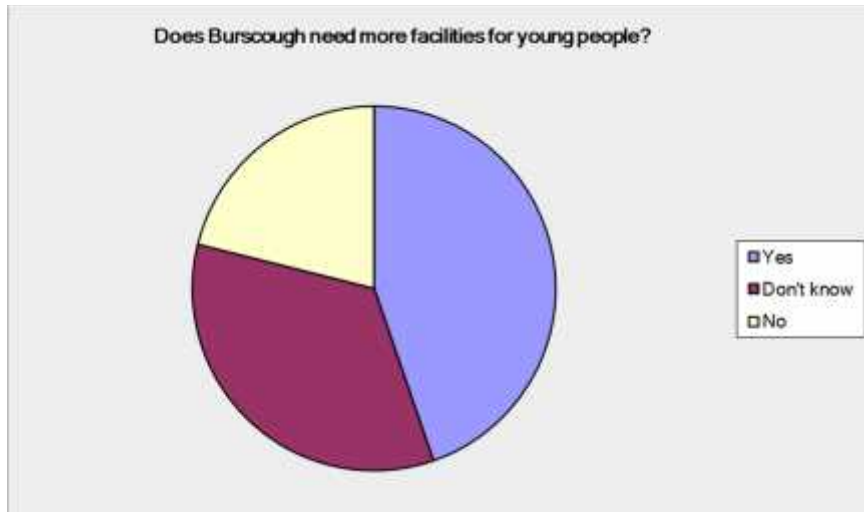
There were suggestions the library should be relocated in the former Co-op shop, at the wharf, the former police station, the Stanley Club, behind Tesco or near Burscough Bridge station / The Grove. All of these suggestions will be considered by the Council in consultation with Lancashire County Council who are responsible for providing library services across the borough.

Q13. Does Burscough need more facilities for young people?

38 answered, 8 skipped

The majority of respondents answered 'yes' or 'don't know' to this question. Suggestions include skate parks, astroturf football pitches, youth shelters, private gyms, cinema, bowling alleys, and paintball.

Chart 6: Facilities for young people

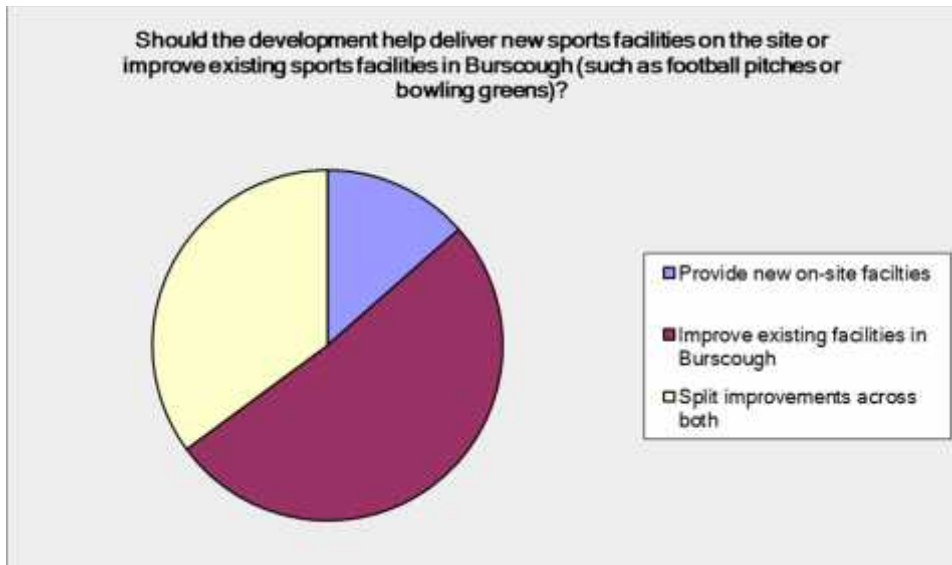


Q14. Should the development help deliver new sports facilities on the site or improve existing sports facilities in Burscough (such as football pitches or bowling greens)?

37 answered, 9 skipped

The greatest support was received for improving existing facilities in Burscough, and then for splitting improvements across both existing and new provision.

Chart 7: Sports facilities

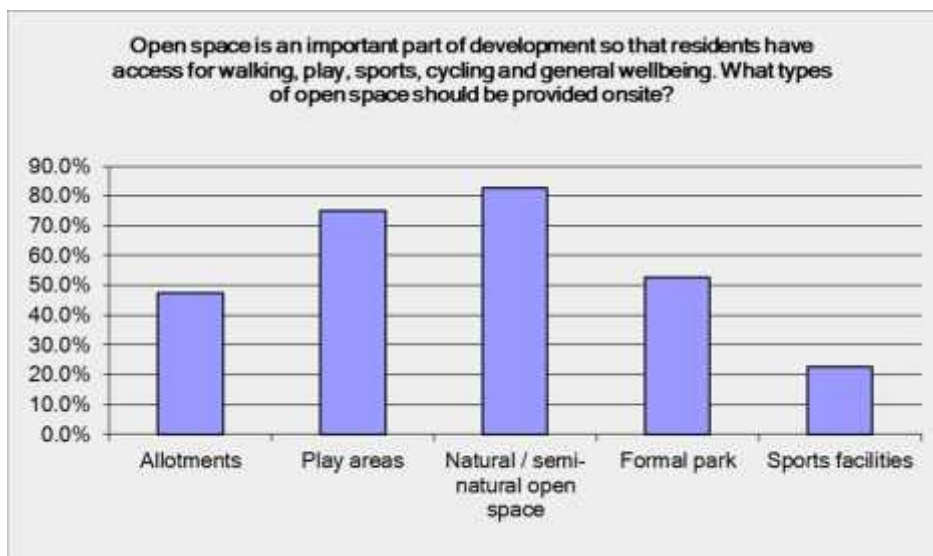


Q15. Open Space is an important part of development so that residents have access for walking, play, sports, cycling and general wellbeing. What types of open space should be provided onsite?

40 answered, 6 skipped

The largest support was received for provision of natural / semi-natural open space, followed by play areas, allotments, formal park and sports facilities.

Chart 8: Open Space provision



Q16. What are your main concerns about the development of this site and the impacts this may have on you as someone with an interest in the site or the local area?

40 answered, 6 skipped

Main concerns included flooding, transport and traffic, overcapacity of schools, loss of natural space, over development of the village, loss of rural identity, reduction in property values, loss of wildlife, noise pollution and disturbance, poor design, loss of character, open ponds, crime, lack of resources, empty homes.

Q17. It is likely that development on site will be phased. This means that development will occur in stages, usually with one block being built after another. How do you think phasing should occur?

31 answered, 15 skipped

The majority of respondents considered that phasing should start at the north-east and work in to the site.

Some felt that provision for affordable houses and the elderly should be addressed first as this is the only identified need, with market housing already being developed elsewhere. The natural starting point was felt to be where the A59 is widest and has adequate road frontage to the development site – at the north-east corner of the site.

Q18. Which areas of the site should be safeguarded from development until 2027?

30 answered, 16 skipped

Some considered that those areas of land closest to existing residential properties should be safeguarded so as to protect current residents – including that behind the A59 and opposite Higgins Lane. Others suggested the areas to the east of the site, the southern end of Liverpool Road, the land furthest away from village life and bus stops and also the Higgins Lane area. A few comments supported the safeguarding of the entire site so no development occurs.

Q19. Why should these areas be safeguarded?

30 answered, 16 skipped

Answers included: to protect property values, to prevent flooding, to cause minimal disruption to existing residents, to minimise traffic and to reduce the loss of rural land.

5. Burscough Priory School

The Council have been keen to engage with young age groups in relation to the development at Yew Tree Farm. Council Planning Officers visited Burscough Priory School to run 2-hour workshops with pupils from Year 9. All pupils were keen to engage in the process and a summary of the feedback is provided below.

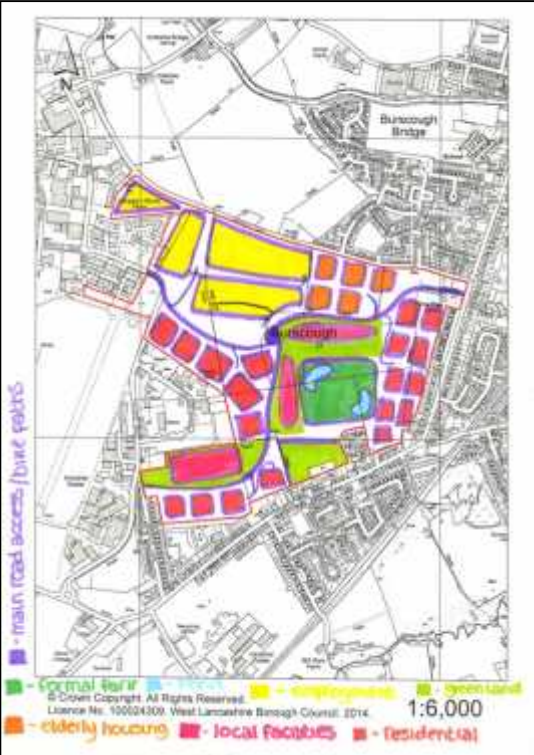
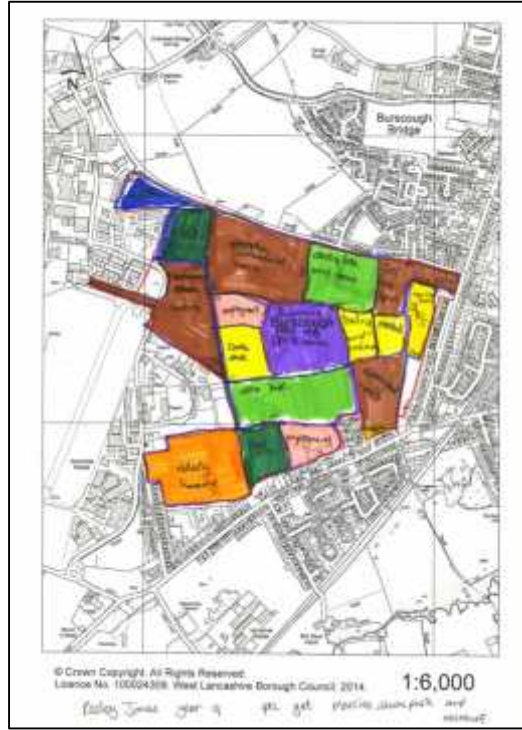
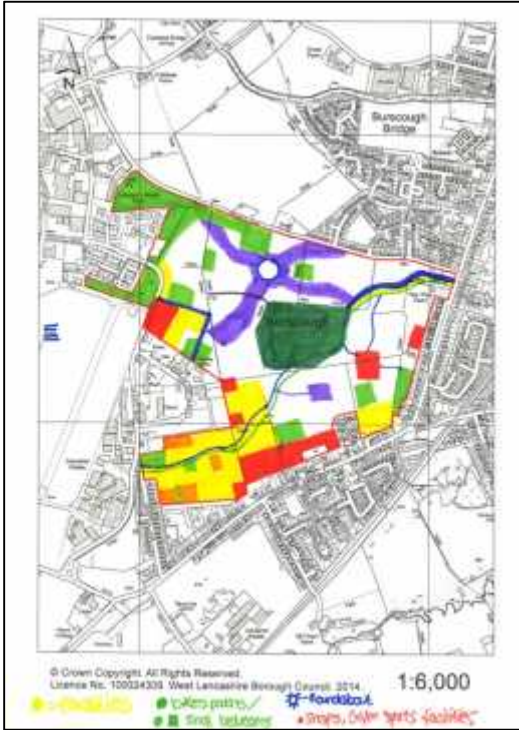
Pupils identified a series of positive and negative issues in relation to Burscough. Strengths included the wharf, community, train station, sports, easy to get around, proximity to the countryside and canal, farms, cycling opportunities and local services. Weaknesses included traffic, infrequent rail services, no football facilities, no youth facilities, no skatepark, no swimming pool, no fast food outlets and limited shopping.

Pupils then identified what they wanted the development to deliver. These included:

Improve sports and leisure facilities	Good design for the houses	Graffiti wall in the park
Appropriate access	Improve facilities for teenagers	Improve cycling and walking paths
Extended merseyrail to Burscough	Improved parks and good stuff to do for teenagers	Sensitive construction
Affordable homes	Wildlife centres	Medical centre
Walk-in centre	Eco-friendly design	Renewable energy
Good design	Teenage facilities	Job centres
Shops (basic)	Franchise shops	Offices
Hotel	Parks (little and big children, elderly)	Swimming pool
Astroturf	Skate park	
Camping	Hospital	Paint ball
1 st time buyers housing	Bowling	

Pupils stated that there was a demand for teenage facilities and things to do in Burscough. The Grove is generally used by younger children (under 13 years) and so teenage facilities are lacking. Pupils supported good design, with a mix of house types and affordable housing wanted, along with limits on the height of buildings (no more than 2 storey). Students suggested suitable locations for site access and how impact on local residents could be minimised. There were discussions over traffic, community services, public transport, sports facilities and protecting wildlife and agricultural land. Opinions were divided over whether fast food franchises were welcome in Burscough.

Pupils were then given the opportunity to design their own suggestions for how the site should be laid out, including giving consideration to what should be provided on site and which parts of the site should be safeguarded. Some of these suggestions can be found over the following pages.



6. Council actions and influences on the Masterplan

All methods of engagement including written representation, questionnaire responses, exhibition sessions, school session and the Stakeholder Group have proved to be extremely useful in cataloguing a significant level of detailed feedback from a broad section of the Burscough community.

All of the written representations have been responded to directly within Appendix 1 to this document.

In terms of moving the Masterplan forward to the draft final stage, a number of specific actions will be carried forward as a result of comments from representations. The broad direction for the site in terms of land use and layout will also be determined as a result of considering the overall feedback and technical advice supplied by infrastructure providers.

The below table lists a number of key actions that will be carried forward into the Masterplan. For clarity it does not list every matter, rather it focuses on the key issues that were flagged up through the consultation.

Action
Land use allocation of employment uses to the north and west of the site and housing towards the eastern side of the parcel with a landscape buffer between.
Elderly housing located in one location towards the north east of the site in the event an end user can be identified. Flexibility built into the document to allow this type of housing to come forward alongside each phase but to avoid pepper potting across the entire site. Greater clarity will be provided regarding delivery and cross over with affordable housing.
Primary access to the A59 to be located at the north east corner of the site south of Higgins Lane and to be signalised. Other accesses to isolated parcels to be avoided, particularly along the A59. Two accesses onto Higgins Lane to facilitate (but not require) the potential closure of Higgins Lane to through traffic. Two access points onto Tollgate Road connected to the main internal road layout. Inclusion of two east west link roads through the site for permeability.
Ensure consistency between the Local Plan and Masterplan requirements and text.
Support for Live / work units but no requirement to ensure flexibility.
Consideration for ecological impacts, particularly on the aquatic environment.
A drainage scheme for the site should be required that will not preclude later phases of development from coming forward. The scheme should address the requirements of Local Plan Policy SP3 and the impacts of climate change.

Action
Consideration of level crossing safety within any forthcoming Travel Plans.
Consideration of Natural England's Accessible Natural Greenspace Standards within the document and forthcoming applications.
Consideration to be given to addressing the school drop off issue associated with Lordsgate Primary School.
Linear Park to run through onsite green space and provide cycling and walking connections.
Reference to a design review panel as a requirement of the document.
Clarity provided regarding Open Space requirements and the source for this and a fair distribution across the site.
Ensure guidance on Environmental Impact Assessment is included.
Inclusion of assurances that will require delivery of the internal road layout alongside each phase of development.
Protection and upgrading of existing public right of way from Liverpool Road South through the site.
Connections should be made from the site to wider open space opportunities such as Platts Lane.
Requirement for allotments as open space within the site.
Community facilities to be improved or delivered within the village centre rather than on-site.

7. Conclusions / Next steps

The consultation responses have highlighted that there are still a large number of concerns in relation to specific issues including transport, traffic, drainage, design, housing provision, a linear park and open space and heritage and wildlife.

The Council has considered the feedback relating to these issues and will ensure that as the Masterplan is progressed, these issues are addressed. This may be through the layout and design of the site, direct requirements of any development coming forward on the site or as a requirement for further supporting information at the planning application stage.

Using the comments received through the consultation process, the Masterplan has been refined and the next version, the Draft Masterplan, will be published for further consultation in October and November 2014.

The final Masterplan will then be refined and adopted as a Supplementary Planning Document (SPD) in early 2015. This will then form part of the development plan framework and will assist in guiding applications for development on the site and decision making.

Appendix 1 – Consultation Representations and the Council’s Responses

Yew Tree Farm consultation - Comments received

Mr Leslie Abram

Organisation

Comments:

1. We vote for Option 1 on the Masterplan for Yew Tree Farm

2. We would like to point out that all 4 options have the entrance road on to the A59, across from Lordsgate School. We are deeply worried that this brings a highly dangerous situation for the safety of primary school children, as we believe the access road junction to A59 is to be controlled by traffic lights this will cause even more congestion on A59 cars are already parking on the main road and Higgins Lane to drop children off for school and there are always a number of cars on A59 at school start and finish times. Higgins Lane is already heavily used by traffic including articulated lorries, two junctions on to A59 with 200 yards of each other needs further investigation - maybe an entrance / exit road further [text unreadable] an estate. Would be a better option - needs looking into.

Attachments submitted?

Council Response

Comments noted. Whilst the masterplan is unlikely to establish all of the finer detail relating to the highways improvements it will indicate the primary access points to the site and their locations, and which junctions must be addressed and improved through the planning application stage. Highways improvements will be determined by Lancashire County Council in partnership with WLBC, and with consideration to sensitive uses nearby such as the school.

Mrs Lisa Allen

Organisation

Comments:

[No comments received]

Attachments submitted?

Council Response

[No comments submitted]

Mr Owen Barton

Organisation

Comments:

Thank you for the opportunity to comment – I have completed a questionnaire but though I'd send a form to go with what I've submitted.

Firstly, I am very much for new development of a mix of housing, services and employment can only be good for Burscough in the long term – I don't want to live in a dormitory, but I don't want to live in a sprawling suburban area either. The way I see it, Yew Tree Farm can only strengthen the case for better public transport, investment in infrastructure and give us a bigger and better choice of shops and services on our doorstep. The key thing though is to get this right. Burscough Wharf is an example of where you as a local authority have got it right. The public realm improvements made around Burscough Bridge (streets and station) are another example, but that's about it. If you care to look outside of the historic cores of Burscough Bridge, Junction Road Conservation Area and the straggle of Burscough Town, what is there?

Poor quality development and 'placelessness':

- bland ribbons of inter-war housing that do nothing for the townscape (A59, A5209)
- monotonous terraces and semis plonked around windswept areas of municipal grassland (Truscott estate, Richmond estate)
- Same as above but no grassland (Manors estate, Red Cat Lane)
- Indifferent treeless charmless dense post-war suburbia that could just as easily be in North Tyneside or Solihull as Lancashire (Rivington Drive, Ellerbrook Drive, the later bit of Manor Avenue, the bits the A59, Mill Lane / Glenroyd Drive, Weaver Avenue, Colbourne Close)
- The pack 'em in, make 'em detached culs-de-sac of 'aspirational' houses for the discerning commuter (Rees Park, Heathfields, 'The Carriages', Vicarage Gardens, Springfield Close)
- Pack 'em in, bits of ill-conceived infill.

It almost goes without saying I'm complaining about the fact that this lot has all been built and of course they provide much-needed homes and there are probably people out there who love and cherish these homes and fair play to them. My point is that there is an underlying placeness and dullness to each of these developments – regular densities; a lack of spaces between buildings; a lack of trees and hedges; a monotony of built form, materials, details, streetscape, boundary features; poor pedestrian linkages; a lack of integration into the wider town/village; a sense that no one thought about urban design – just fitting in the houses, traffic and meeting highways standards rather than making composed streets.

Those who are objecting to the principle of development on Yew Tree Farm at all (I think that ship has sailed and it's better to try and work with you), I would like to think that they perhaps subconsciously recognise this very same lack of character (a bleakness?) in just about everything built after around 1920 in Burscough and have no confidence that West Lancs can deliver anything other than the 2010's edition of this bleakness at Yew Tree Farm. And to be fair, who can blame them? If we look at recent permissions, 'The Carriages' is more of the same bland placelessness (despite its proximity to a Grade II Listed mill, canal and railway station), while my heart sank when I saw what the 80 recently approved houses off Abbey Road would actually look like, the mock-up facing the A59 looks like essentially the same 'anywheresville' houses built in the 1930s but from a different pattern book and at a higher density.

So, while Yew Tree Farm will have a 'masterplan', but will it improve the end product? How will it avoid being the maelstrom of computer generated, unit-maximising layouts and the laying aside of benign policies in the interest of target-meeting served up to a hubristic planning committee? Is this masterplan all rhetoric and lip service or do you as a planning authority belatedly recognise all of the crimes against local distinctiveness and placemaking that ring every pleasant bit of Burscough and now hope to do better? Get it wrong and Burscough will get yet another missed opportunity, but this one will particularly large in scale and very close to the centre.

If I suppress my cynicism, there appear to be flickers of hope offered by the Masterplan: you are proposing a mix of uses rather than purely housing; you are trying to lead the developers in terms of layout, distribution of uses and open spaces; there's the odd mention of varying density across the site; consideration given to linkages and traffic management; and you seem to be consulting residents at the right junctures of the process.

I have the following comments on the Design Concepts (by the way, why didn't you ask about them in the

questionnaire?!). Of the four design concepts nos. 2 (Central Focus) and 4 (Clustering) are in that order my preferred options for the following reasons:

- The Central Focus is the only one not to site shops and services in the corner of the site. By moving the shops and services into the middle of the site, they become more accessible to more of the residents on the Yew Tree Farm site, and provide more choice within walking distance to all of us folk on the south side of the A59 who are a mile or more away from the town centre (yes there will be Booths and new retail at Ringtail, but isn't that aimed at drivers rather than pedestrians?). By stuffing the shops and services in the corner of the site, it's near dwellings that are already comfortably close to the town centre. I feel the Central Focus will benefit the occupiers of the site (who themselves would be as much as a mile from the town centre) and an existing limb of Burscough along the A59 that is almost 100% housing.
- The central focus offers the opportunity to provide a big, well-defined public space that could / should be bordered by buildings of a commensurate height, mass and scale so that the space does not feel exposed and windswept, while the occupants of the higher / larger buildings will overlook a space of high amenity value. This central space and the larger scale buildings around it would help to vary the density, building height and form across the site and stop it being carpeted with two storey detached houses.
- The central focus is the far more 'civilised' option, mirroring in a way a square or village centre. It offers a logical location for shops, services and flats. It offers an obvious location for a bus stop, visitor parking, recycling facilities etc. The formal park is a defined space for dog walking, ball games, sitting and lingering – none of the open space options in the other layouts would achieve anything of this sort given the smaller size and less defined purposes of the smaller spaces. It is also something the entire southern end of the town lacks (Richmond Park is too hidden away). The central focus is also a natural stopping point for people driving through the site, which in itself may help slow traffic down in the same way that people stopping / parking does in Burscough Bridge.
- The central focus option is the one that least segregates the business uses from the rest of the site, which is ideal for offices or other uses that generate a lot of jobs. Office buildings could blend quite well with the larger scale buildings enclosing the central space.
- The central focus offers the most opportunity for placemaking: a core of distinctive buildings forming an attractive composition around a good piece of landscape design. I can't see any of the other options serving up this sort of opportunity due to the limitations of the layouts.
- The Clustering Option could have the almost all of the benefits outlined above, but only if the shops and services were clustered around the T junction shown in the middle of the site. This could give the site a proper heart and focus.
- With any option, please keep the footpath from Liverpool Road South by the Manor Road junction open as a route into the site so that the Yew Tree Farm provides an alternative pedestrian route into town.

The other things I would suggest are to subject the layout / more detailed scheme to Design Review: <http://www.designcouncil.org.uk/knowledge-resources/design-review-principles-and-practice> This way you would get strong, independent steer on urban design and placemaking to rival the developers' desire for ever higher density without a thought to urban design, composed architecture, quality public spaces and local identity. It would also show you as the local planning authority are serious about getting this development right for existing and future residents. We'll be stuck with whatever gets built for a lifetime, why not try and get a well-thought out layout and approach to design? It can't cost that much or add greatly to timescales?

The other thing is how would the site be divided up? Is it all owned by the likes of Persimmon or Wimpy? Is there scope for parcelling up particular components of the site to proper designers with rather than number crunching AutoCAD monkeys? How will you stop it from being carpeted with pattern book 'Denbys', 'Devizes' and 'Dovers' (and other developers' pattern book houses)?

The site offers potential for something really different and contemporary in terms of building design – most of the surrounding buildings are so bland and pedestrian – can we avoid building more of the same? Can we have a ruralised Harlow "Be" (http://www.hdawards.org/winning_schemes/supreme_winner/)? Will it stand the test of

time by providing good quality homes and open spaces like this rehabilitated 1950s dwellings in Norfolk (http://www.hdawards.org/archive/2009/winning_schemes/historic_winner/)?

To me a design review, splitting the site between designers and not letting the volume housebuilders have their way with the site would all be key steps. A design code and innovative approach to highway design and the design of open spaces are also a must. I hope this long rambling comment helps – we like Burscough enough to have made it our home. Despite my criticisms, it has a lot going for it and I would simply like to see it become a better place.

Attachments submitted?

Council Response

Support for development and the case for improved infrastructure and services are noted as are the specific comments about poor quality development and 'placelessness'. However, the purpose of a Masterplan for the Yew Tree Farm site is to avoid piecemeal and to require a new development that takes account of the context and character of the surrounding area but also encourages the creation of a 'sense of place' within the site itself. For clarity, whilst the Masterplan will guide development and encourage good design through overarching principles, much of the detail will not be known until the planning application stage.

Comments on the options are noted. However, the selling off of the site to interested developers / house builders is outside of the control of the Council and rests with the land owners of the site.

Dr

Brian

Bennett

Organisation

Comments:

Dear Sirs, Whilst the Master Plan goes into many details regarding the site at Yew Tree Farm there are few details about the provision of energy in the form of heat and power . This is clearly important as the Sustainability Appraisal shows that West Lancashire area already uses more energy and electricity than other parts of the North West and England as a whole .

The document does suggest that a district heating system supplying both heat and electricity could be installed . Despite the fact that such a system is not decentralised in the broad sense as they suggest it does not elaborate on the fuel that might be used for such a scheme . Whilst there is a possibility of using wood chips or wood from the local recycling depot , possibly augmented by wood from other sites , one wonders whether the temptation of using gas produced locally by fracking had also been considered . Ruining one part of the borough to ensure another has low energy bills in the first few years would clearly not be an acceptable way forward . One can assume that all these new buildings are going to be around for many decades so one must ensure that any new houses and industrial units are virtually carbon neutral and any residual energy that is needed is provided from renewable sources . Affordable housing with built in solar panels have already been built in parts of Cumbria so it is clearly possible and the Council should therefore set ambitious targets for the developers .

Perhaps it is also worth mentioning that it has been long established that building houses without employment opportunities leads to unemployment . It would therefore make sense therefore to concentrate on the measures to increase opportunities for local businesses in the area to expand before the widespread building of houses .

Attachments submitted?

Council Response

Comments noted. Policy SP3 of the Local Plan encourages a decentralised energy network on the site. At this stage of the masterplanning process there is no clearly identified mechanism regarding delivery of an energy network. However, further consideration of this requirement of SP3 is within the Masterplan and should gather momentum ahead of any planning application.

Policy EN1 of the Local Plan requires development to be designed to be carbon neutral, and the Council will use the Code for Sustainable Homes and BREEAM as its standards for development to encourage carbon reduction in new development.

The Council agree that employment opportunities should be encouraged and this site will provide at least 10 hectares of land for employment development within the Local Plan period (2012-2027).

MR

DAVID

BIRCH

Organisation

Comments:

Having read your information relating to the yew tree farm development I would like to express my grave concerns relating to a number of your points, firstly I don't believe a correct assessment has been made of the potential increase in traffic flow especially on to the A59, which in your documents you state suffers from "pinch points" (Village, Junction lane, Lordsgate School, Square lane, Burscough town and Pippin Street). Can I ask, was a traffic assessment completed during school (Lordsgate School) start and finish times as all of your options are suggesting a potential 500-1000 vehicles joining the A59 directly opposite a very busy school. This area already suffers greatly at start and finish of school times. Surely this is a disaster waiting to happen.

Secondly at present all our junior schools are full and yet you are increasing the potential number of pupils by 500-750 children.

Thirdly you state that only one addition doctor would be required to service this increase in population, in very generous estimates this would suggest this one doctor would be required to look after 1000 - 1500 people???

I would like to state that I do not agree with this whole development and rather than rewarding the land holder with a green light they should actually be prosecuted for purposely allowing a once fully working beautiful farm to fall into neglect. I do however live in the real world and as this whole exercise has ridden rough shot over all Burscough residents thoughts and feelings, I some how do not expect a great deal of notice being taken of mine or any other negative comments.

Attachments submitted?

Council Response

Lancashire County Council as the Highway Authority have carried out some traffic counting and modelling work at the peak times of the day and have considered the impact of traffic on the school journeys that pass through Burscough. As a result, a number of measures have been proposed by LCC to assist in mitigating any impacts of this development. Whilst it would be expected that traffic would increase in relation to school drop-off and collection times, this is restricted to twice a day, five days a week, and whilst it needs considering, it does not affect the highways for sustained periods. Furthermore, by providing improved pedestrian and cycle routes between the site and the surrounding areas, it would be hoped that people could be encouraged to forego the use of the car and to walk/cycle.

The Council are aware that main health provision in Burscough is at capacity in terms of patient lists, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. This is the advice of health providers who have had the opportunity to comment on and input to this document.

Ms Michelle Blair

Organisation

Comments:

This consultation is not meaningful as it does not provide adequate detail for the public to answer the questions posed in a manner beneficial to the development of their community. Furthermore the options provided are misleading and show development of the land safeguarded for post 2027.

Attachments submitted?

Council Response

Consultation has adhered to the requirements of national legislation and the Council's Statement of Community Involvement. Extensive publicity and consultation was undertaken. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses.

Whilst the Council acknowledges that part of the site will be safeguarded from development within this Local Plan, there is the potential for this development to come forward at some point in the future. In the event this occurs it is most appropriate to ensure that what is delivered resembles a holistic development that creates a true sense of place and avoids appearing piecemeal.

A key element of this consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Mrs Renee Bligh

Organisation

Comments:

My main concern is that the surface water problem will be exacerbated once building commences. United Utilities do not want to finance the standard draining system and are quite happy to pass on this problem. Suggestions that one or even 4 'lakes' will not be a satisfactory solution to ease the concern of the residents. The surface water drains towards the A59 and the land becomes progressively soggy through out the winter and early spring.

Business site: I am of the opinion that a high-tech greenhouse complex, built on the 10 hectare site would be of greater value to the community. Each of the enormous greenhouses provides combined heat and power technology. The electricity and lighting is generated by using the discarded plants as fuel. It is self sustaining in that respect. This would be a far better alternative to the large corrugated sheds now visible on the horizon.

Transport would be lighter as there is plentiful supply of supermarkets in the vicinity. There would also be more diverse employment for highly skilled and unskilled workers.

Retirement village: If an Retirement Village of 500 decently sized bungalows in attractive surroundings had been selected, many problems now encountered will not have materialised.

It would have been an opportunity to build a more ambitious health clinic and other desirable social facilities that would be shared with Burscough residents. There would not have been the need to build more Primary and Comprehensive schools. It would release another 500 family sized homes on the market.

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Neither a high tech greenhouse complex, or large retirement village, are deemed to be suitable for the site, and do not adhere to the requirements set out through Policy SP3 of the Local Plan.

Mr Francis Bligh

Organisation

Comments:

There are so many concerns. traffic-parking in Burscough - diminishing value of houses on Liverpool Road South! However, the nightmare of insufficient safeguard against future flooding and drainage is a consequence that overrides everything else! We see evidence of the probability of this happening, tractors down to their axles within touching distance of our fence! So many rear gardens this winter totally soggy - some flooded! Some party or parties concerned with this highlight PROFITABLE development being completed took the trouble to tear down our protest signs when a major 'inspection' was due. Most of us recognise that no power on earth or appeals to common sense will have any effect whatsoever! Plus ca change as our Gallic cousins would state! The worst of all is the knowledge that when this ill-thought project is completed the people who profit will be unreachable and the finger pointing and customary disavowals of responsibility will then ensue! The finale of yet another bureaucratic pantomime!

There is absolutely nothing that I have witnessed at meetings - or seen with my own eyes or learned from reading about so many similar 'developments' (?) that does not chill to me the marrow! If this is how this great country of ours is creating 'growth'! Of course building (as an industry) needs to contribute to but in heavens name not at the expense of our vital agricultural interests! If this continues we will eventually be importing even more! Agriculture SUSTAINS! 'Brown'field development reduces profits for the developers! It seems that that cannot be permitted! Unthinkable! Sadly one does not feel any satisfaction at expressing all this because in the end any appeal to common sense is obviously an utter waste of time.

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Whilst the council understands your concern regarding other points such as house prices, these are not material planning considerations that can be taken into account when planning for new development. Many of the other issues raised were all considered during the Local Plan examination process.

Mr George Bond

Organisation

Comments:

I've just filled in the online questionnaire and made reference to this email in it about the timing of the development and the safeguarded land element.

I have attached sketch plan to this so that you can pick up the areas I refer to.

Forgive me for being blunt but it's no less than I would say in the open forum of the meetings if there was enough time to debate it. I am firmly of the opinion that the scheduling process should take into consideration the landowners attitudes to risk and funding; and to their respective desires to fund the ongoing commitment.

It strikes me that after having attended the stakeholder meetings the landowners fall into 2 categories; there are Landowner developers and just plain landowners. I would class the owners of areas A B C D E and H as active developers or owners who have made positive steps financially towards getting their land developed. The other landowners appear intent on selling on their property as and when the right deal comes along.

EMPLOYMENT LAND In the interests of getting things moving it would make sense to schedule areas A B C D and E first because they are all owned / controlled by active developers, they "fill in" the existing Industrial area with minimal initial green space spread (which has been raised as an issue the stakeholder meetings) and most importantly all are adjacent to or already have existing mains services. The area (B) on Merlin Park is fully serviced and will be proposed for development as soon as the master plan allows it. C & D have power to site and are adjacent to the sewer system. My understanding is that area E already has some small development passed but needs more to make it commercially viable so it makes sense to let that happen. It therefore follows that areas B, C, D, E, and A be scheduled first (in that order), any shortfall be allocated to area F and the remainder of area F be safeguarded for future employment land.

HOUSING I am a bit in the dark about this one but again from the experiences at the meetings there is a desire from the Liverpool Road and Higgins Lane residents to delay the development on their boundaries and maintain green spaces adjacent to them as long as is possible. In deference to the residents that would indicate to me that the development should run from Yew Tree Farm on the A59 through to the employment area in the first instance and that the land at the back of the housing on the A59 should be protected for future development. In short first develop area H and safeguard area G.

OPTIONS Of the 4 proposed options all have different merits so far as I can see. The road layouts in option 2 and 4 appear the most organic, the industrial space in option 3 looks about right, the landscaping along Higgins Lane in option 1 would keep the residents happier. I particularly think that the cut through Meadowbrook close onto Liverpool Rd in option 2 will create a rat run to the motorway. Option 3 road layout doesn't connect up the employment area to the A59. Option 1 has enough employment space to allocate some live/work units. The green spaces in option 1 and 4 are better spread. How about an Option 5? Road layout from option 4 Higgins lane landscape from option 1 Green spaces from option 4 Facilities / retail close to or in the employment area elderly accommodation from option 4 employment from option 3 Landscaping to separate employment area from residential per option 3.

APPENDED PLAN AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments regarding phasing are noted. Whilst the Council must have regard to the multiple land owners, decisions about land to be brought forward and that which is to be safeguarded will be based on expected delivery of both development and other key components of the masterplan including infrastructure.

Comments regarding the options feedback are also noted and the Council has confirmed that the preferred option is unlikely to be one of these 4 in its entirety but a collection of the most appropriate parts of the different options.

Tess Reddington, Clerk to Burscough P

Burscough Parish Council

Organisation

Burscough Parish Council

Comments:

Integrity and Sustainability of Village Centre: Burscough Village Centre has lost retail shops from its high street in recent years, but by and large is surviving reasonably well. The development of the Ringtail Retail Park will challenge the economy of the village centre further. It is unlikely that Ringtail Retail Park will replicate the character of our village centre, and arguably it is these aspects of Burscough which contribute to its "village" feel, and that will help attract new residents as we grow to a town. The Parish Council therefore wishes to retain the integrity of the village centre, and to that end, considers essential services such as health services/surgeries, library and shops selling food and drink, should be located in or close to the village centre, and that there should continue to be investment in the retail centre at Burscough Bridge to ensure its long term economic success.

Road and Traffic Flow and Transport: Burscough Parish Council has great concern regarding the reliability of surveys carried out which present the conclusion that the cumulative effects of developments in Burscough and at Grove Farm, totalling more than 1150 houses plus 10 hectares of industrial land, can be adequately mitigated by addressing pinch points and remodelling junctions. Much more work needs to be done to measure these impacts before any development goes ahead. Traffic management issues need to address both the volume of traffic and the type of traffic (passenger car and commercial vehicles) and the suitability not just of the A59, but of all roads leaving Burscough which carry traffic. Burscough Parish Council would challenge the assumption that most pinch points are due simply to "badly functioning junctions resulting in unnecessary delay" and "that the flow of traffic along the A59 is acceptable and that the afore mentioned pinch points should be the focus of improvement to ensure that the development at Yew Tree does not worsen and, where possible, alleviates the highway conditions" Traffic problems are not limited to the A59 and full assessments must be carried out on all roads taking traffic to and from Yew Tree Farm and particularly from industrial areas. The layout of roads within Yew Tree Farm should be designed to reduce traffic on unsuitable roads where possible. The layout of roads within Yew Tree Farm should be designed to accommodate appropriate bus routes to and from the industrial estate as well as through the site.

Public Transport: Burscough Junction in particular is desperately short of parking, and parking provision must be increased.

Flooding: Burscough Parish Council is extremely concerned that development on Yew Tree Farm will exacerbate flooding issues downstream. Land at Hesketh Road and beyond is extremely low lying and watercourses in the fields beyond right up to where they join the main sluice, have flooded fairly frequently. Burscough Parish Council is very concerned that there is no room at all for error, and if there is any error at all in calculations, it will be residents and farmers who suffer the brunt of the lack of investment. Much more work must be done to establish with certainty that surveys and calculations are robust and that residents' property and land will not be in danger.

Housing: The Parish Council would urge WLBC to take this opportunity to provide social housing for rent as part of the allocation of 500 houses on Yew Tree Farm. Burscough has a clear unmet demand, as was recently recognised when the playing field at Pickles Drive was identified for social housing.

Public Open Space: The Parish Council welcomes the provision of public open space, but is concerned that maintenance costs are manageable.

Attachments submitted?

Council Response

Comments noted. It is the Council's intention that main services, and retail, should remain located in or close to the village centre. Any provision on-site will be small-scale, for example a local convenience shop. Therefore the Council agrees with the views of the Parish Council and the Masterplan will look to secure contributions towards improvements of facilities within the existing centre.

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable

transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council are aware that there are currently few parking spaces at Burscough rail stations. Through their representation, Network Rail have stated that there is scope to provide a small number of additional spaces at the stations if funding could be secured through developer contributions. Notwithstanding this, the Council are keen to ensure that walking and cycling links can be improved from the YTF site, and within Burscough, to the rail stations to encourage the use of sustainable methods to access public transport services.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

The Local Plan sets out the proportion of affordable housing which will be required on site. However, the type of affordable housing will be determined at the planning application stage in order to ascertain and respond to the needs identified at that time. This will be determined in conjunction with recommendations from WLBC Housing which often recommend a proportion of the affordable housing for social rent.

Comments on the maintenance of public open space noted.

Mr Philip Carter

Organisation Environment Agency

Comments:

Thank you for consulting us on the above and the following documents:-

- Yew Tree Farm Masterplan Options document;
- Sustainability Appraisal Report; and
- Habitat Regulations Assessment Report

We have reviewed the submissions and we wish to make the following comments:-

The disposal of foul and surface water is a known constraint to the development of the site. The use of sustainable drainage systems (SUDS) for the disposal of surface water and the removal of surface water from the existing combined system are identified as solutions to enable development to come forward. It is essential that no surface water from the site discharges to the existing combined sewer network and the treatment and disposal of surface water from the whole site must be managed in a sustainable way to prevent any increase in flood risk off-site as a result of the development.

The document suggests that the masterplan is likely to require that a SUDS scheme is designed for the entire site alongside the initial phase of development and that each subsequent phase must link in to this scheme to ensure the impact of the site as a whole is planned for. We consider this to be an essential requirement and that it should be identified as such in the masterplan. It should also ensure that the whole site system includes capacity for the volume of surface water which will be added to the new surface water system when it is removed from the combined sewer network. The surface water drainage scheme for the site should be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall include sufficient capacity for the surface water run-off from adjacent properties which is to be removed from the existing combined system and directed to the proposed surface water drainage system.

The document refers to the role of Lancashire County Council as the Lead Local Flood Authority and their new duty to approve surface water drainage systems under Section 32 of the Flood and Water Management Act (2010) after April 2014. As you may already be aware, this change has been postponed and we would recommend contacting Lancashire County Council for further information.

In relation to the ecology of the site and in particular the aquatic environment, i.e. watercourses and aquatic features, in order to ensure Good Ecological Potential as defined under the Water Framework Directive and the England Biodiversity Strategy is achieved or maintained, the following measures should be considerations in relation to the design concept for the site

1. The restoration and integration of water features as part of the layout of development
2. Adoption of wildlife friendly SUDS schemes
3. Active linkage or enhancement with/between adjoining wildlife sites or greenspaces for wildlife
4. Long term conservation management plans for all green and blue space areas within the development footprint

Attachments submitted?

Council Response

Comments relating to surface water management are noted and the Masterplan will seek to secure a solution for the entire site is secured from the outset. Whilst it would be impractical to require a full system is planned and developed for the entire site, including the safeguarded land, from the outset, the document will ensure that as proposals come forward they enable this to take place at a later stage and do not prejudice the delivery of SUDS in later phases.

Comments relating to the ecology of the aquatic environment will be borne in mind when drafting the next version of the Masterplan

Mr Philip Carter

Organisation Environment Agency

Comments:

MASTERPLAN CONSULTATION - YEW TREE FARM BURSCOUGH

I refer to the above and our previous response dated 17 March 2014.

We previously made no reference to the proposed Design Concepts identified as options in the plan. However, there are a number of occupants on the adjacent industrial sites whose operations are regulated by the Environment Agency under an Environmental Permit. Some of these operations are a considerable distance from existing residential properties, which may be sensitive to some aspects of the permitted operations. The location of new residential sites or elderly housing adjacent to existing sites regulated by the Environment Agency could mean that they are subject to exposure to odour, dust or noise emissions in the future. The severity of these impacts will depend on the size of the facility, the way it is operated and managed, the nature of the regulated activities and prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts in accordance with their Environmental Permit, the facility and new development would co-exist. Any further mitigation measures necessary to reduce any impacts of the existing permitted activities on sensitive receptors would rest with the developer of the site.

Given the above, we would strongly recommend that as part of the Master planning exercise, new residential development is located as far away from the existing employment areas as possible and in this respect, Option 1 (Radial) and Option 4 (Clusters) would appear to offer the greatest protection for sensitive receptors.

Attachments submitted?

Council Response

Comments noted, the Masterplan will ensure that buffer zones between sensitive receptors and potential bad neighbours are a fundamental part of the document and a requirement of future planning applications.

Ms	Diane	Clarke
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Organisation	Network Rail
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Comments:

Thank you for the opportunity to provide feedback to the proposed consultation.

Network Rail is the “not for dividend” owner and operator of Britain’s railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations – the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network. Network Rail has the following comments to make.

The proposal is for 500 new homes, 10 ha of employment land – with a comment about Burscough stations below:

Rail The Yew Tree Farm site is within walking distance (approximately 15-20 minutes dependent on part of the site) of two train stations linking the settlement with Ormskirk (Liverpool), Preston, Southport and Manchester. Frequency of service on the Southport – Manchester line is generally every 30 minutes. However, the frequency of the service to Ormskirk and Preston is less than hourly. The Borough Council, Lancashire County Council and Merseytravel are working together to investigate the potential to extend the electrification of the Ormskirk line to Burscough, thus increasing the frequency of services that connect to Burscough. Whilst it is unlikely that this development will directly deliver this improvement, the site allocation and increased population supports the business case for such a proposal. However, through the Stakeholder Group, the issue with the capacity of the parking facilities at both Burscough Bridge and Burscough Junction stations was raised. Therefore, links for walking and cycling to both stations from the site must be maximised and made as short and safe as possible.

(1) Developer Contributions Network Rail believe that at both Burscough railway stations there is a small amount of scope at each for additional parking In terms of Burscough Bridge it might be possible to extend the current car park along the side of the track through where the current trackside access gate is, this would create around 8 spaces and is obviously outside of the current lease area and we are unsure of the cost. In terms of Burscough Junction there is very little space but with car park lining we believe there is scope for an additional 4 bays alongside the access road. (See attached photos of Burscough Bridge) Therefore, for Burscough Bridge and Burscough Junction stations Network Rail would seek developer funding (either via an S106 or unilateral undertaking) to enhance parking at the stations as a result of the Yew Tree Farm masterplan. Network Rail believes that a developer contribution for car parking at the stations should form part of the planning consent for any proposal at the site. As Network Rail is funded by public remit, it is unreasonable to expect Network Rail to fund mitigation or enhancement measures required as a result of third party commercial development. Provision for S106 contributions to mitigate impacts of developments at railway stations should be considered in the same manner as developer contributions to fund highways works or local facility improvements.

(2) Level Crossings We have examined the proposal and the nearest level crossing Network Rail have within that vicinity is Abbey Lane which is located on (our ref) FCO 13m 43ch (946y). At the other side is Prescotts No 3 located on FCO 15m 63ch (1386y). So we do not see any problem with the Prescotts No 3. The Abbey Lane is a hybrid crossing with gates for both the user worked element and wicket gates for the public footpath element. The user worked part of this crossing is not used and has a large mound of earth in front of the gates so there is no way any vehicle can get through. At this moment in time the authorised users will not give up their rights. The footpath element of the crossing is not heavily used at the moment. With the number of houses being built at Yew Tree Farm which is only approximately 1000yards away it may have an impact of the number of users who may use the public footpath. Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- (a)By a proposal being directly next to a level crossing
- (b)By the cumulative effect of developments added over time
- (c)By the type of level crossing involved e.g. where pedestrians only are allowed to use the level crossing, but a proposal involves allowing cyclists to use the route
- (d)By the construction of large developments (commercial and residential) where road access to and from the site includes a level crossing or the level / type of use of a level crossing increases as a result of diverted traffic or of a new highway
- (e)By developments that might impede pedestrians ability to hear approaching trains at a level crossing, e.g. new

airports or new runways / highways / roads

(f)By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs

(g)By any developments for schools, colleges or nurseries where minors in numbers may be using the level crossing

(h)By proposals that change the demographic of users – from say occasional agricultural usage to (but not limited to) increased usage by minors, dog walkers, the elderly, cyclists and mountain bikers, pedestrian using smart-phones, with ear-phones with little or no appreciation of the risks from approaching trains at footpath level crossings.

Network Rail wants to operate a safe national rail network. We believe that our employees should expect to be able to work in a safe environment, free from harm – “everyone home safe, every day”. In a similar vein, we want to eliminate the risk of harm to everyone who interacts with us: passengers, line side neighbours and level crossing users. Our vision aligns with increasing expectations in society regarding an individual's right to a life free from unnecessary harm.

Level crossings are Network Rail's greatest source of risk to members of the public. We have adopted a policy that, wherever possible, we will close level crossings. It is Network Rail's and indeed the Office of Rail Regulation policy to reduce risk at level crossings not to increase risk as would be the case with an increase in usage at the two level crossings in question. The Office of Rail Regulators, in their policy, hold Network Rail accountable under the Management of Health and Safety at Work Regulations 1999. And that Risk control should, where practicable, be achieved through the elimination of level crossings in favour of bridges.

It is Network Rail's opinion that even with what may be considered as a minor increase in usage at a level crossing, that this is still unacceptable as any increase in usage would also lead to an increase in the level of risk to users. We would also highlight that an increase in level crossing neighbours may lead to an increase in both wilful and unconscious unsafe acts, such as rushing to get across before a train passes, or a dog walker chasing after a loose pet on the line from the crossing, or simply crossing with too little time, instances such as this would not be acceptable at the level crossings.

West Lancs Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) Order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway. We would draw the LPAs attention to the House of Commons Transport Committee 11th Report on level crossing safety which stated: “Level crossings are a significant source of risk on the UK's transport networks. Although the number of accidental deaths at level crossings has decreased in recent years, nine people died in 2012-13. Every one of those deaths was a personal tragedy which could have been averted. We recommend that the Office of Rail Regulation (ORR), which is responsible for rail safety, adopt an explicit target of zero fatalities at level crossings from 2020.” “7. Level crossings are places where footpaths, bridleways or roads cross railway lines at the same level. Network Rail manages approximately 6,500 level crossings on the commercial rail network...There are two general types of crossing: active crossings, which provide warnings or protection when a train is approaching, and passive crossings, which do not. Active protection may be automatic, or may require a signaller, driver or crossing keeper to perform certain actions. Passive crossings rely entirely on the user for their safe operation.” “12. There are significant safety risks associated with the different forms of level crossing. Of Network Rail's 6,500 crossings, 76% are passive crossings, which do not offer any warning of an approaching train...The decision on whether it is safe to cross is left to the user.” The House of Commons Transport Committee 11th Report also stated: Co-operation between railway operators, highway authorities and planning authorities 31. Local authorities must work with Network Rail and other railway operators to help keep level crossings safe. For example, local authorities' plans for promoting walking and cycling routes that traverse level crossings can have a direct effect on safety at those crossings. However, the Association of Directors of Environment, Economy, Planning and Transport told us that liaison between Network Rail and local authorities is variable...Network Rail has highlighted a number of examples where local authorities have imposed planning obligations on developers, to help fund Network Rail's construction of footbridges... However, in some cases planning authorities have consented to large developments and changes in road layout without due attention to the increased risk at nearby level crossings... In its report into a fatal accident at the Kings Mill No. 1 crossing near Mansfield, the RAIB (Rail Accident Investigation Branch) criticised the local authority for establishing a walking and cycling trail without discussing the likely impact on the usage of a level crossing with Network Rail. 32. Railway operators are already statutory consultees where proposed development is likely to result in a material increase in the volume or character of traffic using a level crossing...The Law Commission's proposal for broader statutory duty of co-operation on railway operators, traffic authorities and highway authorities in respect of level crossings is a sensible suggestion....However, in the case of

footpaths, private crossings or unadopted roads (which are not maintained by the highway authority), there is a case for adding planning authorities to that list....We welcome the duty of co-operation on railway operators, traffic authorities and highways authorities in respect of level crossings but recommend that it should also encompass planning authorities so that the impact of additional numbers of people using level crossings can be considered. As there is a footbridge over Mill Dam Lane bridge which is only 546 yards from the crossing we would request that any planning consultation includes proposals routing all pedestrians across Mill Dam Lane where there is a bridge, it is much safer as they can still get to the same point, without using the level crossing and increasing the risk. This should be included in any travel plan or traffic assessment. We would also ask if the council is open to giving in principle support to closing off the public footpath down Abbey Lane (subject to full discussion with the LPA, Highways, PROW and Network Rail).

PHOTOGRAPHS AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments relating to parking at the rail stations and support for the electrification of the Ormskirk to Burscough line are noted and welcomed. The Masterplan will seek to deliver a development that prioritises sustainable methods of transport over the car. Therefore, consideration will be given to how this development can secure additional required parking, both vehicular and cycling at both rail stations given land availability at both sites is fairly limited.

Comments relating to level crossing safety are taken very seriously by the Council and the Masterplan will include reference to its proximity to the crossings for the purposes of Travel Planning at application stage.

Whilst the Council is always willing to engage with all infrastructure providers, matters relating to the closure of footpaths fall outside of the remit of this document and should be taken up separately with the Council and other relevant parties. However, for clarity, the Masterplan seeks to deliver a linear park cycle path between Ormskirk and Burscough. Whilst it is inevitable that part of this route will proceed down Abbey Lane before entering land to the south and travelling on the western side of the rail line towards Ormskirk, there is no intention for the route to cross the Ormskirk to Preston rail line using the Abbey Lane level crossing. Instead the route will make its way through the Grove Farm development site and join the existing cycle path which links the north of Ormskirk to Ormskirk rail station through the use of an existing tunnel under the rail line.

Mr John Colbourn

Organisation

Comments:
I live on the A59 opposite Square Lane and have real problems exiting my drive due to the speed at which some vehicles come round what is to them and to me, a blind bend from the direction of Ormskirk. The situation is very dangerous now, and will of course be made much worse when additional new houses are built. I have consulted and am continuing to consult the police, Lancashire CC, Highways Dept etc but they have, as yet, been unable to alleviate the problem to any degree. My concern now is to ensure that this problem is specifically addressed as part of the planning for the new Yew Tree Farm development, whereby significant changes to the road layout at the junction between Liverpool Road South and Square Lane or more effective control of the speed of traffic will be essential. . I

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission.

Whilst the Council empathises with particular issues which effects individuals, it is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Mr John Crawford

Organisation

Comments:

Not very good, will cause adverse effect on resident next to site and subsequent impact on all Burscough residents and infrastructure. Not wanted by Burscough residents and being push through by people who don't represent the people of Burscough. They need to listen!

Attachments submitted?

Council Response

Comments noted.

Mrs Linda Crawford

Organisation

Comments:

- not wanted
- no consideration for who this site will affect
- will have a large impact on burscough residents

Attachments submitted?

Council Response

Comments noted.

Mr Michael Cunningham

Organisation

Comments:

This report sets out comments submitted on behalf of local residents and land owners who own land contained within the area identified as Yew Tree Farm Strategic Development Site. The format of the report for ease of reference follows the layout of the Options Report Supplementary Planning Document issued in February 2014. The key issues identified in that report are set out in the same order in this General Comments Document which concludes with a general overview of the way in which it is considered the site should be developed from the point of view of local residents and land owners.

Employment

Where should employment uses be delivered and why? From a strategic development point of view it would be most appropriate to identify the location of employment land and the areas of land adjoining the existing Burscough Industrial Estate. Clearly the issues associated with industrial or commercial development dictate its segregation from other uses where detrimental effects would be caused. On this basis therefore the employment land should be identified along the westerly edge of the site and separated from the residential development as referred to later.

Delivery of Live/Work Units

The identification of employment land along the westerly edge of the site could include on its easterly border some areas of live/work units along the general principles identified in Proposed Option 1. The location of live/work units if deemed necessary would act as a buffer between the residential and employment land. Types of Businesses The employment land closest to the industrial estate would inevitably involve general industrial uses and with careful longer term planning those areas closest to the residential area, namely to the easterly edge of the section of employment land, could be identified as more commercially orientated, smaller business uses to help encourage local employment. These could be incorporated within a mix of live/work units, thus maintaining an employment element, but reducing any potential detrimental impacts on residential amenities.

Residential

Provision of Elderly and Affordable Housing

Elderly housing provision which is recognized as necessary should be provided within the first phase of development of the site. The elderly housing provision should be located close to public transport facilities and also local facilities. The 4 options suggested in the document all propose elderly housing provision close to a main entrance near the junction of Higgins Lane and Liverpool Road South and close to proposed local facilities, together with the existing public transport along Liverpool Road. However, the identification of elderly housing could also be located further to the south if a secondary access was provided off Liverpool Road South and which would avoid a high concentration of elderly housing development in one area thus providing a more integrated arrangement for both elderly and other residential occupiers. The key issue for the provision of elderly housing is ease of access to public transport and basic local facilities. Public transport will provide access to wider retail and social outlets with the basic social facility providing immediate daily needs.

Provision of affordable housing should be incorporated within the residential development in accordance with adopted Development Plan policies.

Access

Avoidance of traffic congestion

The proposed arrangement of residential, social and employment land dictates and influences the proposed location of access points to the site. The access proposed in each of the 4 options suggested sees highway construction work carried out close to the junction of Higgins Lane and Liverpool Road incorporating a main access into the site which then variously links with access points on Tollgate Road or further on down Liverpool Road. The general principle of identifying the site partially for employment use and partially for residential with associated community facilities including open space means that it seems logical to locate the employment land to the westerly side of the site, as referred to earlier, with the remainder of the site being occupied by residential open space and community facilities.

Access to the employment land should be separate from the residential use to avoid detrimental effect on the amenity of the residential occupiers. For this reason, and to minimize traffic concentrations, there should be 2 access points from Tollgate Road allowing employment traffic to enter from the industrial estate side of the development

site. The residential development should be accessed from Liverpool Road rather than Higgins Lane to avoid an effect upon existing residential occupiers, and at the same time allow ease of access onto the main highway network. A single access point onto Liverpool Road to serve the whole development may lead to significant congestion and it is therefore logical to provide a second subsidiary access further to the south west to serve a minor proportion of the residential site. The proposed access through Meadow Brook would create significant detriment to existing residential occupiers who occupy the quiet cul-de-sac. A more appropriate and less damaging access would be through the site of number 77 Liverpool Road, an existing employment site which is currently on the market for sale. This site is adjacent to a public house car park and therefore use of this area as an access would not create a significant detriment to nearby residential occupiers. The secondary access to the site from the above location could serve an area of residential development without linking through to the main residential access route and thus reduce the volume of traffic using the main access and at the same time allow the development of the site with the appropriate number of residential properties. The employment use could then be segregated from the residential use and the roadway serving it would act as a buffer with a further landscape buffer between it and the residential properties. This would have the benefit of maintaining a significant distance between employment development and residential development, and at the same time would improve the visual amenity of the employment site by establishing a green edge.

The Options document sets out the conclusion that the latest available evidence suggests that a new primary school is not necessary within the site. However, the options proposed incorporate an area of land identified for future use as a school. This provision could be maintained within the plan, but identified on the area of land released as Phase 2 which should be to the northerly side of the site. Therefore, when Phase 2 was developed, if it was determined there was a need for school facilities it could be provided at that time and it would not prejudice the development of Phase 1 or bringing forward residential development in the short term. For this reason it would make sense to identify a separate single access from Higgins Lane leading into school premises exclusively. This would mean that there would not be any threat of conflict between children and general traffic, and at the same time it would reduce the prospect of a detrimental effect on the residential amenity of occupiers of residential properties off Higgins Lane.

Accessibility

Walking & Cycle Provision

The site should incorporate cycle ways and footpaths utilizing existing footpaths between Liverpool Road and Higgins Lane, and linking these into an area close to the main entrance of the site at the junction of Higgins Lane and Liverpool Road to provide connectivity between the development and Burscough Village itself. This would encourage walking to access public transport links.

Community facilities

The development of the site would not include the provision of a new library building, but rather the infrastructure funds generated through the community infrastructure levy or Section 106 Agreement should be used to enhance the existing facility within the village. The improvement of existing facilities in the organically grown Burscough Village itself will avoid a threat of establishing 2 centres and will consolidate the significance of the established village, thus underlining the proposal that the strategic development site at Yew Tree Farm is effectively an enlargement of Burscough itself, rather than a separate settlement.

Sports facilities

New sports facility

As above the funds generated through the development of the site should be used for the enhancement of existing sports facilities, particularly Burscough Sports Centre, rather than the provision of new sports facilities. Some sports facilities can be provided within the development for outdoor play as referred to below. Open space Should open space be provided on the site? The open space provision on the site within the residential development should incorporate outdoor play space and a formal park in order to maintain areas of green space within what will be an urban environment.

Protection of residential amenity

The development should incorporate segregation of employment and residential uses, and during development construction traffic should wherever possible be directed through the employment side of the site via the industrial estate in order to reduce any potential detrimental impacts on newly built housing occupiers. Landscape buffers should be incorporated, particularly between those areas of the site identified as employment and residential, to further protect the residential occupiers. The location of live/work units, if deemed to be necessary, is important in

considering the level of segregation between the 2 uses.

Phasing

How should the site be phased?

The development of the site should be dictated by the provision of infrastructure. When it is possible to identify suitable drainage and highway infrastructure those areas of the site which are closest to existing facilities such as public transport and that infrastructure should be developed first in order to promote development in the short term. This means that the area of land closest to Liverpool Road South should be Phase 1 development which would incorporate both employment and residential land with the employment land accessed from Tollgate Road and the residential land accessed from Liverpool Road South, ideally at 2 access points as described above and indicated on the suggested master plan attached to this representation. The area of land which should be identified as safeguarded land is that area to the north which is furthest from any built development and less accessible from the village itself. By safeguarding this area of land it will also provide further protection in the short term for those residential occupiers living off Higgins Lane. The redevelopment currently taking place at the junction of Pippin Street and Liverpool Road also indicates that this southern area of the site should evolve with the northern section being kept until later in the plan period.

General overview – Suggested alternative option

It is clear that the part of the site most closely related to Burscough is that area along Liverpool Road South up to Higgins Lane. Similarly the area which is most appropriate for employment development is that section of the site along the westerly edge. This means that the most appropriate layout for development is to incorporate both residential and employment uses in land released as part of the first phase of development which would be most closely associated with the Liverpool Road South section of the site and also incorporate both elderly persons accommodation, local facilities and open space. The release of land in Phase 1 should not incorporate any identified site for school facilities given that there is currently no need for school provision on the site. This should be incorporated into the second phase of development within safeguarded land, ideally to the northerly side of the site. This would avoid sterilizing a large area of land within the first phase of development.

Taking all the above points into account, of the options proposed the 2 which most closely satisfy the general requirements are Option 1 (the radial plan) and Option 4 (the cluster plan), or rather a hybrid of the two (see attached Suggested Alternative Option). Attached as an Appendix to this report is a suggested alternative option which incorporates elements of both of these proposals and is based along similar lines, but takes accounts of comments made earlier in this representation. A hybrid version attached to these comments suggests the redevelopment of the site can be achieved and provide the appropriate amounts of housing and employment land having regard to the relationship between both the mixed uses, the existing settlement and the site as a whole. It would achieve the best result in terms of management of traffic issues both on and adjacent to the site, and it would complement the existing settlement by allowing for connectivity between Burscough Village and the proposed redeveloped site.

APPENDIX 1 AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments noted and agreed with regarding the location of employment development adjoining the existing employment area.

Elderley accomodation is a requirement of all housing development regardless of phase and will be supported within the most accessible location within the site, subject to the ability of an end user to bring forward such a facility.

Comments noted regarding highways access, however, the advice from Lancashire County Council as the Highways Authority is "Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59". Therefore, discrete access through the site of 77 Liverpool Road South would run counter to this advice and would not be considered appropriate.

Mr Douglas Elliot

Organisation

Comments:
Having viewed the four options presented, Option 2 is by far the most suitable and non controversial. It does not place industry adjacent to existing housing, grouping it with existing industrial areas. It also has a site for a primary school.

Attachments submitted?

Council Response

Support for Option 2 and comments noted.

Mr Colin Evans

Organisation

Comments:

As a resident of Springfield close myself and all other resident of Springfield close were led to believe that the area behind was safeguarded until 2027. This now seems to have been a lie. It is obvious that this whole project is about money and there is no consideration for the people who's lives this will have a detrimental effect on. The four proposals are very amateur (two do not even include a school). I doubt that any of the people involved in these plans live in the area and therefore can pursue the money they will receive without having to worry how their lives will be disrupted. I hope you can sleep at night, knowing you have ruined a nice village and the lives of the people who live in it all for some more money.

Attachments submitted?

Council Response

The Local Plan was clear that the layout was indicative only and the safeguarded land would be determined through a masterplanning exercise which is currently underway. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses. The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered as a piecemeal development with inadequate infrastructure in the long term. However, this does not mean all of the site will be developed prior to 2027 and the Council still intend that parts of the site will be safeguarded. A key element of the consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Plans at this stage remain indicative, and are not intended to mislead people. The inclusion of a school within only two of the options was to allow refinement of the feedback from the Education Authority in respect of their requirement for a school in the longer term. This has now been confirmed and LCC would like a portion of the site to be safeguarded for a future primary school site.

Mr	Peter	Foster
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Organisation	Sustrans
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Comments:

Thank you for the consultation on the Yew Tree Farm masterplan at Burscough. We would like to make the following comments on sustainable transport issues:

- 1) The layout of the site should positively encourage walking and cycling for local journeys with time/ convenience advantage over the private car to reach local amenities. Examples of how this can be achieved are:
 - High quality direct linear pedestrian/cycle routes through the site, designed to transport people to local facilities, ie not a circuitous dog walkers' route nor a cycle track interrupted at every secondary entrance.
 - Pedestrian/cycle-only connections to adjacent roads to reach local amenities.
 - High quality public open space/public realm with open aspects to provide attractive setting. ie no dreary tree-less suburban streets.
- 2) The design of the internal road network should create 20mph zones for the residential areas, and be less direct than ped/cycle routes to reach local amenities.
- 3) The rural, more tranquil nature of adjacent minor roads should be protected to encourage pedestrian/cycle journeys along the Leeds and Liverpool canal and the Lancashire Cycleway (Regional route 91 of the National Cycle Network)
- 4) Away from the site, planning contributions to be secured to establish the Ormskirk town centre/station to Burscough town centre/station walking/cycling route (to pass through the development site).
- 5) As Burscough grows, to keep discussing with/pressing other agencies for public transport improvements, particular in the rail services to Ormskirk/Liverpool, Wigan/Manchester, Southport, and Preston. For its size, the town is very fortunate in having access to two railway lines, but, as noted, further improvements are required to promote a more coordinated rail service, and station sites, sufficiently attractive to encourage residents to use rather than the private car.
- 6) Travel planning with targets and monitoring, and a sense of purpose, is an important part of the development process.

Attachments submitted?

Council Response

Support for sustainable transport noted. The Masterplan will encourage the provision of walking and cycling routes. One of the main requirements for the development is to deliver the linear park and to prioritise cycling and walking over vehicular usage through the delivery of connections including cyclepaths and footpaths.

Mr Jason Grice

Organisation

Comments:

All options have pros and cons but I would like to highlight some concerns I have and offer my preferred option with minor amendments.

Option1:radial This should not have new commercial development next to existing housing in the SW corner of the site. I believe this will create issues at planning stages later down the line and potentially limit the kind of possibilities for commercial use. Plus, no School!

Option2:Central focus Having primary access to Truscott Road will create a rat-run for access to priory high and main roads should be kept as a priority route for the school run. I also think the primary access route from Meadowbank is a dangerous option, unnecessarily encouraging traffic through what is a narrow access from the A59. Finally, I think the school should take the primary central focus and be moved away from existing dwellings to reduce the impact on those who currently enjoy good levels of amenity.

Option3:linear This looks over structured for residential development. But I like the fact that Higgins lane is cut off. The school is more central and commercial development is away from existing homes. However I am again concerned at having a Truscott Rd rat-run created.

Option4:clusters This is my preferred layout. I think this will give a an impression of a more spread out layout of blocks of development and commercial development is away from existing homes. I would prefer to see the Truscott Rd access gone but the access to Meadowbank is now more suitable as it is only to access a small number of new residential homes rather linking to a primary route. The elderly homes should be homes, not flats and again, no school! Why no school in option 4. As a former ward Councillor during the development of the local plan I inquired at the time about providing off road parking for Lordsgate Primary School and this appears to have been completely disregarded from all options. This could be done cheaply and provide immediate relief to traffic congestion in the area, helping to keep the A59 clear at peak times. Please can you look at adding this as part of option 4. I was hoping to see more community improvements suggested in your literature and I'm hoping that this is because drainage and highways improvements are a priority for the area. If this is the case I would highlight this in future correspondence.

Attachments submitted?

Council Response

Option 1 comments, the proximity of commercial development to residential development will be a factor considered within the final draft masterplan and protecting the amenity of existing and new residents will be a principle within the document.

Plans at this stage remain indicative, and are not intended to mislead people. The inclusion of a school within only two of the options was to allow refinement of the feedback from the Education Authority in respect of their requirement for a school in the longer term. This has now been confirmed and LCC would like a portion of the site to be safeguarded for a future primary school site.

Option 2 comments, Access through to Higgins Lane should be limited from the development site to ensure that the masterplanned site helps, rather than hinders, the highways arrangements along Higgins Lane. The location of a primary school will be subject to input from the Education Authority and is likely to be within land safeguarded for future development.

Mrs K Hayter

Organisation

Comments:
I have no objection to housing we need it for the future - Flooding and infrastructure needs to be worked out properly. Suds as you call it could be a danger to young families with small children if left open as ponds or lakes. I like the set out of option 2 as it seems more wholesome. From a community point of view - just a little worried about water levels in that area.

Attachments submitted?

Council Response

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question. LCC will be required to approve all drainage systems prior to their adoption and so will ensure schemes meet their standards and are effective and efficient. This will include addressing any concerns over safety of attenuation ponds and culverts.

Mr John Herbert

Organisation

Comments:

The main areas of concern that Scarisbrick Parish Council would like to address include water management and traffic. The degree of uncertainty in relation to local water management is a major source of concern:

- Large areas of Scarisbrick are currently under threat of flooding due to the Environment Agency's intention to withdraw from the maintenance of water courses and satellite pumping stations in the Alt-Crossens catchment.
- A local solution put forward by the Alt-Crossens Advisory Group is not supported by either central or local government, neither of whom will commit to funding a local drainage board. There is considerable uncertainty as to the future, with the valuable agricultural area of Martin Mere being under threat.
- Waste water treatment in Burscough already has capacity issues. Funding for the necessary improvements has not yet been obtained.
- Surface water issues are to be addressed by SuDS. Baseline evidence is yet to be established. There is currently no evidence to inform the amount of land take required within the site in order to provide enough storage capacity for the sites surface water drainage needs and to meet the needs of the solution required to take existing surface water out of the system.
- The effect of the Environment Agency's plans for controlled inundation on the surrounding water table are unknown, as is the potential for increased water table levels to affect existing and proposed drainage schemes (such as SuDS). Lack of clarity on these important issues adds to the threat currently felt by residents of Scarisbrick. Road traffic links are also a source of concern. The B5242 already carries a good deal of heavy goods traffic with which it is not designed to cope. Heavy vehicles have difficulty negotiating the County Road/Southport Road junction and the B5242 is used as an alternative route. There are sections of the road where HGVs have to mount the pavement in order to pass. The Council is concerned that the development will put further pressure on this already busy "B" road.

Scarisbrick Parish Council is grateful for the opportunity to comment.

Attachments submitted?

Council Response

The issues associated with the Alt Crossens proposals are outside of the remit of this document.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question. LCC will be required to approve all drainage systems prior to their adoption and so will ensure schemes meet their standards and are effective and efficient. This will include addressing any concerns over safety of attenuation ponds and culverts.

Highways assessments will be undertaken by Lancashire County Council, as the local Highways authority, in partnership with WLBC, and with consideration to the impact of traffic on surrounding areas. The recommendations of LCC in relation to traffic and transport will inform the decisions of WLBC. However, initial modelling does not suggest that much of the sites traffic will travel towards Southport via Scarisbrick.

Mr	Marcus	Hudson
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Organisation	Lancashire County Council
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Comments:

The following comments are made:

Strategic Highways

Option 1 – Radial The development pattern of Radial Masterplan option would provide a coherent extension to the surrounding urban area, and enable the integration of the site with existing facilities and services. The linear park cycle/footpath follows the existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area. To the east of the Masterplan area, a cycle/footpath route connects into the PROW. However, there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to the local built up area and its amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route. The Masterplan area is dissected by two east west routes that form the site's internal primary road network, connecting with the external highway network at a singular primary access with the A59 and two primary accesses on Tollgate Road, to the north and south. This arrangement would facilitate potential future public transport services through the site. The east west roads should include high quality joint pedestrian/cycle provision on one, or preferably, both sides. The alignment of the southern east west link road, which runs almost parallel to the A59, lends itself to use as an alternative route for industrial and employment traffic. Whilst this may provide a level of relief for the A59, the use of the route by HGV's and for through movements may not be considered appropriate for the Masterplan area. The alignment of the northern east-west link road would provide a direct route from the A59 to the employment area, avoiding Higgins Lane. However, as there is no direct vehicular connection from the Yew Tree Farm site, Higgins Lane is likely to continue being used as a route to Burscough Industrial Estate (Langley Road) and Swordfish Business Park (Swordfish Close) from Higgins Lane. To minimise the levels of traffic travelling through the 20mph zone on Higgins Lane, it would be advantageous to include a vehicular route from Higgins Lane, west of Hesketh Road, onto the northern east-west link road. The stopping up of Higgins Lane at its junction with the A59 would present opportunities to make highway changes to Higgins Lane. However, a further vehicular access may be required from the east of Higgins Lane to the northern east-west link road to provide a convenient route for traffic from the existing built up area to the A59.

Option 2 - Centre Focus The Centre Focus Masterplan option retains the primary accesses of Option 1; a singular access with the A59 and two accesses on Tollgate Road, to the north and south. The Centre Focus option includes an additional vehicular access route to Higgins Lane from the Yew Tree Farm site to the east of Truscott Road. A vehicular connection to Higgins Lane in this location would enable traffic from the existing residential area to access the A59 via Yew Tree Farm's primary road network, and thereby facilitate the closure of Higgins Lane at its junction with the A59. As indicated in the above comments for Option 1 (Radial), it may be advantageous to include another vehicular route from the Yew Tree Farm site that connects with Higgins Lane to the west of Hesketh Road. This would provide an alternative route for traffic that may otherwise travel through the 20mph zone, and would also release opportunities to make highway changes to Higgins Lane. Vehicular access points onto Higgins lane should be regarded as secondary accesses. Similarly to Option 1 (Radial), the route from A59 that runs in an east-west direction to Tollgate Road would provide a direct route from the A59 into the employment area, avoiding Higgins Lane. The alignment of the route that runs in a southerly direction from the A59 to Tollgate Road is less direct than the alignment of the southern east west link road in Option 1 (Radial). This could serve to discourage traffic using the route through the site as an alternative to the A59. The layout of the internal primary road layout would facilitate the potential future operation of a bus service through the site and/or a circulating service around the formal park. The linear park cycle/footpath follows the route of existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area, although the southern section of the linear park cycle/footpath is interrupted by the site's primary road network. The site's primary road network should include high quality joint pedestrian/cycle provision on one, or preferably, both sides. To the north of the Masterplan area, further cycle/footpaths route connect into Higgins Lane from the northern east west link road. However, as for Option 1 (Radial), there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. Again, LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to local amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route.

Option 3 – Linear The Linear Masterplan has a similar development pattern to Option 1 (Radial), which would

provide a coherent extension to the surrounding urban area, and enable the integration of the site with existing facilities and services. The linear park cycle/footpath follows the existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area. Approximately midway, the linear park cycle/footpath meets an adjoining cycle/footpath that provides a route through greenspace to the east of Higgins lane. However, as with Option 1 (Radial) and Option 2 (Centre Focus), there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to local amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route. The site's primary road network should also include high quality joint pedestrian/cycle provision on one, or preferably, both sides. The Masterplan primary road network connects with the external highway network at three primary accesses, namely the A59, Tollgate Road and Higgins Lane. There are four additional direct vehicular connections from the Yew Tree Farm site to Higgins Lane. LCC does not consider it necessary to have more than two secondary vehicular accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing a convenient access route to the existing built up area from the A59, and another to west to provide a route which avoids the 20mph zone and is appropriate for use by HGV's. Ideally, the western vehicular access to Higgins Lane should be offset from the linear park cycle/footpath. As per the Option 1 (Radial) comments, the alignment of the southern east west link road, which runs almost parallel to the A59, lends itself to use as an alternative route for industrial and employment traffic. The northern east-west primary road does not penetrate the employment area, and therefore the southern east west link could be construed as the most direct route to Tollgate Road. It may therefore be preferable to maintain the primary access to the north of Tollgate Road as illustrated in the other Masterplan options to balance traffic movements through the site to the north and south of the employment area.

Option 4 - Clustered The Clustered Masterplan option has principles similar to the Central Masterplan option, in terms of primary access routes and vehicular connection between the site and Higgins Lane. However, the Clustered Masterplan option appears to have three isolated parcels of residential development that can only be accessed from the external highway network. Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59. LCC does, however, support multiple dedicated pedestrian and cycle only access points that provide comprehensible safe routes from the Masterplan area to local amenities and public transport. With this, as stated in Options 1, 2 and 3, the site's primary road network should also include high quality joint pedestrian/cycle provision on one, or preferably, both sides

Applicable to all Options LCC would suggest that the following points are taken into consideration with the development of the final Masterplan. Please note that this is not an exhaustive list:

- The integration of the site with the existing built environment, taking into account distances to key facilities and the existing provision for sustainable movements.
- The inclusion of a network of legible pedestrian/cycle routes through the site and multiple pedestrian/cycle only access points connecting to footpaths, highways, recreational areas, open space, adjoining housing areas, public transport facilities, employment, local amenities etc
- The inclusion of high quality joint pedestrian/cycle provision on one, or preferably, both sides of the site's internal primary roads.
- The retention and enhancement of public rights of way across and adjacent to a development site
- Opportunities to provide new pedestrian and cyclist links, or enhance existing footways/cycleways external to the development
- Lancashire County Council's Draft West Lancashire Highway and Transport Masterplan, with particular reference to the VISIT project and The Burscough ~ Ormskirk Linear Link proposal.
- The inclusion of two east west link roads to provide the primary routes for development traffic to access the external highway network.
- Connections to the external highway network via a singular primary access with the A59 Liverpool Road South and

two primary accesses on Tollgate Road, to the north and south.

- The inclusion of two secondary vehicular accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing an access route to the built up area from the A59, and another to west to provide a route which avoids the 20mph zone and is appropriate for use by HGV's.
- The avoidance of vehicular accesses into isolated parcels of development from the external highway network.
- Opportunities to facilitate the operation of future public transport service through the site.
- Highway capacity.
- Improvements that may be needed to the local highways network in order to achieve safe access to the site.
- Mitigation measures to offset any potential adverse impact to the existing highways network.

Ecology

It is noted that an HRA has been undertaken. At a more detailed stage information accessible through the County Council's LERN service will be important in considering the impact on local ecology. Account should also be taken of the emerging Ecological Network.

Minerals and Waste

No reference has been made within the document to the mineral resource which is identified on the policies map and referred to within your adopted local plan. The requirement to satisfy the criteria set out in policy M2 of the adopted Minerals and Waste Local Plan has the potential to impact on the layout, phasing and density of the proposed development. The information indicates the resource is silica sand, which could enhance the viability of prior extraction. Your council should also make reference to how waste arising during construction and occupation is considered as part of the development.

Education

The education position will need to be reviewed to take into account the latest forecasts once these are available. LCC Education team will provide these once they have been updated.

Libraries

The residential led development proposals for Yew Tree Farm will aid the delivery of necessary new housing provision in this part of West Lancashire. It will see a significant expansion of the built form of the town and should ideally support the economic and social vitality of the town. Nevertheless the Masterplan Options document rightly draws attention to the inadequate library provision of the town and the increased pressure that the development of Yew Tree Farm will place upon the library service and other social infrastructure. The long term search for alternative, better library premises has so far failed to identify a viable and deliverable solution. The county council therefore welcomes the positive offer of support from West Lancashire in its search for an alternative site or premises. It should be acknowledged that the Yew Tree farm site would not be an acceptable location for a library as the provision should be in close proximity to the existing high street shops and amenities. The county council remains committed to improve and expand the library service in Burscough and welcomes the district council's stated intention that the development of Yew Tree Farm should be required to contribute to achieving that goal, either through its CIL contribution or via a S106 agreement.

As stated previously, LCC welcomes and supports the principle of a Masterplan for Yew Tree Farm, and I trust that the comments raised above will assist in its development and adoption.

Attachments submitted?

Council Response

Option 1 - All comments are noted and the final draft masterplan will ensure additional connections for pedestrians and cyclists to the A59 are included, as is a requirement for a cycle/pedestrian link on preferably both sides of the main internal road network and a connection to Higgins Lane from the north of the site to facilitate the potential closure of Higgins Lane to through traffic.

Option 2 - All comments are noted and particularly the concern over the practicality of a convoluted southern connection link which may discourage use through the site.

Option 3 - Comments regarding the preference to connect the northern east - west link road all the way through the employment area to Tollgate Road are noted and will be carried forward into the final draft masterplan. Connecting routes to Higgins Lane will also be limited to two.

Option 4 - The Council notes the comment "Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59" and will adhere to this within the final draft masterplan.

All other detailed comments are welcomed and will be reflected within the final draft masterplan.

MR Mark James

Organisation

Comments:

I prefer the option 2 the centre focus, as there looks to be the least number of houses built, plus there is the larger green space in the centre.

Attachments submitted?

Council Response

Support for Option 2 noted.

jj jj jjj

Organisation

Comments:
[No comments received]

Attachments submitted?

Council Response

[No response required]

Mr Paul Johnson

Organisation

Comments:
I am instructed to make the following representations in response to the master plan supplementary planning document options report dated February 2014.

1. Mr and Mrs Ledson endorse the Stakeholder Group's views that the north west corner of the site is most suitable for employment purposes. Live/work units might form part of such development subject to evidence of demand. The types of business the employment land might attract is best dictated by market demand. Such allocation for employment use need not be incompatible with the siting of key drainage features within the north west corner of the site.
2. In order to accommodate the predominant movements of traffic to and from the employment site, provision should be made for a link through the site on a West-East axis as shown on options 1, 2 and 4. Alternatively so far as the vehicular access section of the options report is concerned, option 1 of the Tollgate Road access.

Attachments submitted?

Council Response

Support for development of the north-west of the site for employment use noted. Further comments noted.

Mr Les Jones

Organisation

Comments:

I have lived on Ellerbrook Drive in Burscough for the past 25 years. My house backs onto Junction Lane and is close to Briars Lane/Square Lane. Already we suffer from high noises levels from heavy goods traffic going to and from the M6 on what is clearly not an "A" road. Building a larger industrial site on the Yew Tree Farm site will only increase the level of traffic going past the end of our garden which will make the problem worse.

Also, how do you propose to get the traffic onto the new site? The only access at the moment is down Higgins Lane which is very narrow and has speed bumps and a chicane to stop heavy goods vehicles using that road. Do you then propose to dig this road up and make it into a main thoroughfare causing more misery to the residents already living on Higgins Lane? Alternatively it will have to go into the new estate from Pippin Street. This will cause considerably more traffic on the A59 , causing a lot more congestion due to traffic attempting to access the very narrow Pippin Street. So how on earth do you propose to solve these problems without causing considerably more disruption and discomfort to the existing inhabitants of Burscough?

In addition, after the flooding that was experienced in other parts of the country, Have no lessons been learned? Building on Yew Tree Farm could interfere with the water courses. These have already previously flooded in 2007, 2008 and 2012. How do you propose to handle that? Burscough has already expanded beyond belief over the last 20 years and any more expansion should be unthinkable as we are a community with only one major road running through it and no bypass.

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

In respect of heavy goods using Higgins Lane, the new road layout through the site lends itself to the closure of Higgins Lane to through traffic, with access taken through this site. This should reduce such inappropriate vehicular movements and improve the situation.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Mrs	Sandra	Jones
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Organisation	
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Comments:

The comment below is submitted on behalf of Newburgh Parish Council, in my role as Parish Clerk. Newburgh Parish Council is extremely concerned about the increased levels of traffic through the village, which are likely to be generated from this housing development and others such as Firwood Road in Skelmersdale, Grove Farm in Ormskirk and Whalleys in Skelmersdale. It is possible that hundreds of extra vehicles will travel on the A5209 through the village every day especially at peak times. This will impact not only on the quality of life for residents but will also affect the condition of the road which has suffered from flooding/surface water in recent years. It is acknowledged that additional housing is required in the Borough but it is essential that both the County Council and Borough Council make it a priority to address the impact that these housing developments are going to have on the local road network to mitigate the impact on local residents.

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Mrs Andrea Mayer

Organisation

Comments:

I am one of the nearby residents who signed the petition against this development, not because I am a 'NIMBY' or opposed to change - I realise that future plans have to be made - but because there are several issues that concern and that I am not confident will be dealt with practically. I also dislike the need to build on Greenbelt but realise too that this is a current Government policy.

The infrastructure on the surrounding estates is prone during heavy rain to surface water problems, minor if you compare it to recent weather events (in particular Trevor Road and Hesketh Road to my knowledge). Given the age of this estate surely adding additional developments will make this problem worse there and for the Briar Rose(?) development we live on. Will post war drains which struggle to cope now be able to cope once the development is complete? I doubt it. I would be interested to see any plans United Utilities have to prove me wrong.

Secondly, the traffic on the A59 is already heavy and at peak hours, it is difficult and dangerous to turn right out of Higgins Lane towards Ormskirk, in addition to which, the entrance to Lordsgate school is very close to the proposed new exit on each plan option. I've been told (by one of the Council Leaders at the Wharf) that the school is likely to be in use until closer to 2027. This strikes me as a series of accidents waiting to happen unless traffic lights are installed as opposed to a roundabout, which would probably be more cost effective? I sincerely hope traffic lights will be installed early on in the development.

Attachments submitted?

Council Response

For clarity, National Policy does not support development of all types on Green Belt. The allocation of this site occurred through a review of the Local Plan when such land was required for release in order to meet local growth and development needs.

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Stephen

McCloskey

Organisation

Comments:

Firstly, regarding the Grove Farm Site, i note that despite all council's previous literature stating the highest housing number at the site as being 250, the stated figure is NOW 300. I believe this recent increase is unfair and shows that WLBC has misled residents so far in the various consultation events. The figure should be reduced back down to 250 maximum.

Regarding Yew Tree Farm, i note in the latest Masterplan leaflet, the figure for YTF housing has similarly increased from "500" to "at least 500". Is council similarly trying to slip more housing in now that all previous 'consultations' have passed? This is another example of WLBC misleading residents. Council must abide by its own 'transparency' guidelines and be clear from the outset what the figure will be. This is fundamental to the creation of any masterplan option. From what i have been made aware, the recent Masterplanning exercise was seriously flawed, lacked meaningful contribution by the community and was seen by many as yet another 'tick box exercise'. Despite council's obligation, the masterplan has not been prepared in partnership with local communities, and i believe that the entire process should be done again, but correctly. As such, it is inherently flawed, and therefore not fit for purpose.

I don't believe that flooding issues will be dealt with effectively before construction of the site, regardless of which masterplan option model is used. Burscough has experienced serious flooding on occasion over recent years, especially around 2012. Increasing the size of Burscough by more than 25% in such a relatively short space of time will only make such problems massively worse, require huge countermeasures and improvements in infrastructure to such an extent that developers will be unwilling to satisfactorily address the problems due to the cost being detrimental to their desired profit margins. Burscough is being swamped with development. There is Tesco supermarket on the northern side of Burscough and the A59, the Booths retail development now appearing on the south side of Burscough and A59, at least 350 more properties will be built in the planning period, YTF itself will increase Burscough by around 25%, and indications that a large Crematorium will be built on Pippin Street also. Burscough is being absolutely bombarded with developments, and its character will be changed forever. It is absolutely WRONG for Burscough to lose its character in this way. It should not be happening. It is therefore more important than ever for WLBC to be 'upfront' and transparent about exactly what number of properties will be built, regardless of which masterplan option is used.

I fail to see how meaningful consultation can be obtained, when presented with the 4 masterplanning options, considering that just under half of the YTF site will be "safeguarded" and therefore not built on in the planning period. It is possible that government may change planning matters in the future and that the safeguarded land could return to 'Green Belt' status. As such, I do not favour any 1 option completely. Given that in all the maps/illustrations previously provided by WLBC, the safeguarded area was displayed as being to the east, south and south west of the YTF site, with development over the next 15 years being limited to the north and north west of the YTF site, then I believe that this 'model' should be implemented initially.

Attachments submitted?

Council Response

WLBC are not misleading residents as the site is still set to deliver 500 homes in this Plan period. Although its is acknowledged that the site is larger and so has capacity for more homes to be delivered on the site, later down the line, if need dictates. The Council have adhered to the consultation requirements of national legislation and the Statement of Community Involvement, and undertook considerable publicity to promote the consultation. Local communities have been given the opportunity to be involved, and to continue to be involved, in the Masterplanning proces should they choose to engage.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the

Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

The Local Plan was clear that the layout was indicative only and the safeguarded land would be determined through a masterplanning exercise which is currently underway. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses. The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered as a piecemeal development with inadequate infrastructure in the long term. However, this does not mean all of the site will be developed prior to 2027 and the Council still intend that parts of the site will be safeguarded. A key element of the consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Mr Stephen McCloskey

Organisation

Comments:

Firstly, regarding the Grove Farm Site, i note that despite all council's previous literature stating the highest housing number at the site as being 250, the stated figure is NOW 300. I believe this recent increase is unfair and shows that WLBC has misled residents so far in the various consultation events. The figure should be reduced back down to 250 maximum.

Regarding Yew Tree Farm, i note in the latest Masterplan leaflet, the figure for YTF housing has similarly increased from "500" to "at least 500". Is council similarly trying to slip more housing in now that all previous 'consultations' have passed? This is another example of WLBC misleading residents. Council must abide by its own 'transparency' guidelines and be clear from the outset what the figure will be. This is fundamental to the creation of any masterplan option. From what i have been made aware, the recent Masterplanning exercise was seriously flawed, lacked meaningful contribution by the community and was seen by many as yet another 'tick box exercise'. Despite council's obligation, the masterplan has not been prepared in partnership with local communities, and i believe that the entire process should be done again, but correctly. As such, it is inherently flawed, and therefore not fit for purpose.

I don't believe that flooding issues will be dealt with effectively before construction of the site, regardless of which masterplan option model is used. Burscough has experienced serious flooding on occasion over recent years, especially around 2012. Increasing the size of Burscough by more than 25% in such a relatively short space of time will only make such problems massively worse, require huge countermeasures and improvements in infrastructure to such an extent that developers will be unwilling to satisfactorily address the problems due to the cost being detrimental to their desired profit margins. Having lived along the A59 for over 30 years, I am accutely aware of how bad the traffic is along this stretch. This planned development will exacerbate it hugely. The road can not be widened, and simply throwing the odd roundabout or traffic calming feature will do nothing to alleviate these problems. In fact, there is every likelihood that it would make the problems worse, by slowing down the traffic flow. Successive governments and councils have plainly shown that existing infrastructure can not be maintained, and the A59 (and roads generally) are pock-marked with damage-inducing, safety-reducing pot holes. More vehicular movements will worsen this problem. Massively more vehicular movements inevitably means more road traffic incidents, and a lowering of safety levels. This is patently unacceptable. The current level of planned development is simply unsustainable. Burscough is being swamped with development. There is Tesco supermarket on the northern side of Burscough and the A59, the Booths retail development now appearing on the south side of Burscough and A59, at least 350 more properties will be built in the planning period, YTF itself will increase Burscough by around 25%, and indications that a large Crematorium will be built on Pippin Street also. Burscough is being absolutely bombarded with developments, and its character will be changed forever. It is absolutely WRONG for Burscough to lose its character in this way. It should not be happening. It is therefore more important than ever for WLBC to be 'upfront' and transparent about exactly what number of properties will be built, regardless of which masterplan option is used. Just as the pub and shops failed to transpire on the Heathfields development, so there is an expectation by WLBC that a sustainable amount of service providers will magically appear in Burscough in the form of Doctors, Dentists and the like. People in Burscough can not get a Burscough Dentist NOW, and there is no guarantee such provisions will exist with a growth of 25%. Similarly, residents are unable to secure places in their first-choice primary schools now, let alone in a 25% bigger future. The provision of a school is essentially a red-herring. At a previous "consultation" event at Burscough Wharf, I asked Peter Richards if there really would be a school, as featured in all of the council's illustrations. He informed me that a school would only be built if it was required by the Local Education Authority. Seemingly, there is no such current requirement. I fail to see how meaningful consultation can be obtained, when presented with the 4 masterplanning options, considering that just under half of the YTF site will be "safeguarded" and therefore not built on in the planning period. It is possible that government may change planning matters in the future and that the safeguarded land could return to 'Green Belt' status. As such, I do not favour any 1 option completely. Given that in all the maps/illustrations previously provided by WLBC, the safeguarded area was displayed as being to the east, south and south west of the YTF site, with development over the next 15 years being limited to the north and north west of the YTF site, then I believe that this 'model' should be implemented initially, as it is what all residents have come to expect from WLBC.

Attachments submitted?

Council Response

[No response required - duplicate entry]

Mr

Lee

McNabb

Organisation

Comments:

Our preferred option is number 4. This seems to safeguard the current residential properties the most, ensuring there is green space immediately behind the majority of existing houses. I can only speak personally of this but as there has already been blatant disregard to the thoughts, views and opinions of the Burscough residents the least that can be done is to try and preserve what value people have in their homes.

Attachments submitted?

Council Response

Support for Option 4 noted. The Council do consider all comments received. House values are not a material planning consideration that can be used in determining development.

mr

gerard

neil

Organisation

Comments:

"Sustainable development is an organizing principle for human life on a finite planet. It posits a desirable future state for human societies in which living conditions and resource-use meet human needs without undermining the sustainability of natural systems and the environment, so that future generations may also have their needs met." This plan doesn't meet these requirements, but is more in line with our present conservative councils ethos on profit and gain for land developers.

Attachments submitted?

Council Response

Comments noted. National Planning Policy sets out the importance of sustainable development. The Council consider that this is being achieved through local policy and the Masterplan's Options.

MR

SIMON

PARKER

Organisation

Comments:

[Comments submitted via questionnaire]

Attachments submitted?

Council Response

[Have emailed NJL to check whether there has been an error in submitting their comments. Response received - comments submitted as a questionnaire]

Mr Simon Pemberton

Organisation NLP

Comments:

This letter and accompanying report sets out representation to the Yew Tree Farm Masterplan Options Report [the Masterplan] made by Nathaniel Lichfield and Partners [NLP] on behalf of Crompton Property Developments Limited [CPD].

As you are aware CPD has a significant interest in parts of the Masterplan area, owning and /or controlling around two thirds of the developable area extending to around 44 hectares (109 acres) as shown on the attached plan. This includes a large proportion of the fields to the south of Higgin's Lane and land to the north west and south west corners of the site. CPD have promoted the site through the Local Plan process and have engaged with the Council over the development potential of the site for the last 5 years or more and has compiled a significant body of expertise and technical evidence that has been shared and has and will no doubt assist the Council and their consultants in the assessment and realisation of the emerging proposals. We welcome the allocation of the site in the Local Plan and support the production of the Masterplan.

We have engaged more recently with the Council through the Stakeholder Group as part of the Councils wider community engagement. Whilst CPD welcome the progress indicated through the consultation on the emerging masterplanning process and see its formation as a positive step towards the future delivery of a sustainable extension to Burscough, they have representations regarding the form and content of the options set out for the Masterplan. These are set out in the accompanying report. We have worked with the Council sharing information whilst we have promoted the site through the plan process and it is notable that no other landowner has actively engaged in this process. CPD remains committed to the delivery of Yew Tree Farm and facilitating the delivery of infrastructure that is reasonably required in relation to the impacts arising from the delivery of the site, both as site specific issues and as a result of cumulative impacts. However, we have some reservations regarding the Masterplan specifically in terms of some of the details of the options and the lack of detail on potential phasing of the site which is considered a key consideration in bringing the development forward.

As set out above are detailed comments are set out in the report which accompanies this letter. We would welcome further opportunity to meet with the Council and discuss issues around the development of the Yew Tree Farm Masterplan.

FULL REPRESENTATION AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments relating to the Council's approach to the site within the Options document have been noted. However, given this is an early stage document considering all options for the site, much of the detail discussed within this representation, such as delivery and purpose of internal road layout and principles required for creating a "sense of place", will be addressed within the final draft of the masterplan.

Whilst the Council acknowledges that some landowners have been more actively engaged in promotion of the site than others, the key requirement for the Council is to ensure that land assembly i.e. which parcels come forward first and which will be safeguarded, will have a reasonable prospect of delivery and of delivering the required and essential infrastructure to ensure the development is sustainable.

A formalised landscape assessment has not been undertaken to inform the emerging masterplan but the Council is satisfied that the use of its existing bank of evidence relating to landscape sensitivity along with work carried out within the Stakeholder Group and internally within the Council, is sufficient enough to inform the indicative layout that will be proposed within the final draft of the masterplan.

Comments relating to the need for the masterplan to be consistent with the wording of the Local Plan are noted in respect of housing requirements and elderly housing provision. As are those relating to the preferable location for employment development and the uncertainty over the reality of live/work units. Actions will be carried forward to address these in the final draft masterplan.

Greater detail relating to how elderly accommodation should be delivered will also be included within the final draft masterplan.

Comments relating to highways and access are noted and welcomed, as are those relating to pedestrian and cycling access and rail and bus considerations. The Council has explored the potential of access to Burscough Junction Rail Station through Richmond Park. However, this has not been proved feasible to deliver due to sensitivities relating to the school use and land ownerships.

In respect of other matters of detail, additional detail relating to a drainage strategy are welcomed.

The final draft masterplan will require that existing landscape features such as trees and ponds are factored in to the design process as a starting point and by way of good practice but acknowledges that these do not warrant protection. Therefore, if necessary to enable delivery of development, some features need not be retained and this could include any existing ponds.

Comments relating to financial contributions and community facility delivery are noted and will be considered as the document develops into the final draft masterplan.

The requirement for open space will be worked out in accordance with the most up to date Open Space Supplementary Planning Document as the masterplan is finalised.

Comments relating to phasing and the individual options as put forward and the individual issues as set out within the options document are also noted and will be considered, along with all other consultation comments, during the final drafting of the masterplan.

Mrs

Leanda

Ponsonby

Organisation

Comments:

I have been a resident of Burscough all my life and work in the field of public health. W.Lancs has a higher than average number of Road Traffic Accidents. The A59 is a main through route and over many years the huge volume of daily traffic has added to and been responsible for these statistics. I would like to propose to the developers a small amount of space be allocated to parents of Lordsgate school to park their vehicles and escort their children to school safely across the A59 in an attempt to reduce further RTAs. Thank you.

Attachments submitted?

Council Response

WLBC have liaised with Lancashire County Council, as the local Highways authority, to identify such solutions to traffic congestion and ensure the safety of school pupils. Whilst LCC does not wish to contradict the Schools Travel Plan or support parents choosing to use a car for the school run, a requirement of the Masterplan document will be that if a solution is required to address school drop off issues then one should be included within any forthcoming proposals.

Mr George Pratt

Organisation

Comments:

Of the options listed, Number 1 is the least disruptive and provides the site with services and facilities at the earliest time. However some of the detail in this option are not the best. I would like to see a larger play area for children and some provision for older youths. There is a demand in the village for allotments, and they could be used to provide another buffer between employment and residential areas. Provision for elderly, if it is to be concentrated in one area, should be on the northern side of the access road, to avoid their having to cross main roads to visit the town centre. The local service provision should be sited further into the site, to help its take up by tenants who would be more able to assess business opportunities, and to ensure minimal impact on existing businesses.

Attachments submitted?

Council Response

Comments on all elements noted.

Mr	Andy	Pringle
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Organisation	Ideal Community Developments
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Comments:

Please find following the comments from The Maharishi Community, Skelmersdale for the Yew Tree Farm consultation. My role within the community is as development manager and after consultation with our members, the comments have been set out as follows.

•Option1 - Neutral

oThis is similar to the surrounding area, but this is not necessarily a positive thing

oThe areas of public open space and social interaction are spread throughout the development and are less flexible for public usage

oThe size of the green areas are not considered sufficient to allow for improved biodiversity, merely wildlife corridors

oThe small bodies of water are less attractive and are far more likely to suffer from abuse, littering etc...

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

•Option 2 – Preferred Option

oThe centralized focus maintains a degree of the open nature of the site currently

oThe social experience of a large park acts a focal point for social activity across a wide range of groups

oThe large park allows for the positive experience of greenery and countryside at the heart of the development and will have a good effect on those living there that they just have to walk a short way to be in a well sized park.

OThe lake may be better to be one central lake that has a stronger impact positive impact. We all remember going to see great lakes, never the ponds in life!

OA large central lake will be a better habitat for wildlife given its size and the lesser disturbance from people.

OIt would be good to connect the green walkway from the south to the park also into the central park as this will give a better access from all residential areas, a more attractive access and egress for people and will be more likely to be used by surrounding areas.

OFocal points of activity are a very natural way of distribution as creating a disperse set of facilities merely dilutes their impact and creates characterless environments

oThis design has the most character of all the options.

OHaving the facilities opposite the park makes for an attractive area that is easier to reach by the new residents of this scheme

oThere needs to be weight restricted roads from the industrial estate to stop heavy traffic through a primarily residential area as this totally destroys the quality of calm that can be created in a development through traffic management. It would be best if heavy traffic could be limited to the uppermost road and there was green screening from it to the park along with an earth bund to deflect the sound and create a quality open space for people.

OCalm open spaces create calm happy people. We all get out into the countryside to unwind. Create the countryside in the development!

•Option 3 – Neutral

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

OThe green central corridor is not enough to improve biodiversity nor to give much of an experience of open space

oThe ponds are too small and open to abuse, litter etc...

oThe green connections to the rest of the

•Option 4 – Least Preferred Option

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

OThe green central corridor is not enough to improve biodiversity nor to give much of an experience of open space

oThe ponds are too small and open to abuse, litter etc...

oThe overall design is somewhat characterless and a mishmash of items

oThe sense of open space is lost

I hope that our comments are of value and can be implemented where possible.

Attachments submitted?

Council Response

Comments on each of the options noted.

Mr

Daniel

Robinson

Organisation

Comments:

As a resident of Burscough living on Liverpool Road south I am aghast at the proposed positioning of the entrance of the new housing development at Yew Tree Farm. On all four proposals there is a road opposite Lordsgate Drive. This is the busiest and most dangerous point of the A59 especially at School times due to Lordsgate school and the volume of traffic. I have studied your proposals and it appears to me the most obvious and natural point for an access road would be the land opposite 230 Liverpool Road South, in the gap between existing houses, which there has been no mention of. This land is equal distance between the congestion points of A59/Square Lane and A59/Higgins Lane so would help alleviate the congestion problems, not contribute to, if an access road was positioned here. I am very concerned that if the proposed road is positioned where planned it would be extremely dangerous to pedestrians and especially school children as there would be 4 roads onto the A59 within 100 yards, that area being a school drop off point.

Attachments submitted?

Council Response

The proposed entrance to the site is based on advice from the Highways Authority Lancashire County Council. WLBC have liaised with Highways authority to identify such solutions to traffic congestion and ensure the safety of school pupils. Whilst LCC does not wish to contradict the Schools Travel Plan or support parents choosing to use a car for the school run, a requirement of the Masterplan document will be that if a solution is required to address school drop off issues then one should be included within any forthcoming proposals.

mr steven seville

Organisation

Comments:

I cannot understand why you are still going to build on this land. We gave you our opinion overwhelmingly in the vote on this development. This village has done its bit for AFFORDABLE housing..... REES PARK!!!! If people want to live in a nice area they need to work for it like the rest of us i.e night school. As ive said we have affordable housing in this area. So why not build another council estate in m,m,m,m say rufford??? Its not a question of NOT IN MY VILLIAGE, its the fact of "we are a village so please lets leave it that way. Why not build a new town nearby with shops ect new jobs would be created. This village has voiced its opinion in a so call DEMOCRATIC society, so please tell me why its falling on deaf ears??

Attachments submitted?

Council Response

Consultation is not about a vote of popularity. Instead, consultation is about gathering evidence to determine the most suitable, or unsuitable, sites for development, and such reasons for the allocation of this site have been explained during the Local Plan process and its subsequent examination. Therefore focus now needs to be on the most suitable ways in which the development can be designed and delivered. A need for affordable housing has been demonstrated in the Borough, and its importance is set out within various policies of the Local Plan.

Mr Brian Sillett

Organisation

Comments:

It is not unknown that final detailed and approved development plans can contain attractive features (open spaces, community facilities, shops, a pub) only to find that they are not provided when building work has been completed. Burscough has suffered this in the past. I would hope that the YTF development is monitored for adherence to the final approved plan and not allowed to drift away from it. Can Burscough residents be assured that any such deviations will be constantly monitored and prohibited?

Attachments submitted?

Council Response

Where some developments have failed to deliver all that has been proposed in the past has usually been as a result of market forces and due to the fact these were development delivered via planning application only. This site differs in that a strategic masterplan has been developed and all forthcoming applications will be required to deliver all of the relative components of the development such as a linear park, a comprehensive cycle and walking network, and mixed uses.

	P	Simpson
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Organisation

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Comments:

I don't agree with any of the options put forward and believe more problems will be caused rather than solved regarding a number of issues especially drainage and traffic. My main concern is drainage, not at the site but further down the line. Surface /top water and the sewage system already struggle so, if this becomes more of a problem after the event who will be taking responsibility?

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Mrs Veronica Sutherland

Organisation

Comments:

Please advise when residents received the leaflet advising them of the proposed plans? As we have not received one nor have my neighbours in lathom close. If this was delivered with the champion we have not received this free newspaper for some time! My concerns re this proposed development are the following: A primary school has been identified as being needed however there are no proposals for secondary school, Priory is at capacity and as usual this will be only addressed once the houses are built, too late for children having to attend schools out of the immediate vicinity. Likewise health facilities, health care facilities should be put in place before the build is completed! Many proposals were made for the Heathfields estate such as shop, footbridge etc but none of these materialised! Then we will have issues with drainage, surface water, sewage which are ongoing issues already in Burscough. If Yew tree goes ahead all supporting facilities should be set in place before, to prevent problems for current residents and new residents of Burscough.

Attachments submitted?

Council Response

Leaflets were delivered, or sent, to all residential and commercial properties in Burscough at the start of February. Whilst this was not delivered with the Champion newspaper, they were responsible for distribution. We will therefore notify them to ensure this does not happen again.

Lancashire County Council as the Education Authority has provided a high level analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the time-span of the delivery of the site. Therefore, assumptions may change in future. Nevertheless, at present, LCC have determined that there is no need for the addition of a new primary school until beyond this plan period i.e. 2028 or whenever the Local Plan is reviewed, and that secondary provision can be delivered through improvements and extension to the existing school.

The Council are aware that main health provision in Burscough is at capacity in terms of patient lists, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. The Masterplan will ensure that any development on the Yew Tree Farm site contributes to the delivery of improved health care provision.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Mr Robert Travis

Organisation

Comments:

Ref Yew Tree Farm Masterplan details of which we received by email from yourselves early February. Ref my phone call this morning with Mr Richards which was very informative in which he indicated that my previous thoughts and comments on the proposals as they then were would all be taken into a/c [account]. So I will not include photocopies of them but like to reiterate that they are still relevant. I will mention some sections of the project for which I and my family are particularly concerned. 1.Transport, 2. Drainage, 3. Future of schools etc

Transport Access to motorways to north/south/east are all relevant on existing overcrowded county roads totally unacceptable for modern heavy goods. The A59 is grossly overloaded at peak times especially when the schools are open and access to the west is only via country lanes.

Drainage This is a very serious issue. When we have periods of heavy rain the surface water collects in low lying areas very quickly because of more concrete and hard surfaced areas in current housing estates and then on to drains and ditches which eventually have to go under the Wigan/Southport railway line. There are enough problems getting water under that railway line at present between Crabtree Crossing to the east and Bescar Lane Railway Station, in particular to the west. Namely Langleys Brook which burst its banks north of the railway line in 2012 and the culverts to East and west of New Lane Railway station which take clean and foul water from Burscough village. THESE PROBLEMS can not be ignored. Continuing with water problems of the clean type: there is a totally inadequate sewerage works that is still short of capacity at times.

Referring to schools We have 5 primary schools and 1 secondary school within walking distance of the proposed development all with excellent OFSTED reports. There is room for copius expansion at Priory and Lordsgate and also at St Johns Catholic Chapel Lane/ The 3 other primary school in the village of Burscough make up the 6 school in total and the report from LCC @ [at] one of the stakeholder meetings stated no needs are required at present or until 2023 for secondary and 2028 for primary (Ben Terry facts figures 14/11/13).

Now to the options I SAY OPTION 1 (ONE) Because it is best suited for requirements of an extension to Burscough in the selected area. Namely 1.No new school in the plan – more room for other things at present 2.SUDS are placed along the S [south] side of Higgins Lane but there could to be an extra one to east of the 22 as shown in option 1 nearer to where existing culverts go under road opposite Truscott Road 3.If a new school was required post 2027 then the S west section of option 1 could be safeguarded until that date 4.Regarding infrastructure of internal road ways the one from E*W [east to west] if it were moved 100 yards to south in the central area it would allow more water to be collected in the SUDS and slow down traffic. 5.For a further area of post 2027 I suggest the SE Section of option 1 to go with the aforementioned SW corner and marked on the option 1 map from yourselves and enclosed with these 2 hastily written pages. Thank you. PS GO FOR OPTION ONE

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows.

This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Lancashire County Council as the Education Authority have provided a high level of analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the time-span of the delivery of the site. Therefore, assumptions may change in future. Nevertheless, at present, LCC have determined that there is no need for an additional primary school until beyond this Local Plan.

Support for Option 1 noted.

Ms Sandra Tyrer

Organisation

Comments:

My job role includes managing the community space (Arts Centre) at Burscough Wharf. We offer affordable room hire to the community, music events, spot on Rural Touring performances, monthly jazz night and comedy club. We also provide a service to the community by offering daytime activities to adults with learning disabilities (Drama, Catering and work skills). We also work with the local schools and churches and Ormskirk Ukulele Club. Instead of considering building an additional community space could you consider giving some funding to ourselves to enable us to continue offering our facility.

Attachments submitted?

Council Response

Comments noted. Funding for community infrastructure may be secured through the development and will be noted.

Ms	Kate	Wheeler
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Organisation	Natural England
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Comments:

Yew Tree Farm Masterplan Thank you for your consultation received on 5 February 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Green Infrastructure

We welcome the references to Green Infrastructure (GI) in the masterplan but suggest more detail is included. The Masterplan should provide a clear focus in relation to Green Infrastructure (GI) provision and where possible such provision should be incorporated into new development with assistance from developer contributions. As there are requirements for both physical and social infrastructure in the area, the Council should seek to address this issue in the plan. The NPPF defines green infrastructure (GI) as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities” and requires LPA to set out a strategic approach in their Local Plans, “planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure” (paragraph 114).

As well as amenity and recreational benefits, the Natural Environment White Paper highlights the natural environment importance of GI in planning; ‘We need urban green infrastructure to complete the links in our national ecological network. Urban green space allows species to move around within, and between, towns and the countryside. Even small patches of habitat can benefit movement. Urban green infrastructure is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. It is part of the answer to the challenges posed by a changing climate.’ (para 2.78, White Paper), ‘We want urban green spaces to be recognised as an essential asset and factored into the development of all our communities. They will be managed to provide diverse functions for the benefit of people and wildlife. They will cool urban areas and reduce flood risk, helping communities to adapt to a changing climate. They will continue to play a key role in regeneration projects throughout England, supporting local economic growth. Greener neighbourhoods and improved access to nature will improve public health and quality of life and reduce environmental inequalities. Urban green spaces will provide varied ecosystem services and will contribute to coherent and resilient ecological networks’ (Para 2.80, White Paper) Natural England has developed a GI signposting document, which may be of assistance, it includes detail in relation to GI provision and provides some best practice example of LDF policies relating to GI.
http://www.naturalengland.org.uk/Images/GI-signposting_tcm6-11961.pdf

There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:

- ☐ green roof systems and roof gardens;
- ☐ green walls to provide insulation or shading and cooling;
- ☐ new tree planting or altering the management of land associated with transport corridors (e.g. management of verges to enhance biodiversity).
- ☐ The protection of natural resources, including air quality, ground and surface water and soils needs to be considered in all urban design plans. Natural England’s Accessible Natural Greenspace standards (ANGSt) ANGSt aims to address the spatial distribution of natural greenspace, its accessibility at different size limits and the hectareage of Local Nature Reserve per head of population with the aim of securing access to natural greenspace close to where people live. These standards recommend that people living in towns and cities should have an accessible natural greenspace: (ANGST)
 - ☐ Of at least 2 hectares in size, no more than 300 metres (5 minutes walk) from home;
 - ☐ At least one accessible 20 hectare site within two kilometres of home;
 - ☐ One accessible 100 hectare site within five kilometres of home;
 - ☐ One accessible 500 hectare site within ten kilometres of home;
- ☐ Statutory Local Nature Reserves at a minimum level of one hectare per thousand population It is important that the plan seeks to conserve and enhance landscape (and townscape) character, quality and local distinctiveness, including of course the historic landscape.

Biodiversity

Proposals for new development will naturally need to consider environmental impact. Development should avoid

adverse biodiversity impacts and mitigate only when this is not possible, in line with NPPF paragraph. We recommend that development proposals should seek opportunities to create and/or enhance ecological networks, linkages and corridors that permeate through the site.

Biodiversity Duty

Biodiversity is of course a core component of sustainable development, underpinning economic development and prosperity, and has an important role to play in developing locally distinctive and sustainable communities. All local authorities and other public authorities in England and Wales have a Duty to have regard to the conservation of biodiversity in exercising their functions. The Duty aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity and to make it a natural and integral part of policy and decision making. The Duty is set out in Section 40 of the Natural Environment and Communities Act (NERC) 2006 and states that: "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". Guidance is available in the Defra publication, *Guidance for Local Authorities in Implementing the Biodiversity Duty*, <http://www.defra.gov.uk/environment/biodiversity/documents/la-guid-english.pdf>

Habitats Regulations Assessment

The conclusions reached in the assessment are that amendments should be made to the SPD in order that a conclusion of no likely significant effects can be determined for Martin Mere SPA/Ramsar and the Ribble and Alt Estuaries SPA/Ramsar through the pathways of reduced water quality, and disturbance to bird species using habitats outside of European sites. As stated the SPD does currently include a commitment that land promoters will work in partnership to address drainage issues on site. It is recommended that this text be expanded to state that a similar approach will be committed to in order to address waste water treatment also, and that development may not proceed until solutions are confirmed.

Natural England agree you must ensure the production of a detailed ornithological survey report takes place, and to the exploration and provision of mitigation and avoidance measures that may arise. Natural England recommend these measures are included within the SPD, at this point the SPD should be rescreened to ensure that no likely significant effects would occur on the Martin Mere SPA/ Ramsar sites or the Ribble and Alt Estuaries SPA and Ramsar sites, either alone or in combination with other plans and projects.

Attachments submitted?

Council Response

Support for Green Infrastructure within the development is noted and will be a fundamental principle within the Masterplan as is the duty to conserve and promote biodiversity. The recommendations of the Council's HRA (carried out by URS consultants) will be carried forward into the final Masterplan.

Mrs Doreen Williamsn

Organisation

Comments:

Our bungalow is unique in that the front door is on Liverpool Road South, despite our address being Meadowbrook. Therefore our garage and drive (main entrance) is at the back meaning that our small piece of back garden is not very private. At present this is not a problem as we only have two neighbours beyond our home and no passing traffic. If an access road to the planned estate were to come from Meadowbrook all this would change and our privacy would be compromised. The main road is terribly noisy but this is offset by the fact that we have some peace on Meadowbrook and are able to see plenty of sky as well as hear birds in the hedgerows. This will all change. We do need to preserve the wildlife in whatever way possible. Despite the fact that it includes an access road, I much prefer option 4 - clusters, as it has a more pleasing layout. We do not want a school as shown in option 2.

Attachments submitted?

Council Response

Support for option 4 noted, alongside objections to school (as shown in option 2) and creation of access from Meadowbrook.

Mr Michael Williamson

Organisation

Comments:

We are most concerned that Option 2 will increase the traffic feeding onto the A59 between Square Lane and pippin St. The provision of a school adjacent to the proposed road and the estate will greatly agrivate [sic] the situation. Option 1 & 3 will mean houses being built right next to Meadowbrook where old people are residents in bungalows. Although we would prefer no development at all, we would prefer Option 4 as long as adequate parking is provided on the entry to the site & traffic lights are provided on the Meadowbrook / A59 junction. Even without the development, sometimes we have to turn left then to turn round in Platts Lane to enable us to turn right.

Attachments submitted?

Council Response

Support for Option 4 noted, alongside concerns over traffic and parking.



draft masterplan SPD

Yew Tree Farm

September 2014

John Harrison, DipEnvP, MRTPI
Assistant Director Planning
West Lancashire Borough Council

www.westlancs.gov.uk

WEST LANCASHIRE



LOCAL PLAN

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Introduction

Purpose of the Yew Tree Farm Masterplan

The Yew Tree Farm Masterplan Supplementary Planning Document (SPD) has been prepared by West Lancashire Borough Council in consultation with the wider community and key stakeholders. The purpose of the Masterplan is to provide a useful framework to guide developers on the planning and design requirements when bringing the site forward for development. This will ensure a sustainable Yew Tree Farm development is delivered that complements the environment of Burscough, strengthens the local community and contributes to the growth of the economy in West Lancashire.

Scope of the Masterplan

This Masterplan document confirms the amount and type of development to be delivered within the Yew Tree Farm site, as set out in West Lancashire Local Plan Policy SP3. It also provides further detail on the delivery of important issues such as main access points, primary internal road network, drainage improvements and the location of various elements of development within the site. The Masterplan will establish which part of the site should come forward first and which part will be safeguarded from development to potentially meet future growth needs. This document also includes objectives for the development site and a vision for the site once the development is complete in its entirety, and if the safeguarded land is never ultimately developed.

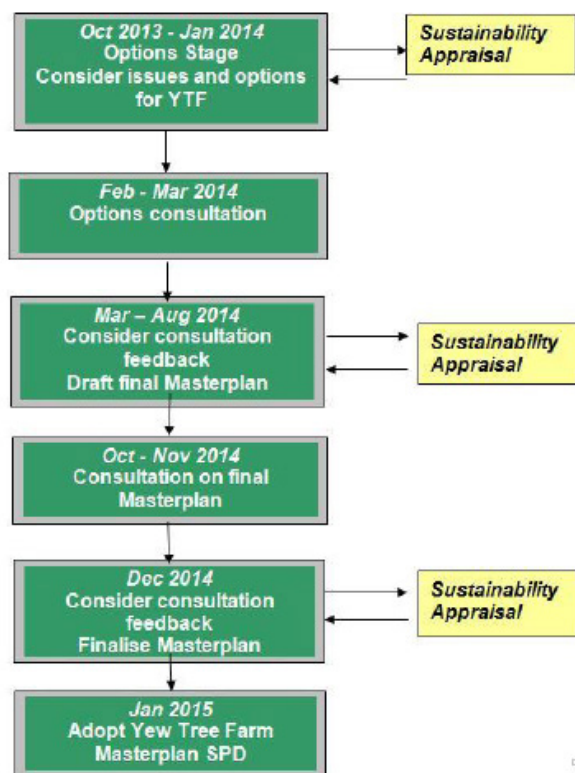
In terms of guidance, the Masterplan includes a set of principles to assist in achieving the objectives and the overall vision for Yew Tree Farm. It also includes site specific design guidance to ensure that the development addresses all of the localised issues associated with the site and that the site delivers the best possible development for Burscough and West Lancashire.

Whilst the above detail is included along with an indicative layout, the Masterplan does not include a site specific layout relating to each parcel of development, nor does it include details setting out how each home, business or plot will look.

These details will form part of future planning applications for the site.

How the Masterplan has been produced

The Masterplan builds on Policy SP3 of the Local Plan and Figure 1 sets out how the Masterplan has been produced, including the timescales from draft options to adoption. The Masterplan has been developed through engagement with a wide range of stakeholders including the local community, business, land owning and developer parties, along with the main statutory planning bodies and environmental, utilities, highways and infrastructure delivery agencies.



The document began as an 'Options Document' which included four planned options for how the site might look once complete. The 'Options Document' also included numerous questions and suggestions regarding the important issues that affect the site such as highways access, delivery of open space, sustainable access for pedestrians and cyclists, community facility provision and drainage of the site.

This document is the second stage in the development of the Masterplan and is known as the 'Draft Final Masterplan'. It has been published

for consultation in order to seek the views of the community, stakeholders and other interested parties and comments on all aspects of the document are welcome.

Following consultation, all views will be considered and a 'Final Masterplan' will be published and adopted by the Council.

Status

The Masterplan has been produced by West Lancashire Borough Council in partnership with key stakeholders. Once adopted (expected January 2015), the Council will use the Masterplan, along with any other relevant development plan policies, to assist in determining any forthcoming planning applications in relation to the Yew Tree Farm site. Such applications must conform to the requirements of the Masterplan in order to deliver a high quality and sustainable development for Burscough.

Community and Stakeholder Engagement

Whilst the Council is the responsible body for delivering the Masterplan, it is important that the community and all relevant stakeholders are engaged in the process. In order to assist in this, a Stakeholder Group was established in October 2013 and consists of representatives from the local community, including residents and the clerk to the parish council, landowners, infrastructure providers, Lancashire County Council, ward councillors, third sector voluntary groups and other agencies such as the Environment Agency.

Although the group was not a decision making body, their engagement in each step of the Masterplan development has assisted in shaping how the document has developed.

In addition, and through formal consultation on the Masterplan Options Document in February and March 2014, the following feedback was noted as important in the development of this site:

- Accessibility through the site
- Retention of green views
- Separation of employment / housing uses
- Use of land and efficiently maximising existing landscape features (hedges, ditches)

- To ensure the new development is well integrated with Burscough
- New development supports, not undermines the Burscough centre
- To focus on accessibility to ensure the site is as sustainable as possible
- Landscaping along the periphery and within the site
- Creation of a gateway and attractive landscaped entrance to site

What will the Yew Tree Farm Development Deliver and When?

The key requirement of the Yew Tree Farm development is to deliver 10 hectares of land for new employment uses, which will generate new jobs, at least 500 new homes, which should include a mix for all local needs including affordable homes to rent and buy, homes to meet the needs of the increasing elderly population and high quality market housing to complement the Burscough housing market. This development is not likely to commence in advance of 2015 and the first phase should be completed by 2027.

The site will also enable the delivery of new community services, facilities and infrastructure both on the site and in Burscough more generally. On-site this would include small-scale retail and community uses to serve the new development and employment areas, new public open space and a linear park / cycle route. Off-site the development should also contribute towards the community facilities in the existing centre including health, education and library facilities. By prioritising the existing centre rather than seeking to create a new on site centre, this will assist in ensuring the vibrancy of Burscough is maintained.

The development must also ensure that the impacts on Burscough's infrastructure are limited and, where possible, improvements are made through careful design of highways access to the site, highways improvements in general to accommodate additional traffic movements and improvements to the existing and new drainage network.

Context

Burscough

Located almost centrally in the Borough, Burscough is the third largest settlement after Skelmersdale and Ormskirk. With a population of around 9182 (Census, 2011), Burscough is home to just over 8% of the people who live in West Lancashire and although locally Burscough is known as a village, the Council identifies it as one of West Lancashire's Key Service Centres. This helps to define its position in the Borough in respect of the size of the settlement and the availability of services and facilities and also gives an indication of what is acceptable within the settlement in respect of new development.

Originally an agricultural area, Burscough developed as an industrial centre building on the opportunities driven by the construction of the Leeds – Liverpool Canal which passes through the settlement. In addition, Burscough is located on the A59, one of the main arterial routes through the Borough, connecting Liverpool with Preston, and also benefits from two rail stations, Burscough Junction on the Ormskirk to Preston line and Burscough Bridge on the Southport to Manchester line. Whilst the service on the Ormskirk to Preston Line is currently low frequency (less than hourly), both the Borough and the County Council are in support of plans to improve this service through electrification of the Liverpool line beyond Ormskirk to Burscough. This has the potential to improve connectivity with Liverpool through the Merseyrail service and with Preston as a more frequent service may then be possible between Burscough and Preston.

There are many essential facilities located in and around the settlement including health, education and community / leisure facilities, two post offices, a supermarket and some retail and leisure provision. For greater choice, many look to Ormskirk and Southport before venturing further to Preston, Wigan, Liverpool or Manchester for even greater choice and city centre facilities.

In recent years Burscough has benefitted from an £11.5 million physical regeneration project to revitalise the centre of the settlement through significant environmental improvements.

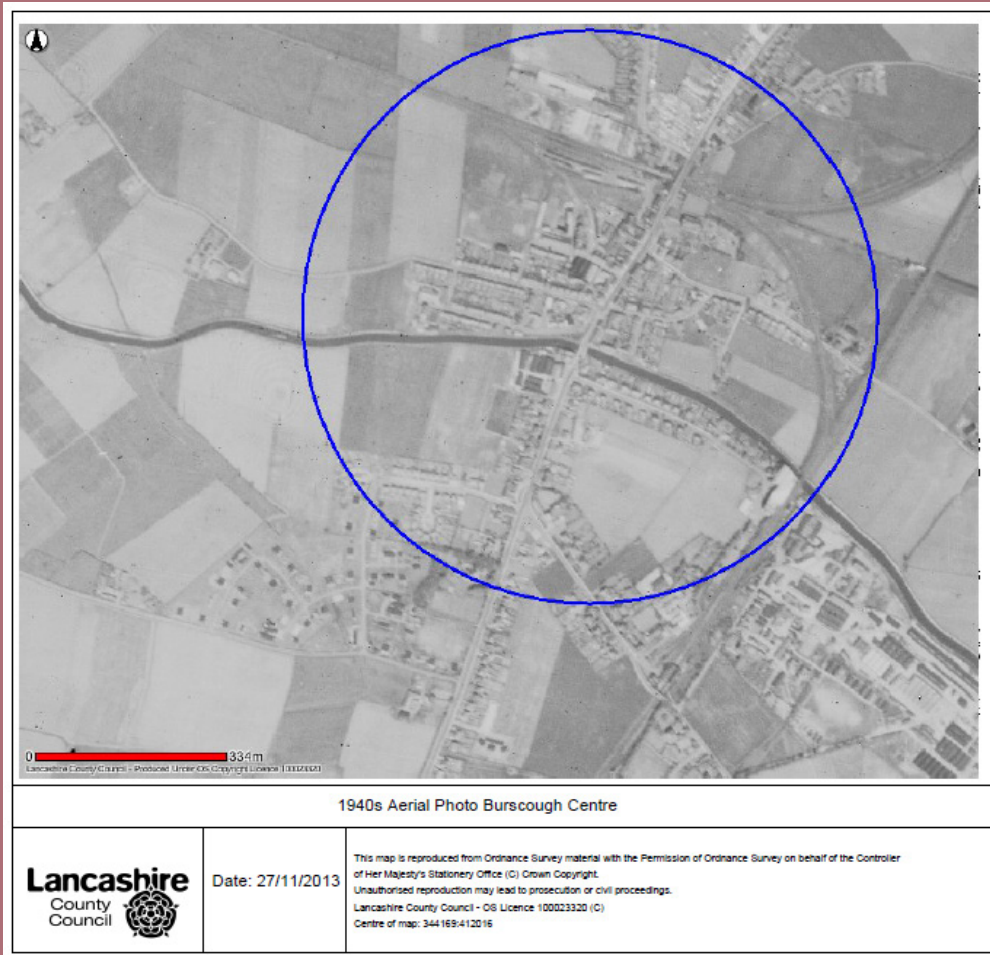
In addition, the regeneration of Burscough Wharf retail and leisure development has provided a good mix of leisure, retail and community uses and further bolstered the vibrancy of Burscough. Therefore, additional growth should support the existing centre and not threaten it.

Growth

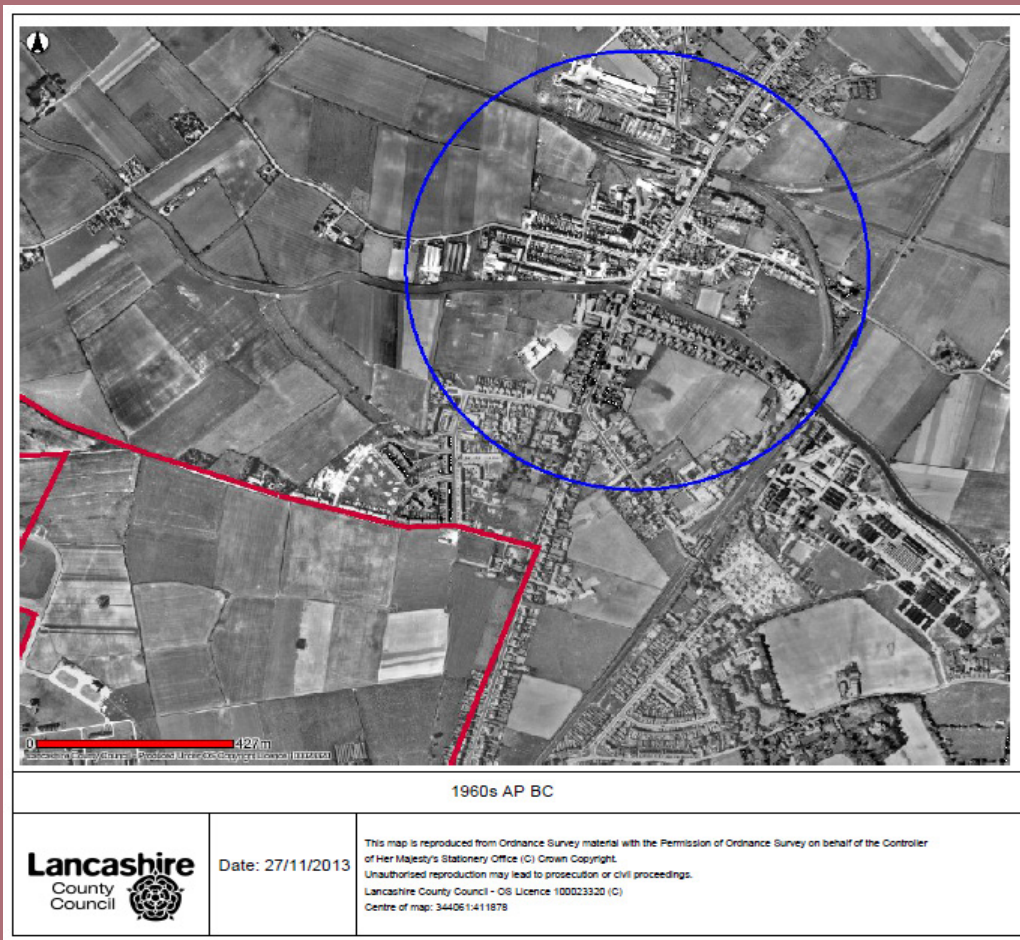
Burscough was originally an agricultural area, evidenced by the surrounding farm land and many farmsteads around the settlement. The development of the railway and canal then placed Burscough in a prime position for transporting produce and growth during the industrial age.



The majority of the oldest residential development is located around the A59 between the canal and the railway lines which have acted as physical barriers to development. Following the war, the population increase and housing needs have resulted in growth of the settlement in a southerly direction along the A59 with later growth infilling between the Ormskirk to Preston rail line and the A5209.



1940s Burscough - Aerial photograph



1960s Burscough - Aerial photograph

Growth

The West Lancashire Local Plan 2012-2027 sets out the expected growth within the Borough and how these development needs will be met. It identifies a requirement for 4860 new homes and 75 hectares of land for new employment uses to meet the growth needs of the Borough. Policy SP1 of the Local Plan further disaggregates this growth across the settlements and allocates at least 13 hectares of employment land and 850 new homes to the Burscough area, many of which are already under construction.

Within the Local Plan, Policy SP3 identifies land to the west of Burscough, known as Yew Tree Farm, to meet some of the Borough's housing and employment needs over the Local Plan period to 2027. This includes 500 new homes and 10 hectares of employment land for jobs. Some of the site may also be required to meet potential future growth requirements and so will remain safeguarded from development during the life of this Local Plan to ensure it is available if needed for development in the future.

Policy SP3 is clear that the specific location of the land to be developed during this plan and that which will remain safeguarded will be identified in a separate 'masterplan' document that should be prepared in consultation with local residents.

Yew Tree Farm Site

The Yew Tree Farm site covers 74 hectares of greenfield land that lies to the south west of Burscough, within the Burscough West Ward. The site sits between the residential area of Liverpool Road South to the east and south, the Truscott Estate and Higgins Lane to the north and the Burscough Industrial Estate to the west. The site has direct access to the A59 and is within reasonable walking distance of Burscough Centre, both rail stations and the bus stops located along Liverpool Road South. Although the site is bounded on most sides by development there are some open aspects to the north across Higgins Lane and open countryside lies beyond the industrial estate to the west.

Site characteristics

The following features characterise the Yew Tree Farm site and set the context for developing good design solutions for well planned development:

Rural Higgins Lane – This bounds the site to the north and, whilst fairly well populated with housing development to the east, a large proportion of the Lane has a rural character with open views across the landscape towards the canal and a dense hedgerow lining the entire northern boundary of the Yew Tree Farm site. This Lane should maintain its rural character where possible and build on the positives the Lane has to offer such as the views through to the north.



Photographs of Higgins Lane



Field Demarcation - the Yew Tree Farm site is currently carved up into a number of smaller parcels due to the presence of existing drainage ditches, hedges and tree lines. These features are typical of the surrounding landscape and, whilst they are not protected, they should be considered as a starting framework for the site design where possible.

Landscape – The site lies within landscape area 2D, as set out within the Council’s Natural Areas and Areas of Landscape History Importance Supplementary Planning Guidance (1996/2007). The area is slightly undulating in contrast to the flatter landscapes further north in the Borough and predominantly arable farmland. The surrounding landscape is typified by farmsteads and nucleated settlements around historical centres. These key features should be borne in mind when devising site specific design guidance to ensure the development fits within the context.



Photograph of the junction of Liverpool Road South and Higgins Lane from Higgins Lane



Photograph of hedging and landscape features typical of the site

Topography – Land at Yew Tree Farm appears almost flat but in fact falls away to the north, with natural drainage of the site to the north west. The natural topography should be worked into the final design with a view to maximising the natural fall of the land for sustainable drainage features.

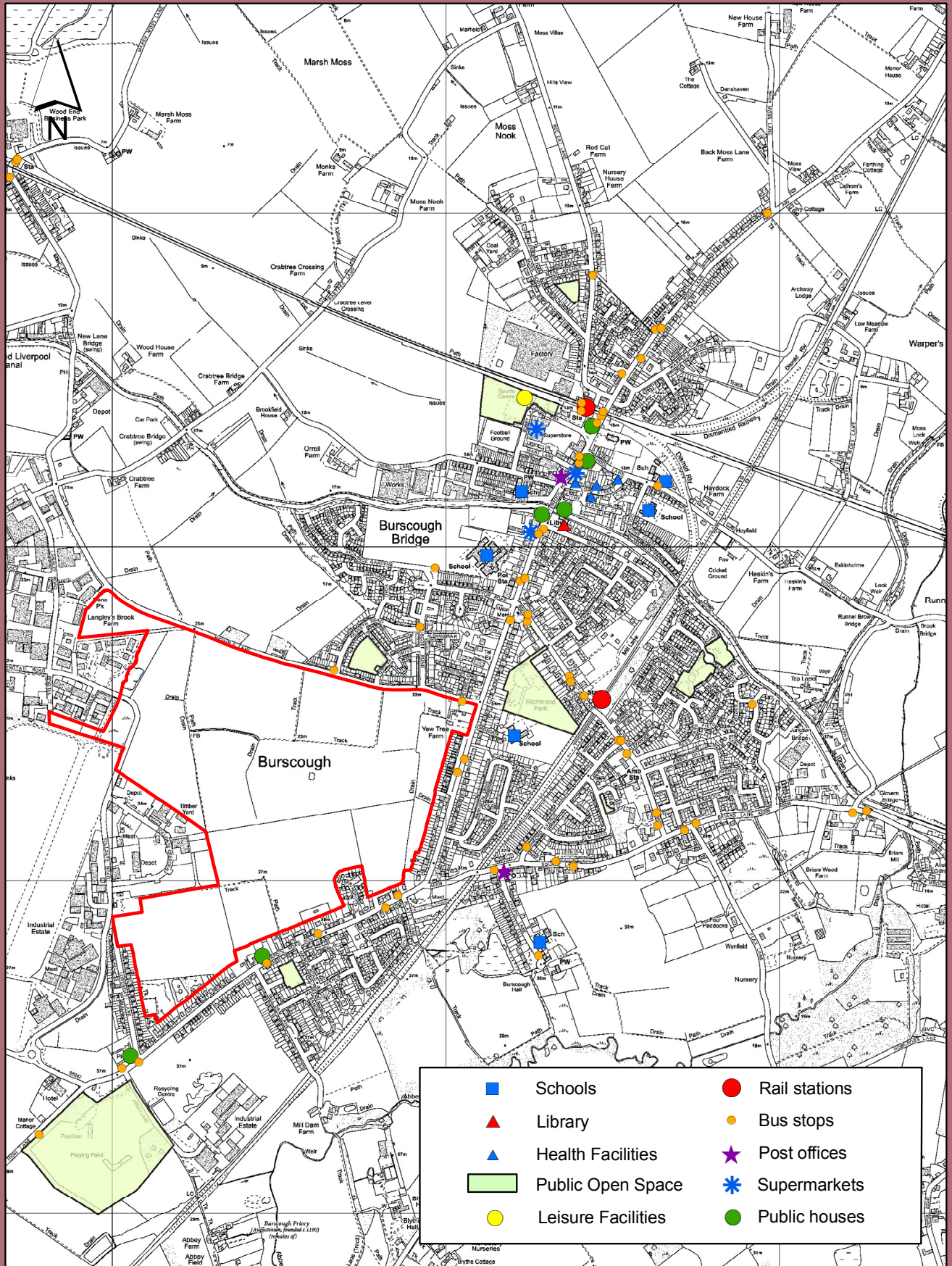
Higgins Lane and Liverpool Road Junction – This corner provides the main point of vehicular access from the existing residential area of Burscough. Along the A59 this is the only portion of the site that is clearly visible and therefore provides an opportunity to act as a gateway to the site and set the tone for the quality of development at Yew Tree Farm.

Burscough Industrial Estate – In 1942 land to the west of the Yew Tree Farm site was compulsory purchased to be developed by the RAF as HMS Ringtail Airfield. The facility had 4 runways, a control tower and a total of 34 hangars. The Burscough Industrial Estate has evolved around this former airfield which is now derelict with only remnants of the former runways and a couple of hangars remaining. The Yew Tree Farm site lies directly between the Burscough Industrial Estate in the west and residential areas to the north, east and south, which provides an opportunity to create a development that provides a comfortable transition between the two uses through sensitive design, while filling in the gap between the two.

Minerals and Waste

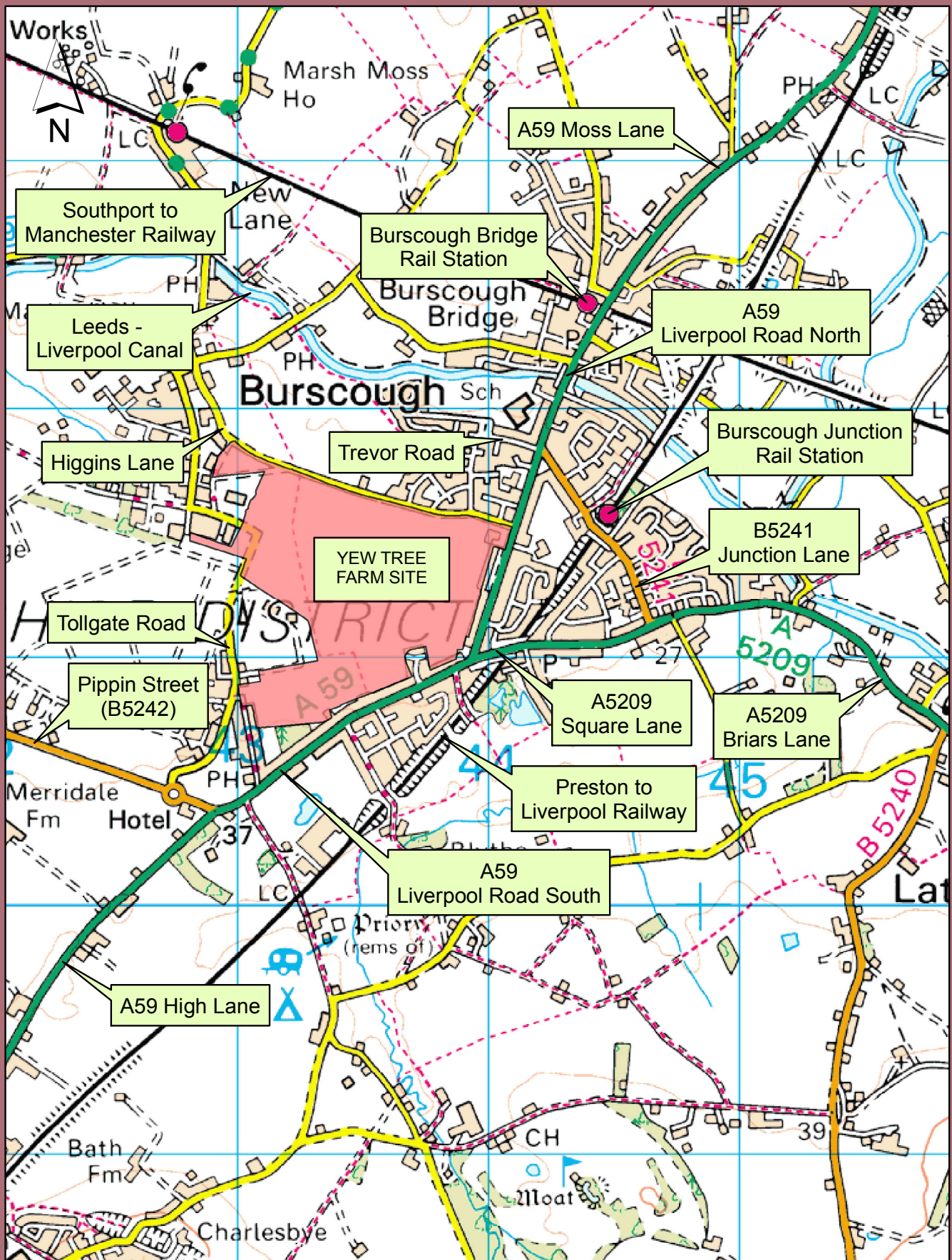
Around two thirds of the Yew Tree Farm site is designated as a Minerals Safeguarding Area within the Adopted Joint Lancashire Minerals and Waste Development Framework. Therefore, proposals for development on the Yew Tree Farm site are required to consider the potential impact that development may have on sterilising those minerals and whether it is feasible or necessary to extract them in advance of development. The constraints map on page 14 shows the part of the site designated as a Mineral Safeguarding Area.

Context Plan



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Local Highway Network Plan



Local Highway Network and Access

Burscough has grown up around the important transport links that pass through the settlement, including the canal, rail lines and main roads. Given the A59 is one of the main arterial routes through West Lancashire and is a trunk road connecting Liverpool to Preston, a degree of congestion is inevitable, particularly where the route is constrained through built up areas.

The immediate local highway network consists of the A59 Liverpool Road South to the east of the site which is a single carriageway strategic route, Pippin Street (B5242) to the south of the site connecting the A59 with the industrial / business area of Tollgate Road, Ringtail Road and Langley Road to the west of the site and Higgins Lane, which is essentially a country lane with some traffic calming measures bounding the northern edge of the site.

Lancashire County Council (LCC), the Highways Authority, undertook an initial review of the local highway network in the vicinity of the Yew Tree Farm site, during the strategic Local Plan preparation stage. A further detailed review of the existing traffic conditions has been carried out in preparation of this Masterplan. This underlying work is available on the Council's website www.westlancs.gov.uk/YTF alongside the other evidence base assessments which informed the development of the Masterplan.

LCC were able to gain an appreciation of the existing local highway network performance and the extent of congestion occurring during peak hours. LCC's review of the highway network indicated that, at this moment in time, without the additional development of Yew Tree Farm, the stretch of the A59 between Mill Dam Lane and Square Lane Junction (A5209) was currently operating above capacity during the AM peak traffic flows. Therefore, the greatest level of congestion would be experienced along this stretch of the A59 route through Burscough during the morning peak (8.00am – 9.00am). During the PM peak, the route was currently operating within capacity, although this should not be interpreted as a continuous flow of traffic throughout the evening peak (16.30 – 17.30).

When factoring in the additional traffic associated with the Yew Tree Farm development until 2027, it is anticipated that the impact of the growth will result in this stretch of the A59 operating above capacity during both AM and PM peaks. In addition, the section of the A59 between Square Lane and Higgins Lane may also, in parts, be operating above capacity during the AM peak hour only.

The above findings indicate that at this current time, traffic in Burscough flows freely for the majority of the time. Local knowledge of the area suggests that this free movement of traffic is generally only hindered in the event of a blockage such as a parked car, bus or delivery vehicle.

The findings of the review also demonstrated that the delivery of an east to west link through the Yew Tree Farm site would do little to improve or worsen the traffic situation and that its main purpose would be to ensure the site was well connected to the surrounding network with good levels of permeability.

Although traffic moves freely through Burscough for the majority of the time, new housing and employment development in the area will inevitably lead to traffic increases and network capacity pressures at both AM and PM peak travel times, as noted above. However, LCC have indicated that there is no single solution for this and that the focus for mitigation measures must be on improvements to sustainable transport measures and targeted highway improvements to the wider network, as set out within the 'Connectivity' section of this document.

Drainage

The surface and foul water drainage network in Burscough suffers from capacity issues, as does the waste water treatment works at New Lane which serves Burscough, most of Ormskirk and some of the outlying areas towards Scarisbrick and Rufford.

Land drainage within and around Burscough is also unsatisfactory in parts as a result of unmanaged local culverts and pinch points in the drainage network where physical barriers, such as the rail line and canal, cause obstruction in the flow of water to the outfall (Martin Mere / Boat House Sluice).

Through consultation with stakeholders and the wider community, the Council is aware that the issue of drainage is one of the key local concerns and that this development must do all that is possible to avoid worsening the situation and, where possible, make improvements.

One of the main complexities when managing drainage and flood risk is understanding who is responsible. Whilst United Utilities are responsible for ensuring that the public sewerage network is maintained and improved to support growth and development, LCC as the Lead Local Flood Authority (LLFA) are responsible for managing flood risk, including that from surface water, within the County. In addition, many of the natural drainage watercourses which are the cause of concern are in multiple private ownerships.

In respect of United Utilities' responsibilities, they have confirmed that they are currently in the process of securing funding to make improvements at the waste water treatment works. However, such improvements may take as long as 2020 to be delivered. In terms of ensuring the overall volume of flows to the waste water treatment works is acceptable up until this point, United Utilities have confirmed that a potential solution could be to remove a volume of surface water out of the existing system and to divert it through Yew Tree Farm and then into the natural drainage network. Whilst this is necessary to ensure that the development does not make this situation any worse, the improvements could actually result in some improvement to the existing system and overall betterment.

The LLFA will be involved in the development of a Sustainable Drainage System (SuDS) for the entire Yew Tree Farm site and are likely to be the approving body of such a scheme. The SuDS will ensure that none of the surface water from the development can be discharged into the public network and that it must be discharged into the natural drainage network at an appropriate rate to ensure no additional flood risk results from the newly developed site.

In respect of the condition and capacity of the natural drainage network, this will ultimately be the responsibility of the riparian owner i.e. the land owner adjacent to or beneath the watercourse. Where the watercourse falls within the Yew Tree Farm site, control over the condition of these watercourses will be reasonably straightforward. However, beyond the site it becomes more complex and beyond the realms of planning control.

Notwithstanding this issue, the requirements of the SuDS will include an appropriate attenuation rate to mimic the existing greenfield rate. This means that once the development is complete, the rate at which surface water leaves the site will be the same as it currently does whilst the site is undeveloped and in its greenfield state. Therefore, no greater impact will result in terms of flood risk.

Finally, the Yew Tree Farm Site, along with much of Burscough, falls within a Groundwater protection zone (Zone 3 Source Catchment Protection Zone). This zone is defined as the area around a source within which all groundwater recharge is presumed to be discharged at the source. Therefore, whilst the aquifer is further south within Ormskirk, consideration must be given to groundwater protection in the design of any SuDS scheme.

Topography

The topography of the Yew Tree Farm site is broadly flat with the land falling away slightly to the north. This is where the site naturally drains to. This topography is typical of the West Lancashire landscape which is characterised by flat, low-lying areas intercepted by a network of drains to assist with the farming of the land. There are no areas of the site where the topography will prevent or limit the development of this site.

Adjacent land uses and sensitivities

To the east, south and west the site is surrounded by built development, residential to the eastern and southern boundaries and employment land to the west. The location of the employment land constrains the types of uses that are most appropriate along the western boundary to ensure that there are no noise or bad neighbour issues which could lead to negative impacts on the amenity of the inhabitants of the new residential development within the site.

Equally it is important that any proposed new employment land is located sensitively, having regard to the location of adjacent existing residential development.

Whilst there are no significant heritage assets within the site, two heritage assets are located adjacent to the site boundary. Mill Dam Lane End Farmhouse (Grade II Listed) is located along the southern boundary on Liverpool Road South and Yew Tree House (Grade II Listed) is also located on Liverpool Road South, albeit further north.

Along the northern boundary (Higgins Lane), housing is located along almost half of this boundary, closest to Liverpool Road. The remaining 50% of the northern boundary is dominated by adjacent arable farmland which offers open views to this aspect.

Landscape features

The main landscape features are hedgerows located within the site, defining the field boundaries, and along the northern boundary of the site. Other features include lines of trees and a number of ponds located in the northern portion of the site. Whilst none of these features are protected, all will require consideration in the early design stage of any forthcoming development.



Photograph of hedges on Yew Tree Farm Site

Views through the site

Although the topography of the site is reasonably flat and the boundaries reasonably well surrounded by development, a portion of the northern boundary along Higgins Lane remains

open with views across the open countryside to the north. These views will need to be factored in to the overall design.



Photograph of view into the site from Higgins Lane

Existing Footpaths and Connections

One public right of way crosses the site (P74) and this should remain integral to the proposed site layout. However, there are a number of public rights of way in the vicinity adjacent to the north, south and east of the site. Where possible, connections should be made to this wider public network.

Flood Risk

Whilst there are no areas of land at risk from fluvial flooding within or adjacent to the site, there are a number of areas susceptible to surface water flooding both within and adjacent to the site. Mitigation will be required and should be captured through the Sustainable Drainage System requirements.

Biodiversity

Martin Mere near Burscough is one of the largest and most important of the biodiversity sites in West Lancashire and is located to the north west of the Yew Tree Farm site. It is home to a variety of bird species of European importance and is designated as a Special Protection Area (SPA), Site of Specific Scientific Interest (SSSI) and a RAMSAR site. Other small sites of local importance can also be found in and around Burscough including Abbey Lane Brick Pits and Platts Lane Pits.

The RSPB identifies a large area of land to the north and west of the of the Yew Tree Farm site, within 1km of the site, as sensitive habitat for pink-footed geese and whooper swans. As Yew Tree Farm currently supports arable farmland, this appears to meet the basic habitat requirements for wintering pink-footed geese and whooper swans. However, the existing Burscough Industrial Estate does not meet the basic habitat requirements for qualifying species.



Photograph of Martin Mere

Whilst the development of the site could result in noise and / or visual disturbance to wintering birds using the nearby sensitive area, the land at Yew Tree Farm itself is not currently identified as supporting habitat for Martin Mere. However, this will require monitoring to ensure that any required mitigation can be put in place in the event the site does become supporting habitat.

Within the Yew Tree Farm site there is a single pond that was identified through the Habitats Regulation Assessment (HRA) at the Local Plan stage as having average potential for Great Crested Newts.

In addition the remnant farm buildings may also offer some minor potential for bats, albeit the presence of bats has so far not been identified through existing survey work.

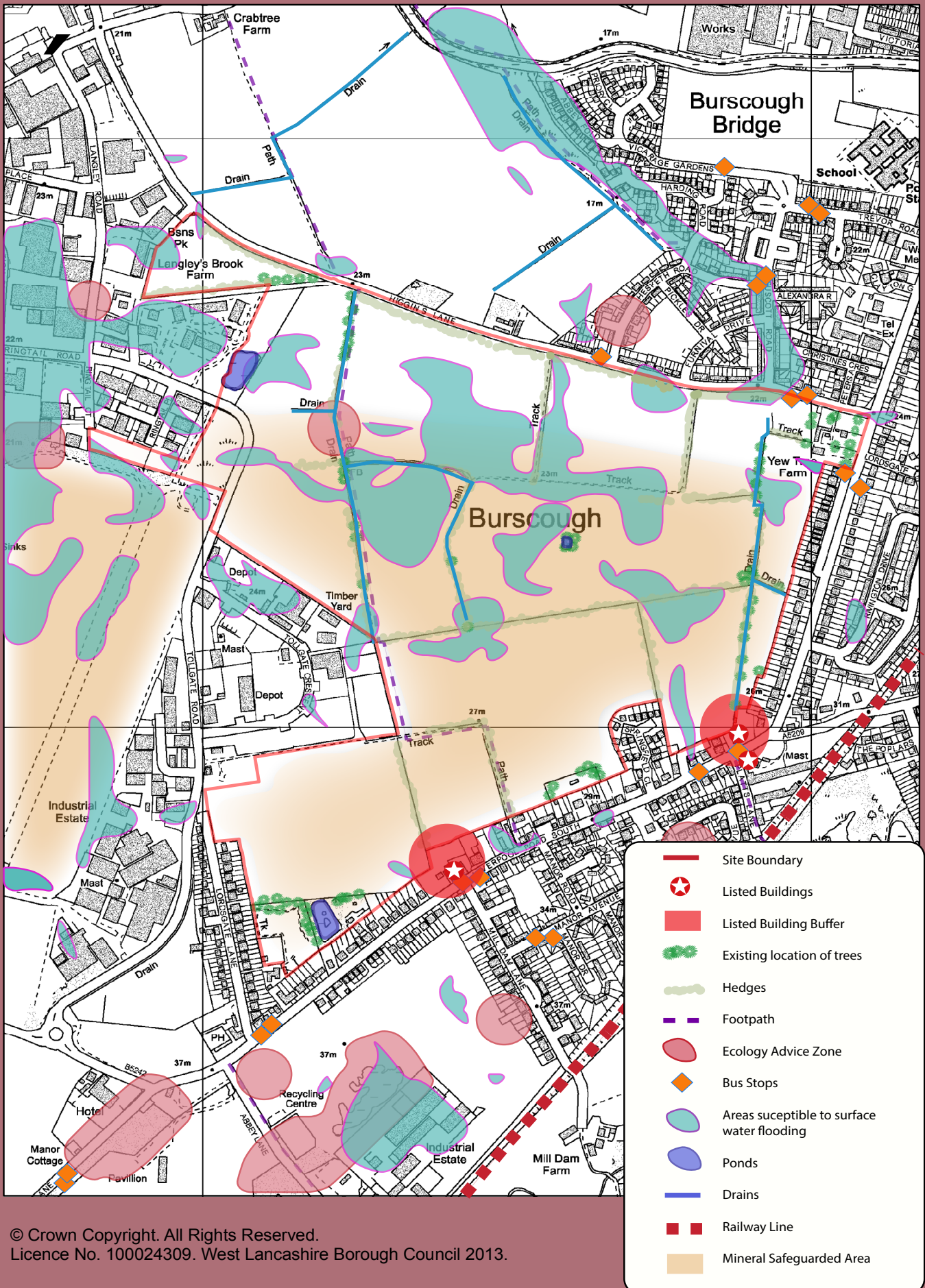
Given the dynamic nature of ecological issues, the Masterplan is unable to identify the exact issues and matters which will require specific mitigation measures. This would be inappropriate given the likely timeframe for delivery of this site.

Alongside the development of the Masterplan a HRA has been carried out and has concluded that, in addition to the supporting habitat matter, the following issues could arise as a result of development at the site:

- Increased levels of housing and business can lead to reduced water quality.
- New buildings have the potential to disturb species outside of the SPA and RAMSAR site.
- Waste water treatment infrastructure is vital to ensure that no negative implications arise that could impact on protected species.

The above matters will need to be considered through the planning process and will be a requirement of the site specific guidance within this Masterplan.

Site Constraints and Features



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Yew Tree Farm Design Objectives

Objectives - What does Yew Tree Farm need to achieve?

- To create a sustainable, well planned, distinctive and interesting place that has its own identity and becomes a positive and integral part of the town and community of Burscough.
 - To help meet the future housing, employment and community needs of Burscough and the surrounding area with land for at least 10 ha of employment and 500 dwellings.
 - To use land efficiently and creatively, making the most of existing landscape features, creating new ones and minimising the impact of site constraints.
 - To safeguard 10 ha of land for employment use and land sufficient for 500 dwellings for future development needs.
 - To reduce the need for long distance car journeys by providing good sustainable transport links from residential areas to local employment areas, community facilities, the town centre and to the public transport network for journeys to employment and other services beyond the town.
 - To provide a range of social and community facilities including small scale local facilities and allowing for the provision of a primary school if required beyond 2027.
 - To ensure, through good design, that the residential environment is not dominated by cars.
 - To be based on a network of well designed, attractively landscaped and interconnected streets, paths and walkways through the Linear Park and open spaces which encourage walking and cycling into Burscough and the surrounding areas.
 - To develop the Linear Park, providing a multifunctional green space for walking and cycling between Burscough and Ormskirk.
- To enhance native biodiversity (the number and variety of plant and animal species) and range of habitats within the area and address the impact of development on the biodiversity and environmental quality of the surrounding countryside.
 - To promote an energy efficient new development that has minimal impact on the causes of climate change, and which takes advantage of appropriate renewable technologies.

Local Plan Policy SP3 identifies a number of objectives required to be delivered through the development of the Yew Tree Farm site. This masterplan will reflect National Planning Policy Framework (NPPF) Guidance on extending settlements in order to deliver housing land supply and will seek to address these issues through development principles and requirements of any subsequent planning applications.



Photograph of modern housing

Vision for Yew Tree Farm

Vision – How will Yew Tree Farm look and feel?

The vision for the Yew Tree Farm site should complement the overall vision for Burscough, as set out within the West Lancashire Local Plan (2012-2027), and has been developed through consideration of public engagement on the Masterplan so far.

Burscough in 2027 will have retained its role as an attractive Key Service Centre, providing a range of facilities for local people. The town's role as a local employment hub for surrounding rural areas will be reinforced with sustainable growth of the industrial and business areas linked to the town centre.

Yew Tree Farm will be a natural extension of the existing urban area and will bring a mix of housing types and styles to support the local housing market. The homes will be sustainable by design and meet the needs of the local population including elderly, first time buyers, those wishing to rent and those wishing to move up the housing ladder.

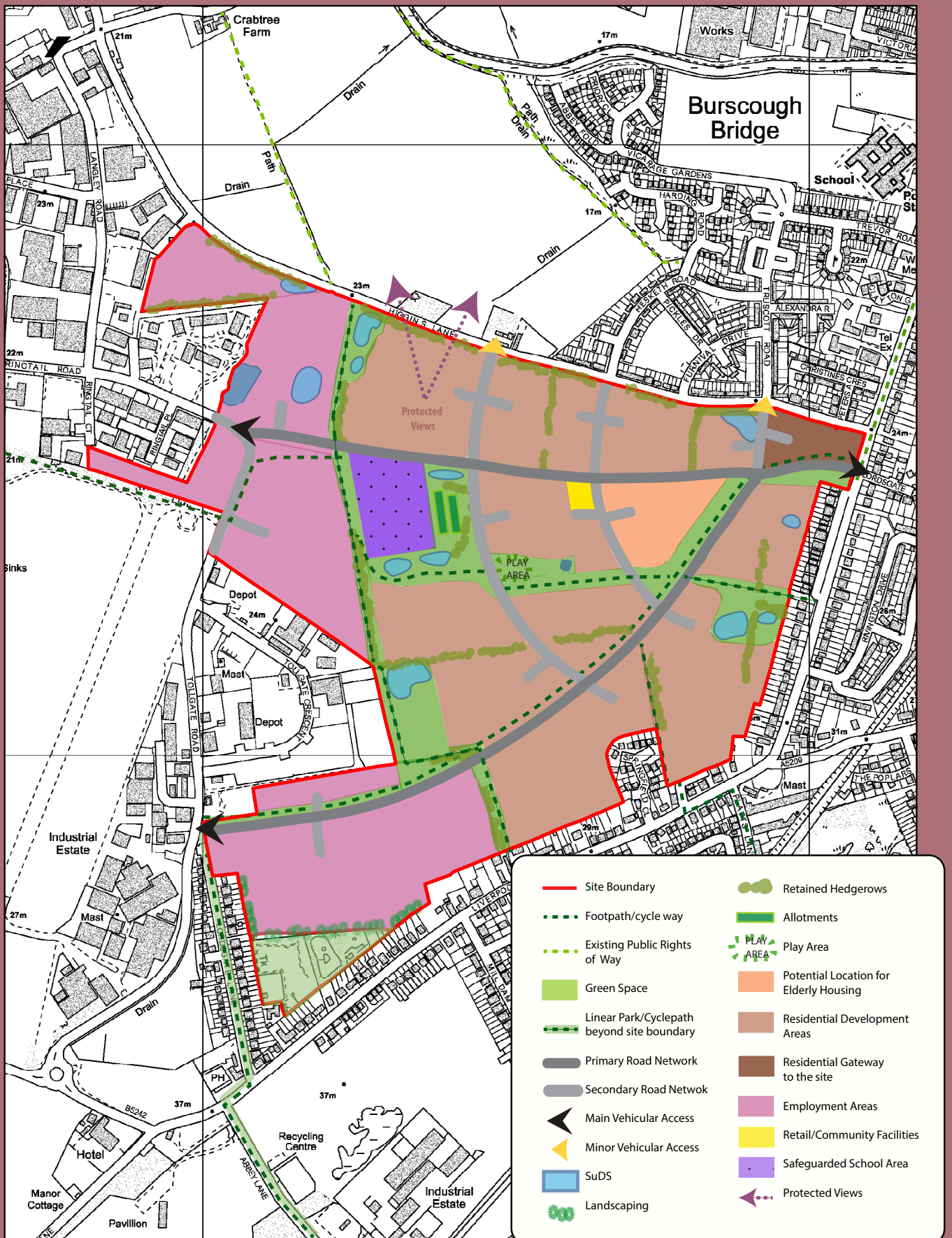
The development will maintain a sense of openness and green to it as a result of the extensive network of green corridors crossing the site, providing a mix of functions such as access, biodiversity, recreation and flood risk management.

New employment opportunities will be linked to the existing Burscough Industrial Area and connections to the wider area opportunities, in Burscough, Ormskirk and beyond, will have been improved through the delivery of a linear park and numerous cycle and walking routes that link the Yew Tree Farm site to the rest of the borough and other important transport links.

Working with utilities providers and developers, the Council will ensure that appropriate infrastructure improvements will be in place to support new development and in particular, highways and drainage measures will be in place.

Local and community facilities will primarily be focused within Burscough's existing centre with only limited on-site provision to support the very local needs of the surrounding housing and employment area.

Indicative Layout



Place Making Principles

Planned growth in West Lancashire provides an opportunity to create sustainable, well planned and vibrant new communities. It also provides an opportunity to direct this growth to support existing settlements and help to build on the successes already realised in many of the Boroughs towns and villages.

It is crucial that new developments complement the context within which they will grow and that we build high quality new homes and businesses that will provide visually pleasing environments where people will want to live and work.

Yew Tree Farm should be designed to be a distinctive and attractive place in its own right, and also one that integrates with Burscough. To ensure both distinctiveness and integration, the Yew Tree Farm Masterplan is based upon four important place making principles known as the four C's:

- Character
- Connectivity
- Climate
- Community

Mineral Resource Assessment

In addition to the above key place making principles, proposals for development located on the Yew Tree Farm site must have full regard for the implications of the designated mineral safeguarding area that covers around two thirds of the site (see context plan). Applications should be accompanied by a minerals resource assessment. This is to ensure sufficient information is available on mineral resources to enable the Borough Council to determine the applications conformity to Joint Lancashire Minerals and Waste Local Plan Policy M2 – Safeguarding Minerals.

The mineral resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them. Information should be informed by desk based or intrusive surveys and could be provided on:

- The depth of overburden,
- The quantity and quality of any mineral present,
- The height of the water table,
- The proximity and nature of any surrounding land uses,
- The size of the site.

Character

The Yew Tree Farm Masterplan must guide the overall development to meet the needs of the Borough whilst having regard to the existing context of the Yew Tree Farm site.

The design concept for the site has regard to the most important features within the context of the site including:

- The rural nature of Higgins Lane and land to the north.
- The existing landscape framework (field demarcation).
- The primary access to the site via the A59 and the creation of a "Gateway" area.
- Burscough Industrial Estate to the west and the countryside beyond.

Burscough follows the townscape principles of a traditional English townscape with its organically evolved village, lively street frontages and natural hierarchy of development with decreasing densities towards the countryside interface.

The following character focused place-making principles provide a basis for ensuring that the Yew Tree Farm site will be a well-designed and attractive place:

- Existing landscape features should be identified and used to create a locally distinctive place and to ensure a strong synergy with the surrounding countryside.

- Densities and massing should be in keeping with policy RS1 of the Local Plan to vary to reflect the immediate surrounding area but the general pattern should be in keeping with the townscape principles that the higher density development should be located towards the north east of the site with decreasing densities towards the linear park and open space area. This will echo the move from urban to countryside.
- Creative but simple designs are often the most successful and durable approaches.
- Whilst varying architectural styles may be appropriate, a limited palette of good quality materials will enhance the overall design of the site and create a well-connected development that links well to the existing urban area as well as between phases of development.



Photograph of high quality housing

- Open space should be designed to be integrated with buildings and good landscapes are as important as good buildings.
- All buildings should be designed to be flexible and adaptable.
- Car and cycle parking, storage and waste recycling should be integrated into the design process of all buildings.
- Areas of shared space and public realm should be open and accessible locations at clear nodes across the development to support legibility throughout the site and a sense of place.

The materials used should be high quality and in keeping with the wider townscape.

- The “Gateway” to the site at the north eastern corner and junction of Higgins Lane and the A59 presents an opportunity to create a quality entrance to the development. Whilst this parcel of land has been identified for residential use, the quality of development and accompanying landscaping should be inspiring and of the greatest quality, protecting and enhancing the views through to the green corridor which runs east to west through the site creating appealing vistas across the site.
- Development should capitalise on the attractive green corridors and water features by encouraging buildings to face on to such features.
- Primary Road Network – The creation of attractive boulevards with street trees and the potential for green corridors either side of the roadway for SuDS and walking and cycling paths. The tallest building heights would most acceptable along the primary road frontages with a maximum of three storeys.
- Secondary Road Network – Narrower routes than the primary network which allow access to parcels for development. Building heights along the secondary road frontages could go up to 2.5 stories and some on street parking would be appropriate.
- Access routes into parcels should maintain the same architectural language on both sides of the road to ensure consistent street design.
- Architectural language – The development is large enough to accommodate gradual changes in architectural approaches but sudden changes should be avoided.
- The character of each phase will relate to the architecture and character of the location by incorporating local forms, materials and detailing.
- Enduring townscape may draw from the local vernacular but with a contemporary interpretation. This will ensure the new development creates its own sense of place.

Connectivity

Whilst cars are fundamental to any development they should not over-dominate the design process or the finalised development. However, highways and transport were noted as a key local issue and therefore will need to be factored in to the outset of the design process of all applications for the site to ensure any site solutions address the nature of the problems associated with highways through Burscough.

The place-making principle of 'Connectivity' incorporates the following:

- Overarching Connectivity Principles
- Proposed Connections
- Promoting Sustainable Movement
- Site Specific Highways and Transport Guidance



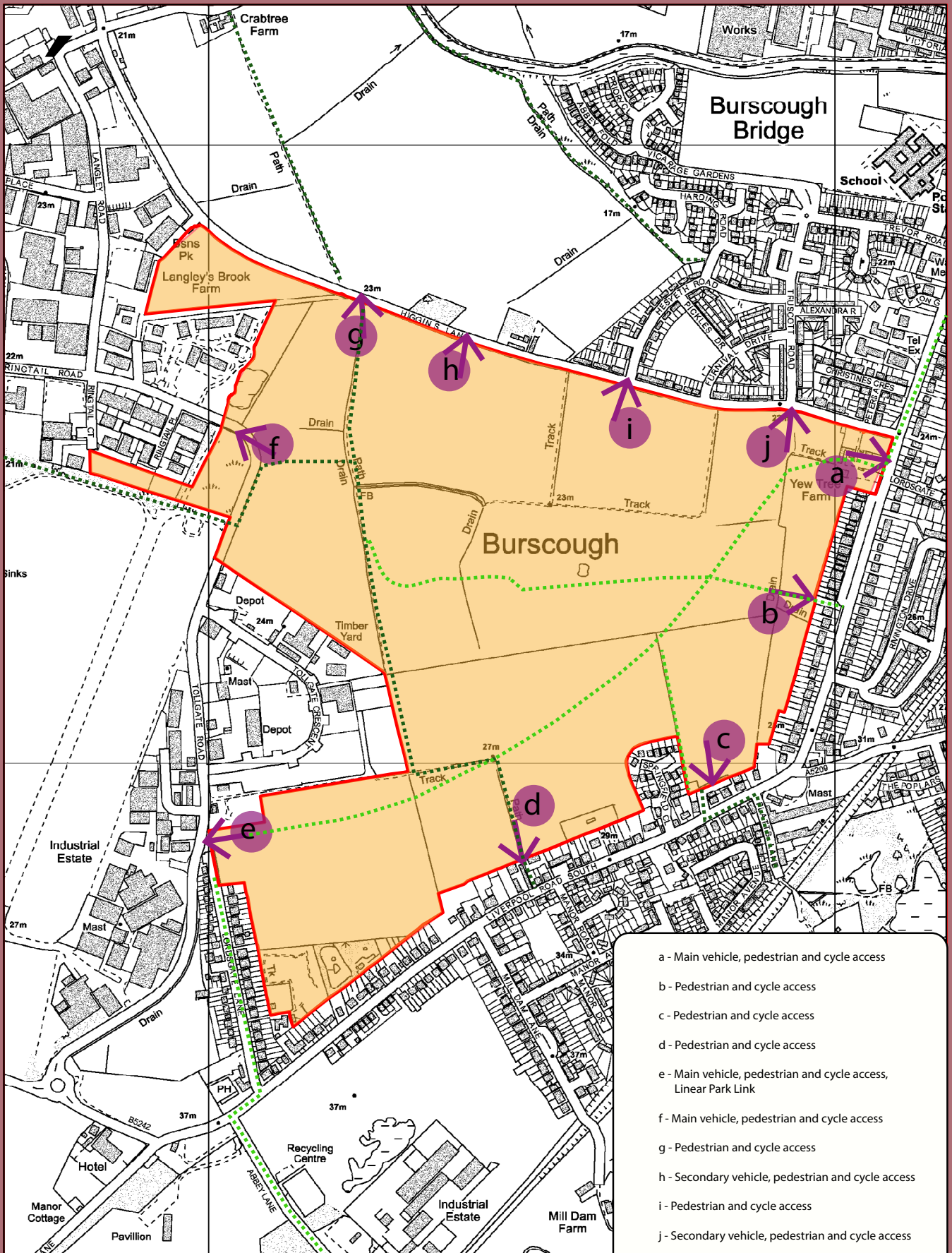
Photograph of sustainable transport - train

Overarching Connectivity Principles

The following connectivity principles provide a basis for ensuring that the Yew Tree Farm site will be well connected within and beyond itself by a range of transport choices and opportunities to safely walk and cycle:

- The development should create an environment that is accessible to all sectors of the community including children, elderly people and people with disabilities to ensure a barrier free environment. Particular attention must be given to the layout and dimensions of footways, taking into account the availability and suitability of crossing facilities for the visual and mobility impaired.
- Development should enhance the feasibility of walking and cycling and should prioritise the convenience of pedestrians, cyclists and public transport over car users, where appropriate.
- Suitable provision should be made, where appropriate, for public transport including bus stops and shelters.
- Bus stops should be well designed and should provide information on services and local facilities.
- The development must incorporate suitable and safe vehicular access and road layout design, in line with latest standards.
- When the West Lancashire Highways and Transport Masterplan (WLHTM) is published, it is expected that there will be continuity between both the WLHTM and the Yew Tree Farm Masterplan.
- Road designs should include permeable surfaces and service infrastructure should go into green space corridors or service ducts.

Connections Plan



- a - Main vehicle, pedestrian and cycle access
 - b - Pedestrian and cycle access
 - c - Pedestrian and cycle access
 - d - Pedestrian and cycle access
 - e - Main vehicle, pedestrian and cycle access, Linear Park Link
 - f - Main vehicle, pedestrian and cycle access
 - g - Pedestrian and cycle access
 - h - Secondary vehicle, pedestrian and cycle access
 - i - Pedestrian and cycle access
 - j - Secondary vehicle, pedestrian and cycle access
- Existing Public Rights of Way
..... Proposed Rights of Way

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Connections

a - Main vehicle, pedestrian and cycle access to the site onto the A59 Liverpool Road South, with connections to either Burscough or Ormskirk.

b - Pedestrian and cycle access only onto Liverpool Road and access to public transport.

c - Pedestrian and cycle access only onto Liverpool Road South and connections to existing footpaths on Platts Lane.

d - Pedestrian and cycle access only onto Liverpool Road South and links to the public transport network.

e - Main vehicle, pedestrian and cycle access and a link to the wider Linear Park via Lordsgate Lane.

f - Main vehicle, pedestrian and cycle access onto Ringtail Road accessing the Industrial areas.

g - Pedestrian and cycle access, via an existing footpath onto Higgins Lane and further footpaths towards the canal and Crabtree Farm.

h - Secondary vehicle, pedestrian and cycle access onto Higgins Lane.

i - Pedestrian and cycle access onto Higgins Lane.

j - Secondary vehicle, pedestrian and cycle access onto Higgins Lane and access from the site into Truscott Road and beyond.

Promoting Sustainable Movement

Development proposals should meet the objectives of the National Planning Policy Framework (NPPF) to support sustainable transport and communities. Any development of this site must be able to exist and be promoted as a sustainable community and demonstrate that all required movements (health, leisure, education, retail, employment and public transport) can be satisfied by using sustainable transport modes.

The following principles should be applied to all development proposals within the site:

- The development should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access. Therefore, all opportunities that provide advantages for sustainable modes and reduce trips on the network must be actively pursued.
- The Masterplan area requires a network of legible pedestrian/cycle routes, with multiple pedestrian/cycle only access points connecting to existing and proposed footpaths, highways, adjoining housing areas, public transport facilities, employment, local amenities and other desirable destinations.
- Each developer is expected to deliver their element of the comprehensive pedestrian/cycle network, ensuring that all routes and accesses are safe, attractive, direct and convenient. This may involve the upgrading, extension and/or creation of routes both within and external to the development.
- Footway improvements along the A59 to the centre of Burscough are required to support the integration of the Yew Tree Farm site with the existing settlement.
- New and improved junctions will be expected to incorporate pedestrian/cyclist facilities, with final designs based on an analysis of current and predicted pedestrian/cyclist flows.
- It is important that the Public Right of Way (PROW) network is fully considered. There is an existing PROW (footpath number 74) running through the Yew Tree Farm site. The PROW allows pedestrian access from Liverpool Road South and Higgins Lane, and should be improved and maintained. Any proposed stopping-up or diversion of a right of way will be the subject of an Order under the appropriate Act.
- Development of the site should ensure delivery of the Burscough to Ormskirk Linear Park link. The proposal is for a dedicated cycling

and walking link between Burscough and Ormskirk which will provide a direct off-road route via a new linear park. It is anticipated that the link will also require a Toucan Crossing at the point where the route crosses the A59 to the east of the junction with B5242 Pippin Street.

- Pedestrian and cycle routes should be provided to a high standard, in line with latest guidance, with some landscaping to ensure an attractive environment, good connections to internal road layout and quality signing. In addition, there should be appropriate lighting and surfacing to ensure maximum usability.
- Improved / additional cycle parking provision may be required within Burscough Centre and at rail stations.
- Development delivered within the Yew Tree Farm Masterplan area will be expected to include multiple pedestrian and cycle only access points to support journeys by sustainable modes to the existing built up area, local amenities and public transport provision. These should intercept desire lines and be regarded as primary access routes with at least equivalent importance as the access roads carrying motorised traffic.

- The A59 is a principal bus route and is likely to be maintained with the development of the Yew Tree Farm site. Development proposals should incorporate suitable measures and/ or infrastructure to promote the use of public transport, such as comprehensible safe walking and cycling links, bus stop improvements and additional bus service provision. The Yew Tree Farm site is well placed for penetration by existing or new bus services and therefore, developers will be encouraged to design development in a manner that will facilitate the potential future operation of a frequent bus service through and/or around the site. The provision of new bus stops and the operation of a bus service through the site would be subject to negotiations between the bus operator, LCC, WLBC and developers, to ensure that an acceptable level of service could be achieved and funded.
- Developers will need to take into account distances to key facilities and the existing provision for sustainable movements. Table 1, below, refers to recommended desirable and acceptable walking distances and their source. It is important, where reasonably possible, that all elements of the development satisfy 'Desirable' distances.

CIHT Document	'Providing for journeys on Foot'			'Guidelines for Planning for Public Transport in Developments'
	Town Centres (m)	Commuting/ School/ Sight Seeing (m)	Elsewhere/ Local Services (m)	Distance to Bus stop (m)
Desirable	200	500	400	300
Acceptable	400	1000	800	
Preferred Maximum	800	2000	1200	400

Table 1 – Recommended Walking Distances

Site Specific Highways and Transport Principles

In order to ensure the development at Yew Tree Farm is delivered to a high standard whilst minimising the impact on the local highway network, the following site specific highway and transport principles must be applied when considering future development of the site:

Proposals must be supported by a Transport Assessment in line with Department for Transport (DfT) guidance

This is required to identify the impacts that each phase of the development will make on the existing highway network, and the need for off-site highways and transport mitigation that may be required to realise the Yew Tree Farm site as a whole. LCC will work closely with WLBC and each developer (or their agent) to provide support and ensure satisfactory development can be designed and delivered. It is vital that LCC is engaged in pre-application discussions at the earliest opportunity.

Each application will be considered on its merits and its ability to be fully and adequately integrated into the environment. Measures, or infrastructure, that support development should result in a positive influence on the local and wider network, providing benefits for specific modes and ensuring that congestion and air quality impacts are minimised. It is recommended that LCC, as the Local Highway Authority, is consulted when taking forward the development of specific individual parcels of the site, when there is a greater level of detailed information and when the impacts of a proposal can be quantified.

Proposals must be supported by a Travel Plan, in line with Department for Transport (DfT) guidance

An overarching Travel Plan will need to be prepared by the applicant at outline planning stage in order to provide guidance to developers in their detailed planning. The Travel Plan will set out a broad approach and key actions to be taken forward by developers. Due to the size of the Yew Tree Farm site and land ownership, it is anticipated that the development of Yew Tree Farm will be progressed in parcels by individual

developers and/or landowners. Given that each parcel may differ in land use (employment, residential, community, retail) separate Travel Plans will be required. These will need to be developed for the specific characteristics of each plot and the respective end users.

The purpose of an overarching Travel Plan is therefore to describe the broad requirements for the development and implementation of individual Travel Plans. The respective detailed Travel Plans will need to be produced in liaison with, and to the satisfaction of West Lancashire Borough Council and LCC, the Highways Authority.

Within the Travel Plans it will be essential to establish objectives, targets for monitoring, travel surveys and dissemination of information on travel choices. Travel Plans must also have regard to the safety implications of any level crossings in the locality. Measures implemented through Travel Plans must support the sustainability of development, and provide assurance that impacts identified in Transport Assessments can be accommodated.

A clear and legible internal road network is required

It is anticipated that the primary road network within the Masterplan area will consist of two east-west link roads, connecting to the external highway network at a singular primary access with the A59 and two primary accesses on Tollgate Road, to the north and south. The east-west links should be constructed as single two lane roads, with high quality joint pedestrian/cycle provision on both sides. The number of vehicular access points along the east-west link roads into the estate road network should be limited. Both link roads are necessary in terms of the site planning and legibility, and to enable emergency vehicles to gain access to all parts of the Masterplan area.

Although the link roads through the site are not necessarily for providing relief to the A59, each connection must be delivered and completed alongside the relative phase of development. Specific timing of completion will be determined by the Highways Authority at the time of application and conditioned as part of any planning approval.

Where the link roads cross through multiple land ownerships and development phases, delivery of the route must be ensured alongside the relevant phase of development and planning conditions will be used to ensure that delivery of the wider site is not stagnated. These will also be applied to any relevant planning consents which may be granted.

The alignment of the northern east-west link road is intended to provide a direct route from the A59 to the employment area, avoiding Higgins Lane. However, without a direct vehicular connection from the Yew Tree Farm site, Higgins Lane may continue being used as a route to Burscough Industrial Estate (Langley Road) and Swordfish Business Park (Swordfish Close). Therefore, it would be appropriate to have 2 secondary routes that caters for HGV movements between Higgins Lane and the northern east-west link to minimise the levels of traffic entering the 20mph Zone on Higgins Lane. This would facilitate the potential closure of Higgins Lane at its junction with the A59 by providing an alternative convenient vehicular route to the A59 for traffic from the existing built up area.

New highways within the Masterplan area will need to be carefully considered and should not be designed to direct traffic onto unsuitable routes or encourage 'rat-running' by providing short cuts for through traffic. Sympathetic highway layout, routeing strategies and speed reduction measures can minimise the levels of through movements. Traffic Regulation Orders can be useful to guide traffic, such as large vehicles along recommended routes, and for removing the likelihood of rat-running along unsuitable routes. The DFT's documents 'Manual for Streets' (March 2007) and "Manual for Streets 2" (Sept 2010), and LCC's document 'Creating Civilised Streets' (Feb 2010) provide valuable advice on reducing vehicular domination in residential areas.

Appropriate vehicular access

All vehicular access points will need to be approved by LCC and must satisfy design, safety and capacity requirements for all movements. However, vehicular access into isolated parcels of development from the external highway network is not recommended, particularly along the A59. Access to the highway network from the Masterplan area will be via three primary accesses, namely the A59, Tollgate Road and Higgins Lane.

It is recommended that the new access junction on the A59 is located opposite Lordsgate Drive and is signal controlled. Signalised junctions provide safe opportunities for vehicles to enter/exit the development and pedestrians to cross.

A roundabout at this location is not considered suitable as it would require a large land take (especially to accommodate HGV's from industrial land uses) and additional measures to support pedestrian/cycle movement. Roundabouts are not suitable for all locations or environments, and are most efficient with balanced flows.

LCC does not consider it necessary to have more than two accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing a convenient access route to the existing built up area from the A59, and another to the west to provide a route for traffic that may otherwise travel through the 20mph Zone. Vehicular access points onto Higgins Lane should be regarded as secondary accesses.

Developers will need to take account of any restricted capacities on the local highway network as the ability to enter/exit the site may ultimately be influenced by the operation of existing network and not junction design. This is a concern particularly for the latter stages of delivery of the housing requirement as the network must be able to sustain the cumulative impact of additional movements in future years.

Mitigating the impacts of development on the external highway network

As development builds out, offsite mitigation measures will be necessary to offset any potential adverse impact to the existing highways network and to achieve safe access to the site.

This includes consideration of the following junctions:

- A59 Liverpool Road South/A5209 Square Lane, which is likely to require significant changes with pedestrian and cycle facilities.
- A59/B5241 Junction Lane/Trevor Road. The installation of pedestrian facilities across Trevor Lane and alterations to improve capacity at this signalised junction would be appropriate.

- Proposed new roundabout at the junction of the A59 with Pippin Street. This roundabout has already been granted planning consent and will be delivered alongside the retail development located to the south of the Yew Tree Farm site and Lordsgate Lane.

Any new infrastructure linking into the overall highway network would be expected to benefit the whole network, including sustainable movement, and have a positive effect on local amenity. It is crucial that access to existing residential properties is retained and developers must ensure that accesses are not restricted by their proposals.

The completion of the Yew Tree Farm internal road network would release opportunities for highway changes to Higgins Lane, such as the closure of Higgins Lane at its junction with the A59. The implications of this arrangement would require careful consideration as all traffic from the existing built up area to the north of Higgins Lane would either pass through the new development or use the signalised junction at Trevor Road to access A59 Liverpool Road.

Parking Provision

Parking provision is to be made in line with the thresholds set out in Local Plan Policy IF2.

In addition to the requirements of the parking standards contained within the Local Plan, all Traffic Regulation Orders (TRO's) need to be reviewed and revised where necessary within the influenced area, to better manage network operation and efficiency.

The implementation of a signalised junction at the A59/Yew Tree Farm access should incorporate Lordsgate Drive which is the access road to Lordsgate Township CE School. Parking is therefore likely to be restricted on this approach.

The inclusion of a dedicated parking and drop off point within the Yew Tree Farm site for Lordsgate Township CE School is not considered appropriate. Therefore, opportunities to provide parking provision at convenient locations should be considered that will not impede movements by vehicular or sustainable modes on the A59 during the peak hours.

Climate

Ensuring the sustainability of new places is vital so regard must be had to how development interacts with the environment and influences the climate. The place-making principle of 'Climate' incorporates the following:

- Overarching Climate Change Principles
- Environmental Impact Assessment
- Drainage
- Green Infrastructure
- Biodiversity
- Waste and Recycling

Overarching Climate Change Principles

All new development and environmental infrastructure at the Yew Tree Farm site will be built to meet the latest environmental standards, using the following climate change focused place-making principles:

- Decentralised energy and / or heat should be investigated in line with Policy SP3 of the West Lancashire Local Plan (2012-2027).
- Generally, the pattern of development should allow people to easily adopt sustainable lifestyles.



- Parts of the development should aim to achieve the highest standards and act as examples of good practice as the development proceeds. In particular, the “Gateway” would be a prime location to set the standard high.
- New development should not be located in areas liable to environmental risks such as localised flooding.
- If possible, sustainable waste management systems should be built into new developments to make recycling easy and unobtrusive and encourage people to waste less.
- All buildings should be designed to maximise energy efficiency and anticipate the potential impacts of climate change while having the capability to be easily adapted.
- Biodiversity and wildlife should be encouraged through a network of green spaces and SuDS that are specifically designed to foster greater ecological variety.
- Trees and planting should be used to provide shading and cooling in summer and to soak up rain as well as providing attractive landscapes.

Environmental Impact Assessment

In advance of any applications for outline planning consent, the applicant must request an Environmental Impact Assessment “screening opinion” and / or a “scoping opinion” from the Council in order to establish the appropriate level of environmental information required to support an application.

Drainage

The Yew Tree Farm site must deal with land drainage from the site itself as well as surface water drainage from the new development and surface water drainage to be extracted from the existing network in order to assist with the management of flows through the wider network.

The importance of this issue means that the Council would favour a comprehensive drainage scheme to serve the entire site. However, given the multiple land ownerships and the fact that only

part of the land will be delivered in this plan period, the reality of this being delivered is less likely.

Therefore, it will be important to ensure that as each part of the site comes forward it does not prejudice the delivery of (SuDS) on the remainder of the site and, where practical, it connects to the wider SuDS system that may already have been delivered elsewhere on the site.

SuDS are systems designed to reduce the potential impact of new and existing development on surface water drainage in order to reduce the risk of surface water flooding. The purpose of SuDS is to replicate the natural drainage system so that dirty and surface water run-off may be collected, stored and cleaned before being released back into the environment via a natural watercourse and at a controlled rate that replicates the speed of the natural greenfield run-off rate.

The indicative masterplan layout shows where some of the attenuation ponds could go and envisages that movement of surface water through the site could be through swales. However, the precise location and make up of these SuDS components can only be determined through the more detailed planning application stages.



Photograph of SuDs

As part of any outline planning application for the Yew Tree Farm site an overall drainage strategy is required. The strategy should include the following:

- How the proposal will accord will Policy SP3 and deliver a solution to the network capacity issue in order to reduce flows to the New Lane Waste Water Treatment Works that will accommodate the level of foul flows proposed.
- A phasing plan setting out the type and quantum of development expected in each phase.
- A drainage design code – to be used by individual developers in the event plots are developed separately – setting out agreed discharge points, flow rates, storage requirements and programme of works for each plot / phase.
- How the proposed SuDS accords with any necessary criteria set out within the National SuDS guidance and / or / guidance established by LCC as the Lead Local flood Authority (LLFA) who are likely to be the approving body of such schemes.
- How the proposed phase / phases of development will not prejudice the delivery of SuDS on any remaining undeveloped parcels of the Yew Tree Farm Site.
- How the proposed SuDS is future proofed against the impacts of climate change on storm events.
- How the strategy has taken full account of any water mains which pass through the site within the design of the development.
- How the SuDS supports the infiltration of surface water in order to protect groundwater resources.
- How the SuDS will be managed and maintained in the future once complete (if not by the LLFA).
- Details of any off-site drainage infrastructure required to support the development.
- How the design of the built development will assist with water efficiency requirements.

- Applicants should make early contact with both United Utilities and the LLFA to ensure that any proposals are feasible and in accordance with necessary criteria.

As part of the SuDS, this site will be required to incorporate attenuation ponds to ensure that the rate at which the surface water flows from the site is no greater than it is before development.

Attenuation or storage ponds could assist on the site with the following functions:

- Store surface water to ensure the run-off rate is attenuated.
- Assist in improving water quality (filtration).
- Provide a natural habitat for wildlife and support aquatic biodiversity.
- Provide on-site storage for irrigation and rainwater harvesting assisting with water efficiency.

Green Infrastructure

Green Infrastructure can be defined as a “multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities” (Natural England).

The requirements for green infrastructure run right through this Masterplan and encompass the network of high quality green spaces and environmental features that can be used for many reasons including:

Recreation – outdoor relation and play

Biodiversity – a space for wildlife to live and travel

Climate Change Adaptation – flood alleviation and cooling

Environmental education

Food Growing – Allotments

Health and wellbeing – access to a green network for all

Transport – a network of footways and cycleways

Green infrastructure at Yew Tree Farm should begin with the existing framework, incorporating, where possible, hedgerows, tree lines and ponds. Any application for planning permission should include a strong and distinct green infrastructure network which incorporates the following:

- Cycling routes – these should be provided to a high standard, in line with latest guidance with some landscaping set back to an appropriate distance and lighting where necessary to ensure an attractive environment with multifunctional uses.
- Walkways should be safe desirable routes provided to a high standard in line with latest guidance. Any associated landscaping should enhance the attractiveness of pedestrian routes and preserve adequate natural surveillance.
- An appropriate amount of publicly accessible open space to meet the requirements of the adopted Provision of Public Open Space in New Residential Developments Supplementary Planning Document (July 2014).
- Provision of play space to meet varying age ranges including an equipped play area, skate park and multi-use games area to the standard of the Borough Council.
- Appropriate maintenance arrangements for the management of such open spaces.
- Flood alleviation measures as part of SuDs to be approved by the LLFA.
- A Landscaping Masterplan to support any outline planning consent to include landscaping buffers, structural planting, a landscaped gateway to the site at the A59 access point, tree and species planting list to be agreed with the Council through the planning application process.
- Food growing through the incorporation of allotment provision.
- Biodiversity promotion through a well connected GI network.

Biodiversity

The Yew Tree Farm site is within close proximity to Martin Mere SPA and Ramsar. In order to address any potential issues that could arise from the development of the site leading to an impact on ecology, applications for development at the site are required to:

- Provide a Habitat Regulation Assessment alongside any application for outline planning consent, demonstrating the potential impacts of the development on protected species, designated sites, priority habitats and geological conservation.
- Have regard to the detailed information accessible through the Lancashire Environment Record Network (LERN) in considering the implications of the proposed development on the local ecology. Consideration should also be given to the emerging Lancashire Ecological Network.
- Be supported by an Ornithology Report containing sufficient information to demonstrate that consideration has been given to the potential effects of development on the SPA birds associated with Martin Mere and, if necessary, that suitable mitigation measures will be implemented to address this to the satisfaction of the Council. This is in line with Policy EN2 of the West Lancashire Local Plan (2012-2027) and will ensure no adverse effect on the integrity of Martin Mere.
- Accord with Policy SP3 and deliver a solution to the network capacity issue in order to reduce flows to the New Lane Waste Water Treatment Works that will accommodate the level of foul flows proposed. This is an interim measure to allow the sewerage undertaker, United Utilities, the opportunity and time to upgrade the waste water treatment works at New Lane, Burscough. This is necessary to support water quality.

- Minimise the risk to and avoid unnecessary loss of valuable ecological habitat including trees, hedgerows, ponds and any woodland. Not only do these elements already provide good sources of habitat for biodiversity, they act as readymade landscaping and help to integrate new development in to the natural environment. Increased tree planting may be appropriate in parts of the site to encourage biodiversity and hedgerows should be considered for retention and managed for their properties in providing wildlife corridors.



Waste and Recycling

The Masterplan for Yew Tree Farm facilitates development for residential and employment uses. In order to address any issues, development will be required to:

- Ensure that residential development allows for adequate and appropriate means of storing refuse and recyclable materials.
- Where suitable provide communal waste collection, separation, recycling and storage facilities.
- Provide adequate access arrangements for collection vehicles and personnel.
- Provide storage arrangements that are not visually intrusive but rather are visually integrated with buildings and the hard and soft landscaping.

Community

Ensuring Yew Tree Farm is developed to create a community of its own whilst blending with the existing Burscough community is important for the overall success of the development.

The place-making principle of 'Community' incorporates the following:

- Overarching Healthy Community Principles
- Land Use Principles

Overarching Healthy Community Principles

The following community focused place-making principles provide a basis for ensuring that the Yew Tree Farm site will be a well-designed and successful place to live and work with a healthy and inclusive community that has the best chance to thrive:

- Consult the community on any relevant planning applications.
- A range of housing tenures should be available to meet all needs including first time buyers, those wishing to rent or buy, affordable homes, aspirational homes and homes for the elderly.
- Homes should be flexible and built in a way that allows adaptation to different stages of life.
- There should be a mix of formal and informal greenspace and safe, high quality links between them to encourage active lifestyles and sustainable modes of movement through the site and to the surrounding area.
- Community activities should be encouraged by the provision of places to meet informally and formally. Shared spaces and well-designed public realm will assist with this.
- Public space should promote social interaction and healthier lifestyles by design.
- Any required community facilities should be located in the existing central areas of Burscough with good connections to the Yew Tree Farm site unless there is a need or demand for the facility on-site.

- The local retail facilities should provide a focal point with landmarks to ensure a legible sense of place is created that allows community interaction.
- Shared open spaces such as allotments should be accessible for all to encourage healthier lifestyles.
- Any required improvements to health infrastructure should be in place in a timely fashion in order to meet the needs of the inhabitants of the new development.
- Links between the employment area and open space and site facilities should be strengthened to support the health and wellbeing of the local workforce.
- Residential amenity should be considered through the allocation of landuse.



Land Use Principles

The Yew Tree Farm site presents an opportunity to create an attractive mixed-use development and community providing a mix of homes for all needs including first time buyers, homes to rent and elderly provision. The development will also seek to grow the employment opportunities in the local area, building on the existing employment offer in the locality. In addition, a number of complementary uses such as small scale retail and local community facilities may be developed at the heart of the site and land has been set aside in the event a primary school is required to support the long term delivery of the site. Finally, the entire site will be held together by a strong network of open space spaces which connect the site with the surrounding area as well as providing a high quality environment for the on-site development.

The indicative Masterplan layout shows where the following land uses should be located:

- Housing
- Employment
- Local Facilities / Retail
- Community Facilities

Housing

Homes to meet a cross section of needs shall be provided and shall include high quality market housing. In response to the local needs of the Borough, a degree of the housing should be considered affordable and a proportion should be suitable for meeting the needs of the elderly population.

The requirement for affordable homes and elderly provision is founded in policies RS1 and RS2 of the West Lancashire Local Plan (2012-2027).

Therefore, on the Yew Tree Farm, site, 35% of the overall housing provision should be classed as affordable homes and 20% of the homes should be designed for the elderly. These figures have been established taking into account the West Lancashire Housing Needs Study (2010) and population and household projections.

The Council will have regard to the impact of these and other policy requirements on the viability of the overall scheme and there may be scope for cross over between the two requirements i.e. some of the affordable need could contribute towards the elderly need. Below is a table setting out how the housing mix could be split:

	Affordable Housing General Needs	131	} 35% affordable housing requirement
	Affordable Housing Older Persons Needs	44	
} 20% elderly housing requirement	Market Housing Older Persons	56	
	Market Housing General Needs	269	
	Overall Total	500	

The breakdown shows how the housing requirements could be split between the different types of need based on the most up to date evidence. The Council recommend that any applicant should consult with the Housing Strategy and Development Programme Manager in order ensure that any proposal is supported by the latest available information.

Specialist Housing for the Elderly

Given the total number of older persons units that could be provided at Yew Tree Farm, this site lends itself to the development of an Extra Care Type Scheme and sheltered housing provision. Therefore, a portion of the site has been identified within the indicative plan that could be set aside for such development. In the event an end user of such a facility is unavailable then this land will continue to be zoned as residential use and the elderly provision may be delivered on a phase by phase basis across the site.

The location of any elderly accommodation provision should be accessible and convenient and, if possible, be located within a suitable walking distance of shops and/or public transport. The typical perception of elderly persons' accommodation is bungalows or sheltered housing. However, this need not be the case, and such types of development may not always be appropriate, e.g. from a density point of view. Elderly persons' housing could simply be individual private dwellings that contain features designed specifically for the elderly (as opposed to Lifetime Homes, which are able to be adapted to suit older or disabled people).

A hierarchical approach should be applied to delivery of elderly housing as follows:

1. Extra Care / Assisted Living Scheme
2. Sheltered Housing
3. Bungalows and smaller scale apartment developments.

Each approach should comply with Housing our Ageing Population: Panel for Innovation (HAPPI) principles.

Employment

The location of the employment development at Yew Tree Farm has been driven by its compatibility with surrounding uses i.e. adjacent to other commercial uses. The Council wishes to support a variety of employment uses at the site and welcomes innovation and variation on the current offer.



Photograph of Merlin Park

New employment proposals should follow the below principles:

- Be focused on the areas within the site designated as employment.
- Be designed with good access in mind, making use of the main vehicular, cycling and walking routes through the site and beyond to key transport links.
- In areas of the employment land towards the south and east of land designated for employment, consideration should be given to neighbouring uses such as residential properties, linear park, education and amenity open space. Lighter clean industrial units and other B1 use classes along with live / work units will be promoted in this location.
- General Industrial (B2) development is not appropriate immediately adjacent to residential uses and should be concentrated towards the existing employment area.
- Low Carbon building design to minimise energy consumption through site layout, construction material and building design will be promoted.

- The amenity of employees will be considered through the site design by maximising connections to the local service facilities to be developed on the Yew Tree Farm site and areas of open space.

Local Facilities / Retail

Through consultation and Stakeholder engagement it is clear that whilst some limited local convenience retail is required on the Yew Tree Farm site, connections and strong access links to the existing centre of Burscough is favoured.

This is to ensure that the vitality and viability of Burscough centre is not threatened as a result of new development. However, there is potentially a market for some small scale retail to serve the local population and employment area (A1) which could consist of convenience goods, sandwich bar, hairdressers or other localised facility.

Whilst the delivery of the local facilities is likely to be driven by market requirements enabling an end user to invest, the facilities should be developed at an appropriate point within the lifetime of the Yew Tree Farm Masterplan. They should be in place in time to serve the growing population on site but not required in advance of such growth. The timing of the delivery of the local facilities may be conditioned as part of any outline planning application for the site.

Community Facilities

Through the development of the masterplan and engagement with all stakeholders a range of community facilities have been identified as requiring improvement or expansion to support local growth and include:

- Health Centre
- Education
- Youth facilities and Play Areas
- Allotments
- Library

Health Centre – Expansion of the existing health facilities in Burscough is required to support the increased growth associated with this site and other sites in the settlement. Financial contributions will be required through the delivery of this site to support such an expansion which may take place at the existing Burscough health centre or another purpose built ‘hub’ style building with multifunctional uses, located towards the existing centre of Burscough.

Education

Primary education - Lancashire County Council, as the Education Authority for West Lancashire, has confirmed that the delivery of up to 500 homes on the Yew Tree Farm site can be accommodated until approximately 2023. Thereafter, additional growth is likely to result in a shortfall of primary school places in the Burscough area. As a result, LCC has requested financial support to assist in meeting this demand through improvement and expansion at existing primary schools. Given the requirements for education provision are driven by birth and migration rates as well as housing growth, LCC monitor education provision regularly and so this requirement could increase or reduce.

Any applications for planning permission for the Yew Tree Farm site consisting of housing will be required to engage with the Education Authority (LCC) at pre-application stage. This will inform an assessment of the likely impact of the phase / phases of development proposed on primary education provision. If there is a demonstrated demand arising from the proposal, applicants will be required to contribute financially, subject to development viability, to assist in meeting the identified needs. Any such financial contribution is likely to be through the use of a Section 106 Agreement to ensure it is related directly to the impact of the specific phase or phases of development proposed and should be in line with the Planning Obligations in Lancashire Methodology - Contributions towards education places - Update March 2014 document, or any subsequent replacement document.

Secondary education - provision of secondary school places are also likely to come under pressure as a result of the growth at Yew Tree Farm. As with the primary school provision, any applications for planning permission consisting of housing will be required to engage with the

Education Authority (LCC) at pre-application stage.

This will inform an assessment of the likely impact of the phase / phases of development proposed on secondary education provision. If there is a demonstrated demand arising from the proposal, applicants will be required to contribute financially, subject to development viability, to assist in meeting the identified needs. Any such financial contribution is also likely to be through the use of a Section 106 Agreement to ensure it is related directly to the impact of the specific phase or phases of development proposed.

Safeguarded Land - Beyond 2027, if the safeguarded land at the Yew Tree Farm site is further developed to meet future growth needs, the implications are likely to result in a requirement for an additional primary school. A parcel of land has been identified as safeguarded for such a use within the Yew Tree Farm Masterplan indicative site layout. This land should be safeguarded for development as a primary school unless it can be demonstrated that there is no longer a requirement for such a need and no further land remains to be developed.

Youth Facilities / Play Areas – The Council engaged with LCC Young Persons Services and a proportion of the young people within Burscough through an engagement session with Year 9 pupils at Burscough Priory School. LCC have advised that The Grove Youth Centre, located adjacent to Burscough Bridge Rail Station in the centre of Burscough, provides services for 8-13 year olds and offers a variety of activities. However, feedback from the young people at Burscough Priory School suggested that there was a lack of activities and things to do in the local area. This is potentially as a result of the Grove programme being aimed at children to a maximum of 13 years old.

Through the delivery of the onsite open space requirements, the Council would expect to see the development of a comprehensive play area. This could include a Multi-use Games Area (MUGA), Skate Park and equipped play area. The precise make-up of the large open space facility should be discussed with the Council’s Leisure Team in advance of any planning application for the site to ensure its delivery is timely, alongside the delivery of specific phases of development and to the necessary standards required.

Allotments – In order to support community food growing initiatives, the Yew Tree Farm site is required to deliver allotments. This will assist in reducing the number of people on the waiting list for allotments locally (approximately 50-60 during spring 2014). Allotments provide a number of benefits including:

- Bringing together the community
- Improving physical and mental health
- Providing a source of recreation
- Making a wider contribution to the green infrastructure network
- Economic development – through the growth of skills and exploration of commercial options
- Education – through connections with schools to encourage greater understanding of food growing and healthy eating



Photograph of Public Realm in Burscough

Applicants should engage with West Lancashire Borough Council Leisure Services in advance of any application to ensure the size and quality of the proposed allotment provision is appropriate. The recommended standards for quality are as follows:

Essential Facilities	Desirable Facilities
Appropriate access routes	Managed landscape and well-kept grass
Level surfaces	Toilets and water supply
Litter bins / recycling facilities	
Wildlife area for biodiversity	
Security	

Library – In order to serve the growing community of Burscough, improved library facilities are required to ensure adequate provision of this important community resource. This should be provided through the improvement of the existing building on Mill Lane to ensure it is accessible and of an appropriate size to meet local need. This may include improvements to the building to utilise the first floor and the installation of a lift. Alternatively, it may be appropriate to consider the relocation of a library facility within a new ‘hub’ style building to be located in the existing centre of Burscough. Applicants are required to engage with the Council regarding this community facility in advance of any planning application and will be required to contribute financially to its development.

Developer Funding

The Yew Tree Farm site is a significant development opportunity that can contribute to the sustainable growth of Burscough. However, the development could also result in potential impacts on local infrastructure so will require co-ordination and funding to ensure any required mitigation measures are secured and delivered in a timely fashion. Funding may be secured through the Community Infrastructure Levy (CIL), Section 106 and/or Section 278 Agreements, subject to the most appropriate mechanism.

All development at Yew Tree Farm will be expected to contribute towards the following infrastructure:

- Sustainable transport measures, access requirements and the mitigation of any highway impacts, both on and offsite.
- Sustainable Drainage System and any required works to remove existing surface water from the wider network in order to reduce flows to the local waste water treatment works and reduce risks to water quality.
- Health provision improvements.
- Library facility improvements.
- Open space, sports and recreation provision both on and off-site if required.
- Education provision, both primary and secondary.
- Plus any other infrastructure requirements that may become apparent through the planning application process.

Phasing and Delivery

The Yew Tree Farm site consists of two separate development areas, one to the north and west of the site, which will deliver homes and employment land to meet the growth needs of the Borough as set out within the current West Lancashire Local Plan (2012 – 2027), the second to the south and east of the site (with an isolated parcel of employment in the north west), which will remain safeguarded from development until such a time as West Lancashire’s growth needs require the release of this land.

Development Area One

Development Area One consists of land to the north and west of the site that is not hatched on the Safeguarded Land plan. Any application for planning consent should cover the entire Development Area One or show how it relates to and does not prejudice the delivery of all parts of Development Area One. All applications for planning consent in Development Area One should also show how the proposal relates to and does not prejudice the delivery of Development Area Two and the wider Masterplan site as a whole. All planning applications for the site should accord with the requirements of this Masterplan and embody the guiding principles that have been set out to help achieve a sustainable and inclusive development.

Development Area One consists of land for the following uses, all figures are net developable areas:

- Housing – 15 ha net (450 dwellings at 30 dph)
- Potential Elderly housing – 2 ha net (between 100 and 200 dwellings)
- Employment – 11 ha net
- Public Open Space – Approximately 2.5 ha in accordance with the Open Space and Recreation Provision in New Residential Developments SPD
- Linear Park
- Retail / community facilities

The above measurements are approximate in light of the indicative nature of the Masterplan layout.

It is important that Development Area One looks and feels like a complete development in its entirety whilst ensuring future linkages may still be

made to Development Area Two to create a single coherent and integrated development.

Planning applications for Development Area One should be supported by a Phasing Plan to be submitted to and approved in writing by the Council (the Local Planning Authority). The Phasing Plan must include details of the maximum number of dwellings and other development to be implemented within each phase of Development Area One, how each phase relates to and supports the next phase and how Development Area One relates to and supports the future delivery of Development Area Two (currently safeguarded).

The development shall only be implemented in accordance with the approved Phasing Plan.

The Phasing Plan may be amended from time to time with the written approval of the Council (the Local Planning Authority) subject to appropriate justification for making such amendments, including, but not limited to, the potential for any significant environmental effects which have not been assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Such amended Phasing Plans shall be accompanied by an Environmental Statement prepared in accordance with the said 2011 Regulations.

Development Area Two

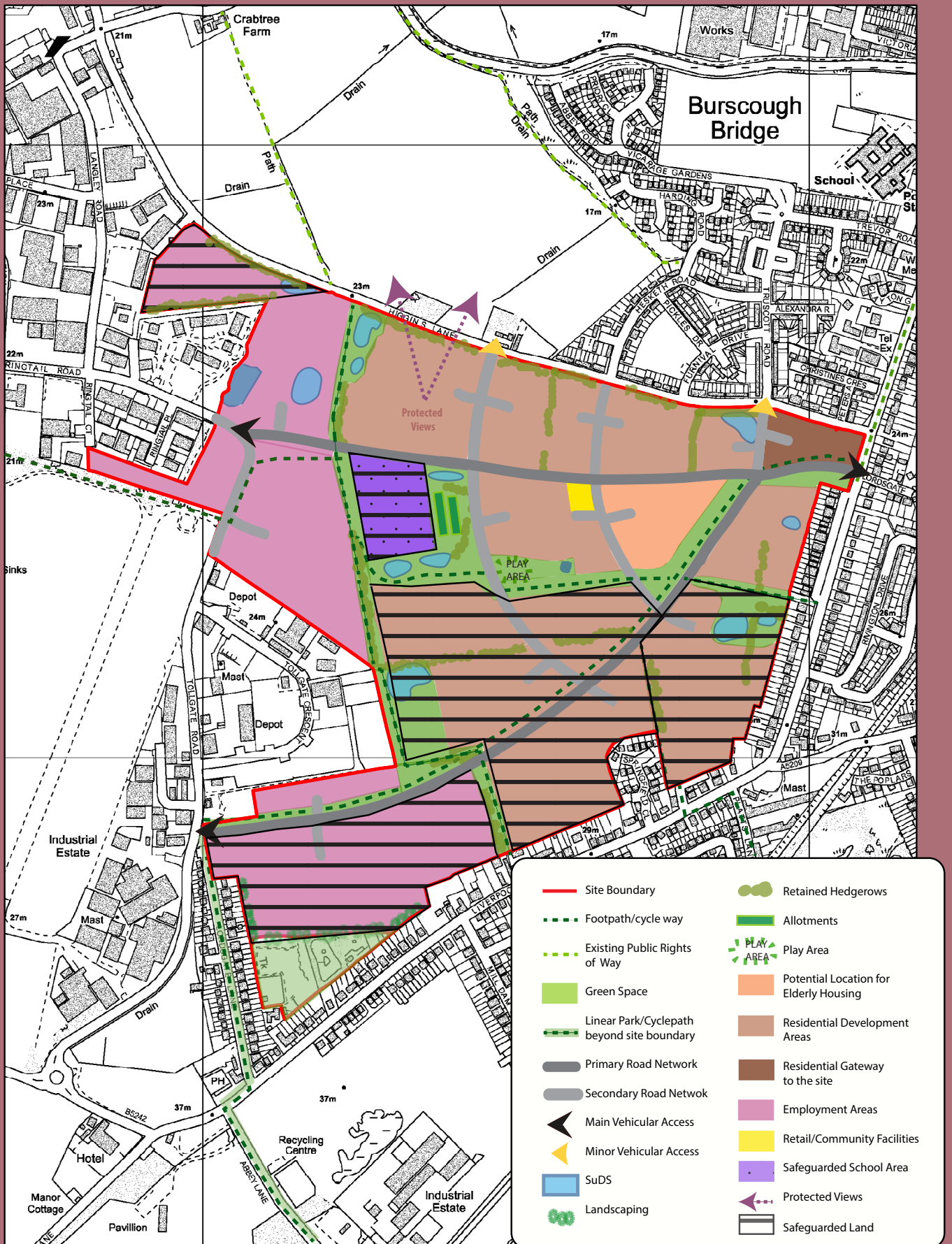
Land to the south of the site (and an isolated parcel of employment to the north west) will be safeguarded from development until such a time as West Lancashire’s growth needs require the release of this land. It is important that until this land is required, it should remain open and free from development, without sterilisation so that it may continue to be used for agricultural purposes, but be available for potential future development needs.

In the event this land is required to meet future development needs, the above requirements for Development Area One will be applicable and the site should be delivered in accordance with the guiding principles set out within the Masterplan. This will ensure a complete and cohesive development in its entirety.

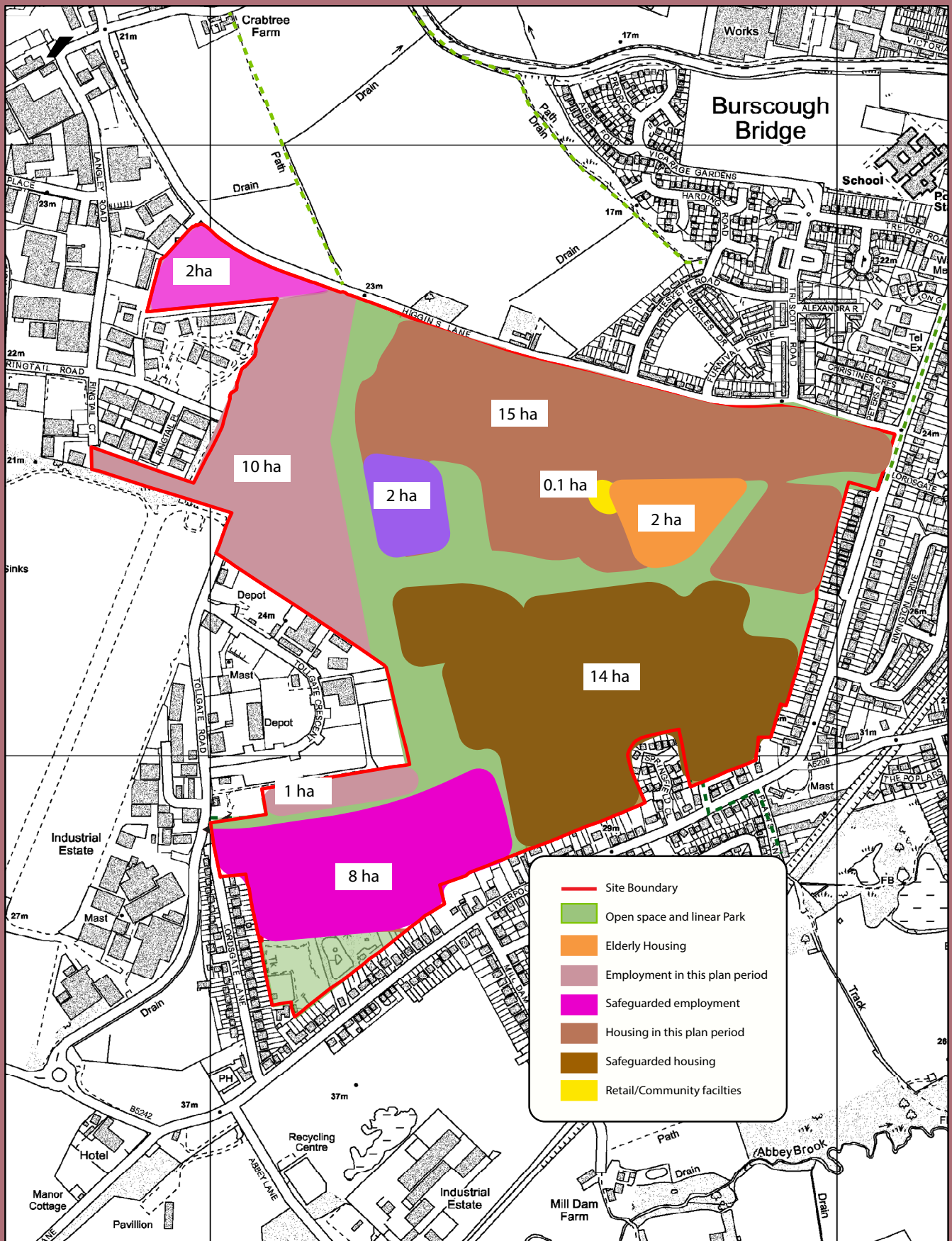
Development area two consists of land safeguarded for the following potential uses, all figures are net developable areas:

- Housing – 14 ha net (420 dwellings at 30 dph)
- Employment – 10 ha net
- Primary School – 2 ha net
- Public Open Space – Approximately 2.5 ha in accordance with the Open Space and Recreation Provision in New Residential Developments SPD

Safeguarded Plan



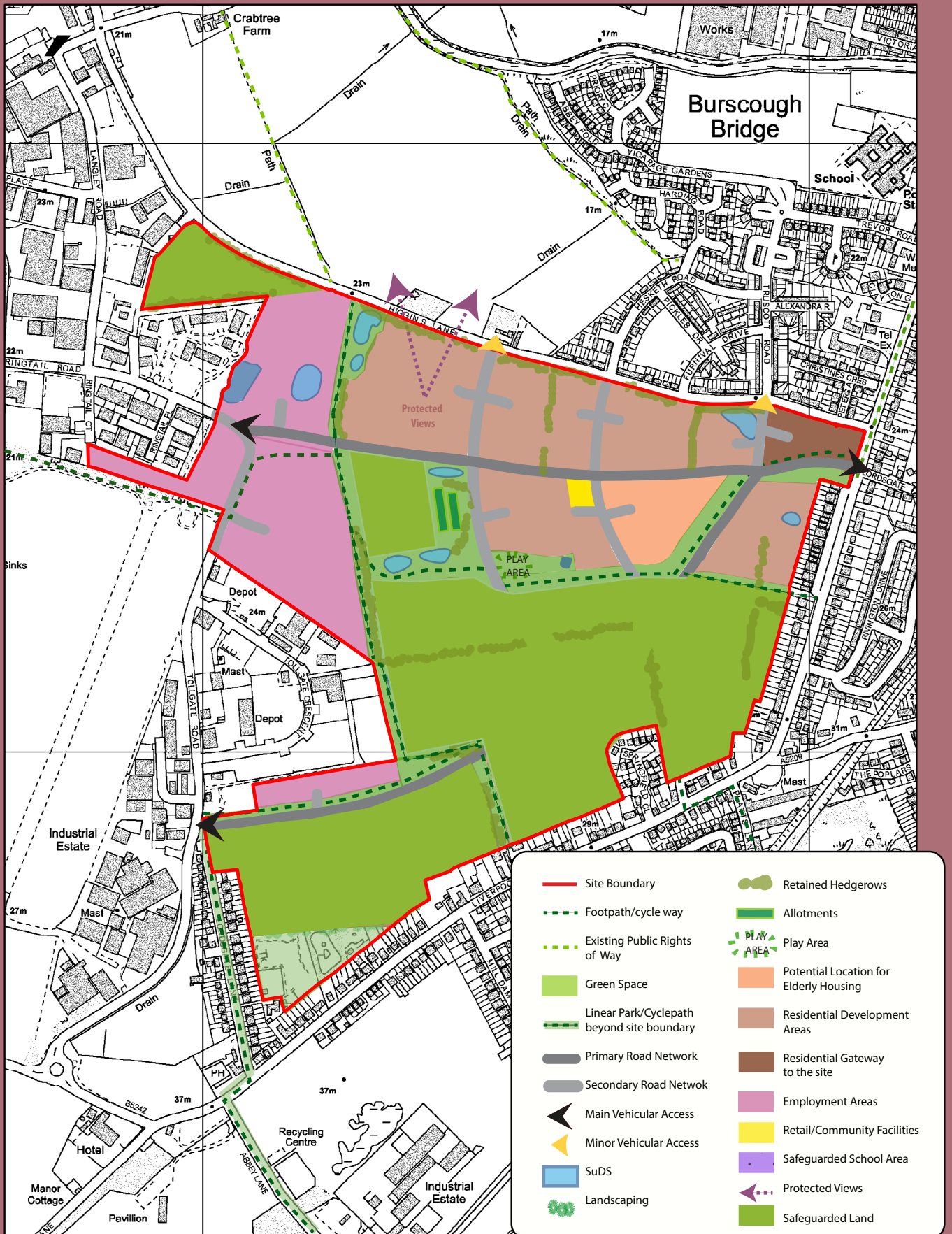
Phasing Plan - Net Development Areas



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1:8,000

Yew Tree Farm site if safeguarded land not developed



Other Planning Policy

The wider Development Plan and relevant planning policies should be considered alongside the Masterplan in all applications for planning permission relating to the Yew Tree Farm site. However it is not appropriate for this Masterplan to repeat the content of guidance and policies, but to guide developers, investors and their design teams to operate within the context of appropriate national and local policy guidance.

The main policies are summarised below:

National Planning Policy Framework

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

The NPPF supports growth of areas to supply new homes, stating that this can be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should:

- Function well and add to the overall quality of the area,
- Have a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit,
- Accommodate development whilst creating and sustaining an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks,
- Respond to the local character and history, whilst reflecting the identity of the local surroundings and materials, and not preventing or discouraging appropriate innovation,
- Create safe and accessible environments where crime, disorder, and the fear of crime, do not

undermine quality of life or community cohesion; and

- Be visually attractive as a result of good architecture and appropriate landscaping.

Local Planning Policy

The West Lancashire Local Plan 2012-2027 was adopted by Council on 16th October 2013. Policy SP3 allocates Yew Tree Farm as a strategic development site for mixed development including residential and employment uses assisting in the delivery of 4,860 homes across the Borough over the period 2012-2027.

The following policies of the Local Plan are the most relevant to development at Yew Tree Farm:

- SP3 Yew Tree Farm, Burscough – A Strategic Development Site
- EC1 The Economy and Employment Land
- GN3 Criteria for Sustainable Development
- RS1 Residential Development
- RS2 Affordable Housing
- IF2 Enhancing Sustainable Transport Choice
- IF3 Service Accessibility and Infrastructure for Growth
- IF4 Developer Contributions
- EN1 Low Carbon Development and Energy Infrastructure
- EN2 Preserving and Enhancing West Lancashire’s Natural Environment
- EN3 Provision of Green Infrastructure and Open Recreation Space
- EN4 Preserving and Enhancing West Lancashire’s Built Environment, Cultural and Heritage Assets

Design Guidance

Developers, investors and their design teams should also be aware of design best practice and this should be referred to in the preparation of proposals for this site. Particular attention should be paid to the WLBC Design Guide Supplementary Planning Document (SPD) 2008 or any subsequent replacement document. In addition, reference should also be made to national guidance such as Building for Life 12 (Design Council CABE 2012).

Provision of Public Open Space in New Residential Developments SPD

The Open Space SPD is designed to provide more detailed guidance on the Borough Council's approach to the protection and enhancement of existing open space and the provision of additional open space and associated facilities as part of new housing developments. This document should be referred to in the production of any planning application for the site.

Required Supporting Information

Aside from the usual Planning Statement and Design & Access Statement, the following evidence will be required to support any planning application in accordance with Policy RS1 of the Local Plan on the Firwood Road site:

Affordable Housing Statement – providing details relating to the provision of affordable housing, including the number and mix of residential units with numbers of habitable units, plans showing the location of units and the number of habitable rooms and/or bedrooms and the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

Ecological Survey – as a minimum, a Phase 1 Habitat Survey, with more detailed assessments required depending on what the Phase 1 Survey identifies.

Coal Mining Risk Assessment – the presence of a Coal Mining Referral Area and Mineral Safeguarding Area will require close liaison with the Coal Authority on any development proposals and potentially a Coal Mining Risk Assessment Report.

Contaminated Land Report – where a development proposal includes a particularly vulnerable use (e.g. a care home) or where there is any suspected history of contamination on any part of the site, a Contaminated Land Report is required in line with the latest national guidance.

Crime Impact Statement – to consider whether the development can help avoid / reduce the adverse effects of crime and disorder. This can be provided as part of the Design & Access Statement.

Draft Section 106 Agreement – depending on the precise requirements at the time of application and what is outlined on the Council's Regulation 123 list, this may address the provision of affordable housing, the provision / improvement of open space and / or contributions towards highways and transport improvements.

EIA Screening - Seeking the Council's opinion on Scoping for Environmental Impact Assessment.

Flood Risk Assessment – provide a Flood Risk Assessment in line with the latest national guidance to assess any implications development may have on all forms of flood risk on the site and in the wider area, and address how sustainable drainage systems will be utilised in the development proposal.

Foul Sewerage Treatment Statement – all new buildings need separate connections to foul and storm water sewers and applications for such development should therefore be accompanied by a foul sewage assessment.

Heritage Statement – ensuring that the impacts on nearby Heritage Assets have been considered in the preparation of development proposals.

Landscape & Visual Impact Assessment – to ensure that the landscape and visual impacts of proposals are fully considered in the preparation of development proposals.

Landscaping Scheme – identifying the main areas and types of planting and hard surfaces (existing and proposed).

Parking & Access Arrangements – all applications requiring the provision of off-street parking and servicing will be required to demonstrate adequate on-site parking and servicing provision, including mobility spaces and provision for cycling and motorcycles as appropriate, in line with Policy IF2 of the Local Plan.

Renewable Energy Statement – an opportunity for the applicant to show how the consideration of energy efficiency and sourcing energy from a renewable source, together with the use of sustainable resources, has influenced the development proposals. In line with Policy EN1 of the Local Plan, low carbon design should be incorporated into the development proposals as required by Building Regulations and the potential for renewable, low carbon or decentralised energy schemes serving the site should be considered thoroughly.

Site Waste Management Plan – should contain details of the types of construction waste to be removed from the site, the identity of the person who will remove the waste, and the site that the waste will be taken to. The plan should also include details of how waste will be minimised and materials re-used on site.

Statement of Community Involvement – setting out how the applicant has complied with the requirements for pre-application consultation provided in the Council’s adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Transport Assessment – required where any proposal would be likely to result in a material increase in traffic movements on roads, whether adjacent to or remote from the site.

Travel Plan – should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The travel plan should have a strategy for its implementation that is appropriate for the development proposal under consideration.

Tree Survey – in line with Policy EN2 of the Local Plan, consider the potential adverse effects of the development proposals on any existing trees or hedges on, or adjacent to, the site. This should be undertaken by a suitably qualified arboriculturist and in line with BS.5837:2012.

Utilities Statement – to indicate how the development will connect to existing utility infrastructure systems.

Yew Tree Farm Draft Masterplan

MINUTE OF PLANNING COMMITTEE HELD ON 4 SEPTEMBER 2014

27. YEW TREE FARM DRAFT MASTERPLAN

Consideration was given to the report of the Assistant Director Planning on pages 601 to 745 of the Book of Reports the purpose of which was to update Members on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and to recommend the “Draft” version of the document for a period of public consultation from 9 October – 21 November 2014.

RESOLVED That the following agreed comment be forwarded to Cabinet:

To include a requirement within the draft Masterplan for any drainage strategy to be future proofed in relation to any potential impacts as a result of proposals for the Alt Crossens drainage catchment in a way that is similar to that done for the impacts of climate change on storm events in the 6th bullet point on page 28 of the draft Masterplan.

Appendix D - Equality Impact Assessment

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

1.	<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:</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>	No
2.	<p>What sources of information have you used to come to this decision?</p>	<p>The masterplan seek to provide a policy framework to deliver sustainable development for all including affordable housing and infrastructure provision. Consultation feedback through the Local Plan has helped inform this understanding.</p>
3.	<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>Engagement relating to the allocation of the Yew Tree Farm site took place through the Local Plan consultation and examination. The Stakeholder Group has provided feedback to directly inform the options presented and public consultation has been factored in to earlier versions of the document and this version.</p>
4.	<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:</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>Could help as it will seek to provide a policy framework that will, amongst other things, deliver affordable housing and housing for elderly (minimising disadvantage).</p>
5.	<p>What actions will you take to address any issues raised in your answers above?</p>	N/A



AGENDA ITEM: 6(d)

CABINET: 16 September 2014

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

**Contact for further information: Helen Rafferty (Extn. 5171)
(e-mail: helen.rafferty@westlancs.gov.uk)**

**SUBJECT: SKELMERSDALE & UP HOLLAND DEMAND RESPONSIVE
TRANSPORT SYSTEM**

Wards affected: Skelmersdale / Up Holland Wards

1.0 PURPOSE OF THE REPORT

1.1 To report on the performance of the pilot demand responsive transport service since the implementation of revised membership criteria in January 2014.

2.0 RECOMMENDATIONS

2.1 That the success of the pilot scheme be noted and approval granted for the scheme to be continued.

2.2 That delegated authority be granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning & Development, to review and, if required, amend the terms and conditions of the scheme, including membership criteria and operational management.

2.3 That S106 money from the KRM (Pimbo) development continues to be used to support this service, with any further funding provided by the Walkers S106.

3.0 BACKGROUND

- 3.1 In order to improve links between employment and residential areas within Skelmersdale and Up Holland, the Borough Council has been operating a Demand Responsive Transport Service (DRTS). The DRTS helps local people into employment by providing an affordable means of accessing Pimbo employment area which is not well served by public transport services. Skelmersdale and Up Holland residents can register as members of the scheme, from which point they can advance book taxi journeys to employment on the Pimbo estate. Members pay a reduced fare, with the remaining costs subsidised by the Council using Section 106 commuted sums.
- 3.2 Cabinet gave approval to introduce the DRTS scheme in January 2012, with the scheme commencing in May 2012 for a 9 month pilot period. The timescale for the pilot scheme was extended by Cabinet in January 2013 and again in November 2013 (until August 2014)
- 3.3 Approximately 40 companies based on the Pimbo Industrial Estate have employees who are, or have been, members of the scheme. The number of employees using the scheme varies between companies, with the largest proportion of use deriving from Hotters, Walkers, Scott Safety, Proctor & Gamble and Salads to Go. Since its start, the scheme has seen over 300 people register as members of the DRTS.
- 3.4 The scheme is recognised by both employers and employees as being a valuable commodity. Feedback from the Job Centre Plus states that *“the service is promoted by all staff (at JCP) when dealing with the unemployed, and it has proved a very popular service, ensuring people can get to their place of work on time. Without the service many of our customers would have been unable to get to jobs. We have a number of queries about it or when the service will expand to cover Stanley Industrial Estate. We have had no negative comments about the service.”*
- 3.5 Since the scheme began in May 2012, use of the scheme has grown significantly. The first period of the scheme (May/Jun 2012) saw 115 passengers use the service, with 115 journeys taken. Within a year (Feb/Mar 2013) this had increased to 1518 passengers, taking 1299 journeys.
- 3.6 Whilst the large increases in the number of users and the number of journeys have demonstrated the success and popularity of the scheme, it has also resulted in much higher costs to the Council than that originally anticipated.
- 3.7 To protect the sustainability and longevity of the scheme, Cabinet have, on two separate occasions, approved changes to the criteria for membership of the scheme. In January 2013, the Council raised the user fare from £2 to £2.50 per journey, or £2 where journeys were shared, to cover the increasing costs of the scheme. Whilst this was successful in increasing revenue and reducing council subsidies to a degree, financial costs to the Council were still high.

Subsequently, in November 2013, Cabinet agreed to introduce further restrictions on users, with the aim of reducing usage and costs. These restrictions were:

- Users must earn less than £17,500 gross income
- Users may only be on the scheme for 6 months, after which their membership will cease

3.8 These changes were implemented in January 2014. At this point, users who had already been on the scheme for 6 months were given 6 weeks' notice that their membership would cease. Users therefore started to come off the scheme from February 2014. As there were a large number of members that were told their 6 months was complete at the point these new restrictions were introduced, it was expected there would be a sharp drop-off in scheme members. However, the remainder of memberships will cease as a 'rolling' process and so should follow a more natural trend.

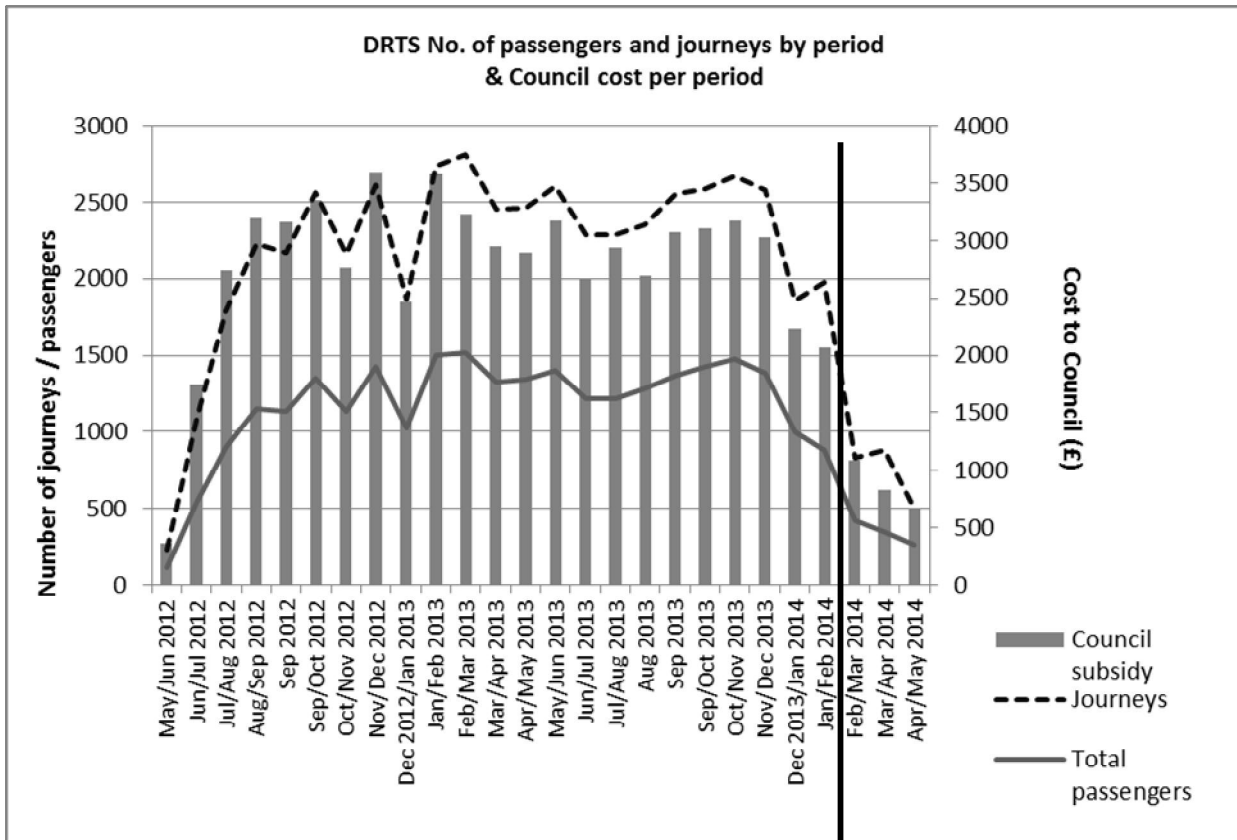
4.0 CURRENT POSITION

Cost & Usage

4.1 Chart 1.1 below shows the number of passengers / journeys taken by each period, and combines them with data showing the cost of the Council subsidy each month.

- The solid grey line shows the number of passengers using the service each period. It clearly shows that the numbers of passengers rose quickly since the introduction of the scheme, and then remained broadly consistent until January 2014.
- The broken grey line shows the number of journeys taken by members each period. It broadly follows the passengers line, showing a high rise in use following the introduction of the scheme, and a general consistency of high use across the year.
- The grey bars show the cost to the Council from subsidising the service, by each period. Again, the bars are broadly in line with patterns of journey and use. Usage costs not only depend on the number of journeys taken, but also on the distance travelled. Therefore, someone travelling to work in Pimbo from Skelmersdale North, will account for more miles than someone travelling to work from Digmaor and so costs will vary independently of the number of actual journeys.

Chart 1.1



Point at which users membership began to cease after 6 months on the scheme

- 4.2 Following the approval of Cabinet in November 2013, members who had been on the scheme longer than 6 months were informed that their membership would cease in January 2014. From January 2014, the chart clearly shows that there was a sharp decrease in the number of passengers using the service and the number of journeys made, which resulted in a reduction in the Council’s costs of subsidising the service.
- 4.3 Table 1.1 shows three 3-month periods to enable comparisons across different periods of the scheme. It can clearly be seen that the two 2013 periods had similar levels of average passengers, journeys and costs. Following the introduction of the restrictions in January 2014, average levels of passengers, journeys and costs for February-May 2014 were significantly reduced. The average cost of the Council subsidy each month reduced by 72% from £3099 per period (Sep-Dec 2013 average) to £859 per period (Feb-May 2014 average).
- 4.4 Estimated projections of costs can be calculated by multiplying the average Council cost of each period by 13 (total number of periods in a year). Table 1.1 shows that the introduction of the restrictions will reduce the annual council

subsidy costs significantly – from approximately £40,000 to £11,000 as a result. This assumes that demand and cost remain the same.

Table 1.1: 4-week Period averages based on the 3 month periods stipulated

	3-month period Feb- May 2013	3-month period Sep – Dec 2013	3-month period Feb – May 2014
Average no. of passengers per period	1393	1428	344
Average no. of journeys per period	1184	1184	396
Average cost to Council from subsidy per period	£3022	£3099	£859
Estimated cost for 13 periods (1 year)	£39,286	£40,287	£11,167

Arrows mark the introduction of restrictions

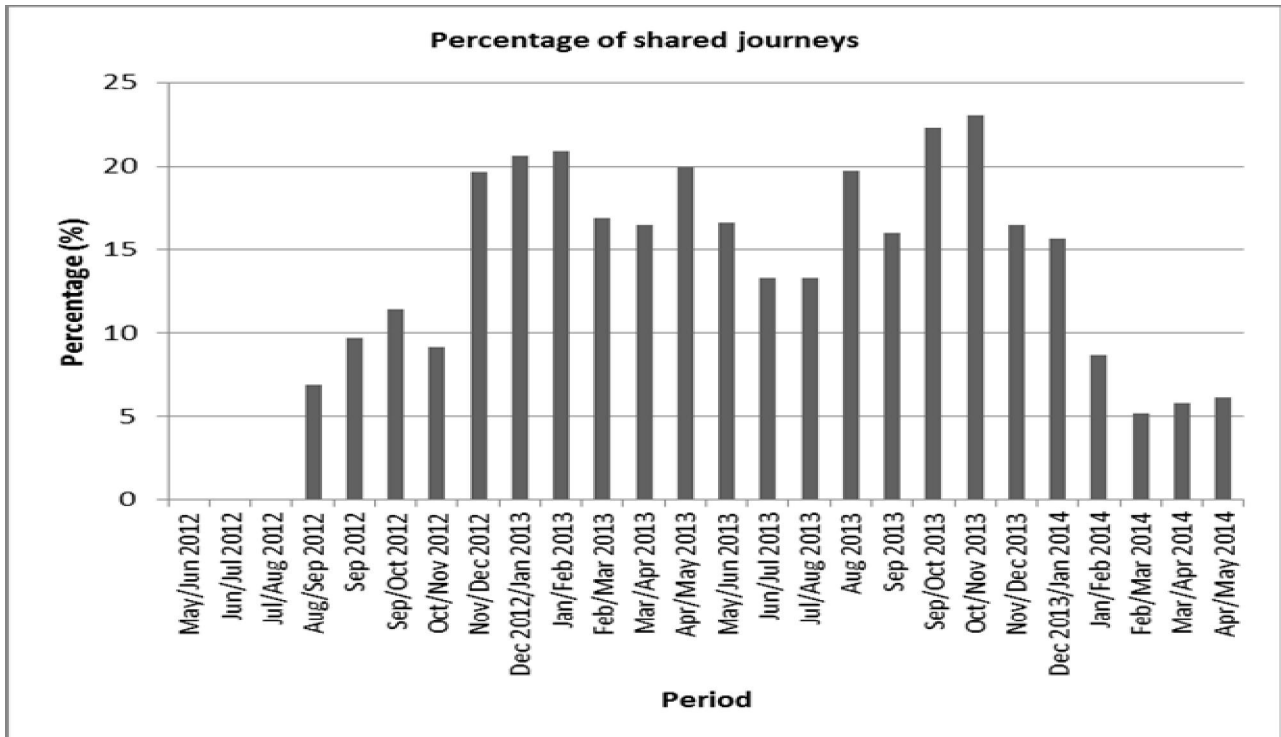
Sharing journeys

- 4.5 In order to keep costs as low as possible, the DRTS incentivises users to share journeys wherever possible by offering lower fares for shared journeys. Where there are higher numbers of users taking journeys, it is easier for journeys to be shared. Conversely, where there are fewer numbers of users taking journeys, it is harder for journeys to be shared. Subsequently, the introduction of the restrictions has had an impact on the proportion of journeys which can be shared. Prior to the restrictions being introduced approximately 20% of journeys were shared, falling to approximately 6% after the caps were in place.
- 4.6 LCC officers have already reminded the taxi operator that journeys must be booked at least 24 hours in advance, allowing sufficient time to arrange for shared journeys and have set realistic targets for the taxi operator in regards to ensuring that journeys are shared. However, given the nature of the scheme means that residents will live in different areas and may have differing start and finish employment times, sharing journeys may not always be achievable.
- 4.7 Whilst fewer shared journeys will result in a slight increase to Council subsidies, the effect of a much lower number of journeys being taken as a result of lower passenger numbers will deliver a much larger decrease to Council subsidies. Therefore, the impact of fewer shared journeys should be noted but will not significantly contribute to a rise in increased costs. However, officers will continue to monitor this and seek to address any issues.

Table 1.2

	3-month period Feb- May 2013	3-month period Sep – Dec 2013	3-month period Feb – May 2014
Average no. of journeys per period	1184	1184	396
Average % of journeys shared	17.8%	20.6%	5.7%

Chart 1.2



Overall costs

- 4.8 To date, the total cost of the scheme has been £130,055. Of this, the Council subsidies have totalled £66,764; the remainder having been paid by passengers of the service through journey fares.

May/June 2012 to April/May 2013

Total cost = £66,906.10

Council subsidy = £36,040.80

May/June 2013 to April/May 2014

Total cost = £63,149.30
Council subsidy = £30,722.90

However, as discussed already, the introduction of the restrictions in January 2014 has resulted in a decrease in costs. Based on the average Feb/May 2014 council subsidy costs (£859), and current levels of demand and use, projected costs for 2014/15 would be around **£11,200**. This is approximately a third of previous annual costs.

- 4.9 Clearly, the restrictions which have been introduced to the scheme have been successful in reducing Council costs and thereby improving the financial sustainability of the scheme.
- 4.10 Although it is extremely difficult to predict future demand, it is believed that the interventions will continue to be successful in reducing the overall cost of the service. Although transport services such as this will always require a subsidy it is believed that these changes bring the cost of the service down to a more realistic and sustainable amount. However, this report recommends that the service be monitored and subject to regular review, with delegated authority provided to the Assistant Director Planning and the Portfolio Holder for Planning & Development, to make any necessary changes to the operation of the scheme.

5.0 FURTHER RECOMMENDED CHANGES TO THE SERVICE

- 5.1 Officers believe that the introduced restrictions will continue to be successful in protecting the financial sustainability of the DRTS, should demand and use stay at similar levels to that now.
- 5.2 However, it is recognised that the scheme provides a valuable service to link residential areas with employment areas. The withdrawal of membership after 6 months will therefore inevitably have an impact on both employees and employers. Indeed, feedback from Hotters was that, following notification of the membership expiring after 6 months, employees ran a petition to try to keep the scheme going. In addition, the Council received a small number of letters complaining about the cessation.
- 5.3 Officers have explored options for extending the 6-month period for users of the scheme through the payment of financial contributions from employers. Officers have raised this proposition with companies located on the Pimbo Industrial Estate, however, at present, there appears to be little appetite for such an initiative.
- 5.4 Nevertheless, it is believed that after a 6 month period, users of the scheme should have been given sufficient support and time to be in a position where they are able to provide their own transport. If this is not the case they can apply to join a new cycle scheme recently launched by the Council to enable Skelmersdale and Up Holland residents to access employment on the Pimbo Industrial Estate.

5.5 The (re)Cycle to Work scheme provides eligible applicants with recycled bicycles and new safety equipment using S106 funds. Like the DRTS, eligibility for the scheme is based on set criteria and includes a salary cap. DRTS users exiting the scheme are eligible to apply for cycles. Officers hope that the (re)Cycle to Work scheme and the DRTS will be able to work simultaneously in offering alternative, sustainable methods of accessing work on the Pimbo Estate.

6.0 FUNDING THE SERVICE

6.1 Future costs for operating the service over 12 months, at current costs, have been predicted to cost circa £11,200 based on current levels of use.

6.2 The DRTS is subsidised through S106 payments which seek to provide alternative transport methods for the Pimbo employment area. There remains £25,000 available from KRM, and £83,625 from Walkers. It should be noted that the Walkers S106 money is also being used to fund the (re)Cycle to Work pilot scheme, which has recently commenced following Cabinet approval.

7.0 VIEWS OF THE ASSISTANT DIRECTOR PLANNING

7.1 Clearly, this scheme provides real benefits to the local community by delivering an affordable alternative transport solution; allowing local residents who are most in need to access the local jobs market. There were concerns about the financial costs of the scheme which, due to the demand for the service, were running much higher than initially estimated. However, as a result of the restrictions introduced, scheme costs have decreased significantly and so should help protect the financial sustainability of the scheme. The restrictions may also discourage those members who now may be in a position to afford other transport solutions from using the service.

7.2 The effects of the introduced restrictions suggest that the service can be controlled and the scheme can be targeted at those in need. Therefore, it is considered that the scheme can operate on a sustainable long term footing.

7.3 It is recommended that Members authorise the use of S106 commuted sums to continue to fund this pilot scheme until such time that no further funding is available. Delegated authority is also sought in consultation with the Portfolio Holder to approve changes to the terms and conditions of the scheme including membership criteria and operational management deemed relevant for the on-going continuation of this service.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

8.1 Subject to its on-going success, the DRTS will meet many of the aims of the Sustainable Community Strategy. It will assist in getting people to work and

encourages journey sharing, thereby reducing the amount of carbon emitted. Therefore, it will have economic, environmental and social benefits.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The continuation of the scheme will require public subsidy to function. However, this can be funded through existing S106 monies specifically acquired for such a scheme.

10.0 RISK ASSESSMENT

10.1 The Section 106 funding can only be spent in accordance with the terms of the related agreements for the provision of alternative transport within Skelmersdale and will have to be spent within the specified timescales to avoid having to repay the monies to the developers.

Background Documents

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

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 to this report, the results of which have been taken into account when undertaking the actions detailed within this article.

Appendices

Appendix 1- Equality Impact Assessment

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

Appendix 1

1.	<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 living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>This service is designed to support people who are financially disadvantaged and unemployed, by enabling them to access employment in areas not accessible by public transport. Any changes to this service need to be considered in relation to this, and the content of this report reflects such issues.</p>
2.	<p>What sources of information have you used to come to this decision?</p>	<p>A detailed analysis of the performance of the pilot scheme has taken place. This includes data provided by Lancashire County Council showing the operational performance of the service.</p> <p>Information also received from Lancashire County Council public transport officers, the Job Centre Plus and local companies.</p>
3.	<p><i>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)?</i></p>	<p>Initial consultation has been undertaken with a number of organisations involved in the scheme including LCC and some of the organisations benefitting from the service</p>
4.	<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> Eliminate discrimination, harassment and victimisation; Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); Foster good relations between people who share a protected characteristic and those who do not share it.</p>	<p>The proposed scheme is designed to increase accessibility within Skelmersdale in order to help people access employment and in doing so should help meet the Council's duties under the Equality Act 2010</p>
5.	<p><i>What actions will you take to address any issues raised in your answers above</i></p>	<p>Not applicable</p>



AGENDA ITEM: 6(e)

CABINET: 16 September 2014

Report of: Assistant Director Housing & Regeneration / Transformation Manager

Relevant Managing Director: Managing Director (Transformation)

**Relevant Portfolio Holder: Councillor J Houlgrave / Councillor A Fowler /
Councillor D Whittington**

**Contact for further information: Mrs K Warmington (Extn. 5051)
(E-mail: karen.warmington@westlancs.gov.uk)**

**SUBJECT: ORGANISATIONAL RE-ENGINEERING – LANDLORD SERVICES
(VOIDS & ALLOCATION, ESTATE MANAGEMENT AND RENT &
MONEY ADVICE) MANAGEMENT REPORT**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the findings and recommendations for savings and service improvements contained within the attached Organisational Re-Engineering – Landlord Services Management Report (see Appendix 1).

2.0 RECOMMENDATIONS TO CABINET

2.1 That the recommendations for current / further service improvements contained within the Management Report at Section 5.0 be approved.

2.2 That the Assistant Director of Housing and Regeneration and Transformation Manager be given delegated authority to take action in connection with implementing the recommendations at Section 5.0 contained within the Management Report, subject to additional resource requirements being agreed in the future.

3.0 BACKGROUND

3.1 As referred to within the Business Plan, OR is an essential tool in helping to deliver savings and efficiencies for the authority in a planned and co-ordinated way. Clearly, there is the continued need for the authority to:-

- Secure tangible year on year savings and efficiencies, within both front and back office.
- Promote greater accessibility for all citizens by migrating services and the associated workload to 'front of house' i.e. to the website; to the Contact Centre; and face to face via the Customer Service Points (CSP) / Mobile working, thus improving service delivery from the customers' point of view.
- Encourage staff ownership and promote the work undertaken on innovation/maximising the use of new technology, especially at a time of overall budget reduction.
- Deliver more streamlined and customer centric services through harnessing the latest technology, thus maximising customer satisfaction levels in line with increasing citizen expectations.

3.2 This is the tenth OR project the authority has undertaken, having completed similar exercises within the areas of Council Tax; Travel Concessions; Property Services; Street Scene; the corporate implementation of EDM; Environmental Health; Private Sector Housing; Sheltered Housing and Planning Services.

3.3 Following a Major Service Review exercise, Members agreed that the Council's OR Manager would be best utilised to conduct reviews within Housing and Regeneration Services. A 24-month period has been allocated for undertaking this work from April 2013 to March 2015. The OR Manager spent 80% of her time conducting this review; the cost of this was funded from the Housing Revenue Account. The remaining 20% of the OR Manager's time was funded from the General Revenue Account to allow the OR Manager to conduct corporate work.

3.4 It was agreed that the OR Manager's first review would be conducted across three service areas:-

- Voids & Allocations
- Estate Management
- Rent & Money Advice

The project's main focus was to help Housing & Regeneration achieve their vision "*To be a top performing Landlord in an economically vibrant West Lancashire*". It would do this by generating service efficiencies and any savings resulting from this can then be reinvested within the service to support delivery of this vision.

3.5 The review commenced in May 2013 and explored the 'lifecycle' of a tenant, starting at the beginning of the customer's journey when a Housing application is made, through to termination of the tenancy. The attached report (Appendix 1) provides comprehensive details of the findings and subsequent recommendations for service improvements. We would particularly draw your attention to the Executive Summary which gives a useful outline of the review.

4.0 HIGH LEVEL FINDINGS / RECOMMENDATIONS FROM THE REVIEW

4.1 Some of the key recommendations include:

- Restructuring of the three teams (Voids & Allocations, Estate Management and Rent & Money Advice).
- Improve the customer experience by opening up access channels and where possible promote “channel shift”. This includes better use of technology to create a customer sign in for the Council’s website, increasing online Housing applications to phase out paper applications completely. As well as further equipping front line staff with the tools to be able to assist customers at “first point of contact” i.e. over the telephone via the Contact Centre / face to face via the Council’s Customer Service Point’s and via Mobile Working. This includes discussing customers’ rent accounts, capturing payments and where appropriate setting up repayment arrangements, booking / rearranging appointments etc.
- Explore flexible working arrangements for Housing staff delivering services, for example to include early evenings/Saturday mornings.
- Develop a set of internal service standards for delivery of work related to Landlord Services.
- Implement the corporate EDM solution within the Landlord Service areas reviewed.

5.0 SAVINGS/FINANCIAL IMPLICATIONS

5.1 Based on the work that has been completed to date it has been estimated that a cashable saving of £235,000 could be achieved in a full year from the staffing restructure (as highlighted in Section 5.0 the Management Report). The exact value of saving will be dependent on the detailed staffing structure that will be produced in due course as set out in paragraph 6.1. This will then be reinvested into the Housing Revenue Account to help achieve Housing’s vision. Consideration will be given to how these savings can be reinvested through the budget process or future Committee reports.

5.2 The Housing Service has been preparing for the introduction of Universal Credit throughout the review and the possible impact this may have on how the Council delivers its services in the future. Therefore the recommendations contained within the attached report have been agreed with a view to complementing these changes.

5.3 A resource/cash transfer of 2.5 FTE is required for Customer Services, as per recommendations 8 & 9 of the Management report. However as this is to deliver services in a different way using Call Centre technologies and philosophies, it is suggested that future monitoring of this take place to ensure that this resource transfer is accurate. The cashable resource savings of £235,000 set out in item 5.1 of this report takes into account this resource transfer.

5.4 There are a number of areas where additional investment may be required in order to improve service delivery and/or create greater efficiency. Whilst these costs can be met from any savings from the review and within existing Housing

Revenue budgets wherever possible, any additional expenditure will be reported to Members for authorisation where appropriate and in order to agree there is a valid business case. However, the OR Manager has engaged with Housing Service Development team and BTLS during the review in order to confirm, in principle, that all of the recommendations requiring ICT development are achievable. However in order to obtain detailed costings for each recommendation and to satisfy a business case for each initiative, Service Managers will continue to work closely with BTLS to produce a detailed Action plan. Accordingly, a detailed workshop will be subsequently arranged pending Cabinet's approval of the recommendations contained within this report.

- 5.5 Mobile Working is identified within the Housing ICT strategy and therefore any related costs in relation to this have already been accounted for.

6.0 HR IMPLICATIONS

- 6.1 As highlighted in Section 4.5.2 of the Management Report, the Assistant Director of Housing and Regeneration will produce a detailed staffing structure in conjunction with the HR Advisor prior to the implementation of the proposed restructure. This will be subject to the normal consultation arrangements and redeployment considerations as appropriate.

- 6.2 Any staffing implications will be managed in accordance with the Council's redundancy and redeployment policy.

7.0 IMPLEMENTATION

- 7.1 There are a number of recommendations within the report, which require ICT development and for this reason it's estimated that the implementation will take approximately 24 months. However, this will be done over managed stages, each representing a practical approach for delivering the proposed service improvements within a realistic timescale. A financial resource has been allocated to employ a dedicated project manager due to the scope and scale of this work who will report to the Housing Operations Manager and work with the implementation team to deliver the agreed recommendations. Members will be kept apprised of this work as it progresses.

8.0 SUSTAINABILITY IMPLICATIONS

- 8.1 The continued roll out of OR will help generate further savings for the authority, whilst simultaneously driving up quality of services. The ability to be able to achieve this continues to be fundamentally important due to the challenging economic climate, together with escalating customer expectations.

9.0 RISK ASSESSMENT

- 9.1 Risk assessments have been conducted throughout the project. Any potential risks are identified within each section of the attached Organisational Re-Engineering – Landlord Services Management Report (see Appendix 1).

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

1. Appendix 1: Organisational Re-Engineering – Landlord Services Management Report.
2. Appendix 2: Equality Impact Assessment.
3. Appendix 3: Minute of Landlord Services Committee meeting held on 11 September 2014

Transformation

Organisational Re-engineering

Housing and Regeneration Services

**(Voids & Allocations, Estate Management & Rent &
Money Advice Teams)**

Management Report

September 2014

Management Report – Housing and Regeneration Landlord Services OR

1.0 Executive Summary

1.1 Introduction

The Council's Business Plan recognises Organisational Re-engineering (OR) as an essential tool in helping to deliver savings and efficiencies for the authority in a planned and co-ordinated way. Following a Major Service Review exercise, Members agreed that the Council's OR Manager would be best utilised to conduct reviews within Housing and Regeneration Services. A 24-month period has been allocated for undertaking this work from April 2013 to March 2015. The OR Manager spent 80% of their time conducting this review; the cost of this was funded from the Housing Revenue Account. The remaining 20% of the OR Managers time was funded from the General Revenue Account to allow the OR Manager to conduct corporate work.

It was agreed that the OR Manager's first review would be conducted across three service areas. These are:-

- Voids & Allocations
- Estate Management
- Rent & Money advice

1.2 Purpose

The review commenced in May 2013 and explored the 'lifecycle' of a tenant, starting at the beginning of the customer's journey when a Housing application is made through to termination of the tenancy.

To achieve this it concentrated on high volume services provided to customers from the above service area.

The OR Manager was asked to explore alternative methods of service delivery whilst conducting this review to ascertain if there is any merit in restructuring the three teams.

The three key objectives were to:

- Carry out an Organisational Re-Engineering project within the Council's Housing and Regeneration Landlord Services and make appropriate recommendations for improved service delivery. These recommendations will ensure that the services operate in the most efficient, effective and economic manner and support delivery of the vision to be a 'Top Performing Landlord'
- Where possible embed capability and capacity into operational running so that it is sustainable after the project closes. This will enable officers to build on the success of the project by continuing lean systems thinking and seek to deliver continuous improvement.
- To maximise the accessibility of services using customer insight to ensure they are targeted and tailored to the specific needs of the Housing and Regeneration Services customer base and promote where possible channel shift in line with the authorities corporate objectives.

1.3 How the review was conducted

The review was conducted using the Council's OR model, which incorporates Prince II Principles and Lean Methodology. The Council's OR Manager led the review and worked closely with the Council's Housing Operations Manager. Accordingly, a Project Board was set up in order to oversee the work.

To assist the OR Manager a Project Team made up of key officers from Housing and other sections of the Council was set up. Members of the Project Team met throughout the review attending meetings when required, as directed by the Project Manager/Operations Manager.

The review used the three voices method, which captures the ‘voice of the Customer’, the ‘voice of the Staff’ and the ‘voice of the Process’. Staff were highly engaged throughout the review and Managers and staff who deliver the service were involved in the following ways:-

- Interviews/workshops to identify issues, map out processes both at the ‘As is’ stage and ‘To be’ stages, identify wasteful activity within processes and ‘Blue Sky’ Workshops.
- Assisted in the collation of workload volumes, numbers of processes and ICT data, this included completing timesheets/visit sheets.
- Helped conduct telephone/email surveys with customers who had used one of the three services within six months prior to the review starting and arrange focus groups with customers to obtain their views in relation to current service delivery as well as their aspirations for the future.
- Participated in desktop research, a site visit Halton Housing and attended Housing Conferences and Seminars to ascertain and share best practice.

1.4 Findings

Section 4 of this report gives a detailed breakdown of the findings from this review including a list of operational recommendations for improvement. For ease, these have been grouped into the following high-level headings.

- Generic Working - The customer experience could be further improved by having generic Housing Officers. Housing Officers currently work in functional teams i.e. Voids and Allocations, Estate Management and Rents & Money Advice. This can, on occasion lead to silo working, duplication within processes and the Customer not knowing whom to contact when they have a particular issue. Specialist teams were set up to deliver performance improvement, which was achieved, the service having previously been delivered on a generic basis.
- Improve customer access – the number of services customers can access at first point of contact i.e. via the Council’s website/Customer Services and through mobile working is limited at present. This often results in the customer having to speak to multiple officers when queries could be resolved in one interaction.
- ICT Systems should be automated to streamline processes. An example of this is the applications process, which is currently paper driven and as a result the 3 FTEs within this team spend the majority of their time data inputting. A further example is service requests from front office currently creates an email to Housing back office which then has to be input into the Housings QL system. This rework could be mitigated if systems were more integrated however, costs of integration would need to be considered.

1.5 Key Recommendations

Below is an outline summary of the main recommendations that have been derived from the findings within Section 4 of this report, together with a general summary of the more salient points and outcomes of the project:-

1. Promote and increase online Housing applications and phase out paper applications completely.
2. Explore flexible working arrangements for Housing staff delivering the three services to include early evenings/Saturday mornings. This may require a change to contracts.
3. Develop/Integrate ICT systems, which will stop duplication of work, allow information to be accessed in real – time and provide a more efficient service to Customers. This includes integration between – Northgate Front Office system and Housings QL client database system.
4. Restructure the Voids & Allocations, Estate Management and Rent & Money Advice teams from three teams into two with a view to freeing up a cashable resource saving of

approximately £235,000 to be reinvested back into the Housing and Regeneration Services (as detailed in section 4.5.2 of this report).

5. Explore the flexibility of creating a customer sign in for Council tenants on the Council’s website – As a result, customers will be able to access more services online.
6. Consider applying for paperless accreditation from the bank to allow direct debits to be set up in one transaction and everyday direct debits.
7. Empower Customer Services staff to provide a service at first point of contact; to include setting up direct debits, booking/rearranging appointments for Housing staff, providing advice and assistance for Housing applications, bidding and allocations enquiries including assistance with online applications. This will require a resource/cash transfer of 1.5 FTEs.
8. Run a pilot in Customer Services to enable Customer Service staff to talk to customers about their rent account when they contact the council. This includes capturing payments and where appropriate setting up payment arrangements. This will require a resource/cash transfer of 1 FTE.
9. Develop a set of internal service standards for delivery of work related to Landlord Services.
10. Implement the corporate EDM solution within the Landlord Service areas reviewed.

1.6 Savings

The following table provides an estimated summary of the cash and efficiency savings that will be generated within the first year i.e. 2016/17 as a result of implementing those recommendations detailed within Section 5 of this report.

Section	Full Year OR Cash/Resource savings (£)	Full Year OR Efficiency (£)
<u>Housing Options</u>	£48,519	£15,500
<u>Voids & Allocations</u>	£178,329	£11,600
<u>Estate Management</u>	£39,418	£10,600
<u>Rent & Money Advice</u>	£42,734	£73,265
<u>Additional Savings i.e. stationary/printing etc</u>	£4,950	£3,300
Total	£313,950	£114,265
<u>Transfer of Cash/Resources</u>	£73,080	
Total full year cash saving/resource	£240,870	
Total full year efficiency saving		£114,265

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2.0 Background and Overview

2.1 Introduction

The Council's Business Plan recognises Organisational Re-engineering (OR) as an essential tool in helping to deliver savings and efficiencies for the authority in a planned and co-ordinated way. Following a Major Service Review exercise, Members agreed that the Council's OR Manager would be best utilised to conduct reviews within Housing and Regeneration Services. A 24-month period has been allocated for undertaking this work from April 2013 to March 2015. The OR Manager spent 80% of their time conducting this review; the cost of this was funded from the Housing Revenue Account. The remaining 20% of the OR Managers time was funded from the General Revenue Account to allow the OR Manager to conduct corporate work.

2.2 Purpose and Aim

The OR exercise within Housing and Regeneration Landlord Services has resulted in this detailed findings/recommendations report and it was agreed that the review must identify opportunities for service efficiencies and improvements to support the service in achieving their vision of becoming a top performing Landlord.

The Project Initiation Document (PID) stated, 'The project will achieve this by looking to develop new ways of working based on findings from 'the voice of the customer, the voice of the process and the voice of people'. Ultimately, the project will look to create positive change within Landlord Services. These changes could include culture (championing Continuous Improvement (CI)) as well as changes to roles and structures. It will seek to remove waste from existing processes, through re-design and change; and provide sustainability and agility for the service as a whole.'

The main aim of the review was to help the Council's Housing and Regeneration Service achieve their vision:-

'To be a top performing Landlord in an economically vibrant West Lancashire'.

The Project Board agreed within the PID that the review would support this by generating service efficiencies and any savings resulting from this could, as an option, then be reinvested within the service to support delivery of this vision.

2.3 Scope & Key Objectives

It was agreed that the OR Manager's first review would be conducted across three service areas. These are:-

- Voids & Allocations
- Estate Management
- Rent & Money Advice

The review commenced in May 2013 and explored the 'lifecycle' of a tenant, starting at the beginning of the customer's journey when a Housing application is made, through to termination of the tenancy. It concentrated on the services provided to customers from the above service areas. It should however be noted that this did not include the services delivered by Property Services as this will be the next area for review and will be looked at separately in the future.

The OR Manager was asked to explore alternative methods of service delivery whilst conducting this review to ascertain if there is any merit in restructuring the three teams.

In summary, the key objectives of this project were therefore to:

- Carry out an OR project within the Council's Housing and Regeneration Landlord Services and make appropriate recommendations for improved service delivery. These recommendations will ensure that the services operate in the most efficient, effective and economic manner and support delivery of the vision to be a 'Top Performing Landlord'
- Where possible embed capability and capacity into operational running so that it is sustainable after the project closes. This will enable officers to build on the success of the project by continuing lean systems thinking and seek to deliver continuous improvement.
- To maximise the accessibility of services using customer insight to ensure they are targeted and tailored to the specific needs of the Housing and Regeneration Services customer base and promote channel shift in line with the authorities corporate objectives.

2.4 Approach & Methodology

The review was conducted using Prince II Principles and Lean Methodology. The Council's OR Manager led the review and a Project Board was set up in order to oversee the projects key deliverables.

To ensure a 360-degree review, a Project Team was set up consisting of three main groups. These were:-

- i. Direct Service Managers / Representatives, including the, Deputy Assistant Director Housing & Regeneration, Housing Services Operations Manager and Services Managers / Representatives from the three service areas. (Who was also the main link in delivering this project in conjunction with the OR Manager.)
- ii. Support Service Managers, including; Housings Performance and Project Managers and Tenant Involvement Manager.
- iii. Co-opted Members; from other internal Council Service areas such as Customer Services, Human Resources, Communications and Consultation, Accountancy, Audit; as well as Union and British Telecom Lancashire Services (BTLS) representatives.

Members of the Project Team met throughout the review with co-opted members attending meetings when required as directed by the Project Manager/ Operations Manager

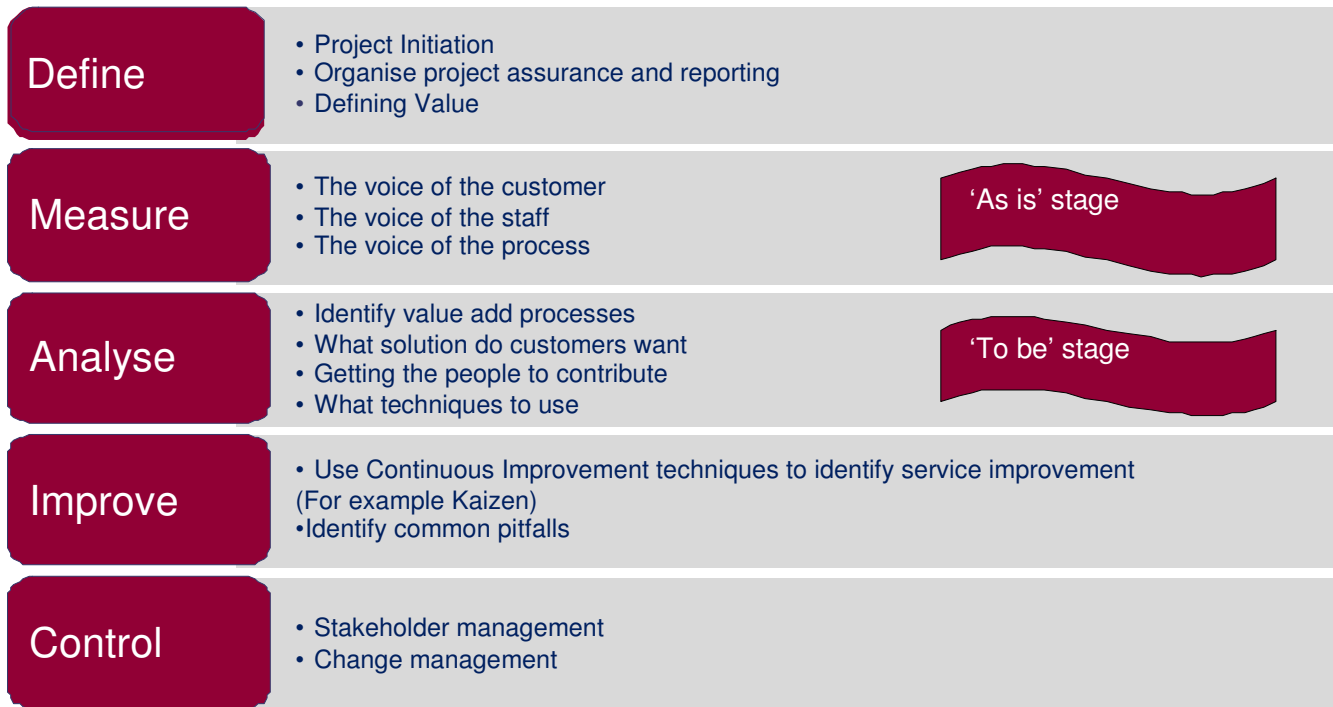
Staff were highly engaged throughout the review and were involved in activities, which included:-

- Staff interviews to identify their priorities and issues.
- Various workshops including Process Mapping both at the 'As is' stage and 'To be' stage, Value adding and non-value adding exercise to identify wasteful activity within processes and 'Blue Sky' Workshops.
- Assisted in providing relevant volumetric data when required, this included completing timesheets/visit sheets.

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At the beginning of the review, a PID was agreed by the Project Board. The PID outlined the scope of the project and detailed the methodology for the review, using Six Sigma sub-methodology: DMAIC. The DMAIC model splits the project into five separate phases shown below:-

Methodology



Consult with Stakeholders throughout the review

3.0 Factors for Consideration

3.1 Changes throughout the review

Over the last few years, the Housing and Regeneration Service has been constantly striving to improve the service it delivers to its customers and this has resulted in continual change and improvement. This was evident throughout the review as the three Service areas are fast moving and changes were constantly taking place throughout the project, which also proved challenging for the review itself. These included:-

- A review of the Allocations Policy took place at the beginning of the review to take account of new legislation.
- Delivering year 2 of the Housing ICT Strategy.
- Research work to provide Customer Insight, (this information will be used to provide a more tailored service to Tenants applying for and living in council housing properties).
- A number of significant changes and actions have taken place to help prepare and deliver the Welfare Reform agenda.
- The Housing Service Development team has worked closely with the Furnished Tenancies and Recharge Officers to migrate these services onto QL-Housing Case Management system during the review.

3.2 Welfare Reform

The welfare reform agenda has already had a significant financial impact on the Housing Revenue Account. Since the introduction of the Social Sector Size Criteria in April 2013, rent arrears for those tenants affected have increased by £93k whilst the Rent and Money Advice team maintained arrears performance during this period. It should however be noted that the full impact of under occupation charges were mitigated by the financial support provided to tenants who applied for Discretionary Housing Payment, (DHP). This saw an additional £96,499 of benefit awarded. Funding for DHP is provided from Central Government and whilst there is a budget for the current year, there is no guarantee that this will continue at its current rate or at all.

There has also been an increase in terminations of tenancies and 3 / 4 bedroom family properties in some areas and these properties have become more difficult to let.

The full impact of the welfare reform agenda is yet to be realised and the introduction of Universal Credit represents the most radical reform to the welfare benefit system to date. Universal Credit is due to be rolled out to specific groups in West Lancashire from September 2014.

Universal Credit combines 6 existing benefits including Housing Benefit and is paid 4 weekly in arrears. There are currently 2334 working age tenants who are in receipt of Housing Benefit to the value of £175k per week to the Housing Revenue Account. Currently Housing Benefit is paid weekly directly to a Landlord. However, under Universal Credit a universal benefit will be paid direct to the claimant who will then be expected to pay their rent directly to their Landlord. Approximately 70% of customers living within WLBC properties currently receive housing benefits however, 45% of these are of Pensionable age and therefore the new regime will not apply to them.

The OR process is closely linked to preparing the service to meet these challenges and the following should be considered:

- There are currently in the region of 1000 customers affected by under occupation charges.
- The full impact of under occupation charges was mitigated by the extensive use of DHP's but this was not a long term solution and has deferred the full impact of this reduction in benefit on the HRA. Of those affected approximately, a third managed to pay the charges while the others have incurred arrears.
- Out of a collectable rent of £23,833,007 it is estimated that Under Occupation may have increased rent arrears by up to £93,000
- Since October 580,000 JSA claimants have been sanctioned. This is 5% of all claimants, as they have not complied with the DWP expectations of them having to find employment.
- Universal Credit migration will begin from September 2014. Of all those of working age who are currently in receipt of Housing Benefit it will see an increase of over £8 million in the amount of rent to be collected. Data from the pathfinder sites reports a reduced average rent collection rate of 85% for those tenants who have migrated to UC, this could see an increase in arrears of over £4.1 million over the first 3 years of roll out.
- Research from the direct payment projects conducted by the DWP has shown that contact with tenants regarding their accounts is three times higher than before and that the arrears process requires considerably more effort and staffing resources with a lower return rate.
- The average collection rate for the direct payment projects is 84%, compared to our current 97.58%.
- Under Occupation has also had an impact on void properties as bids on 3/4 bedroom family houses in Skelmersdale have reduced and these properties are now becoming harder to let. As a result, a decision has been made to allow more flexibility for applicants when applying for these properties providing they are able to meet the rent requirements.

4.1 The Voice Exercises

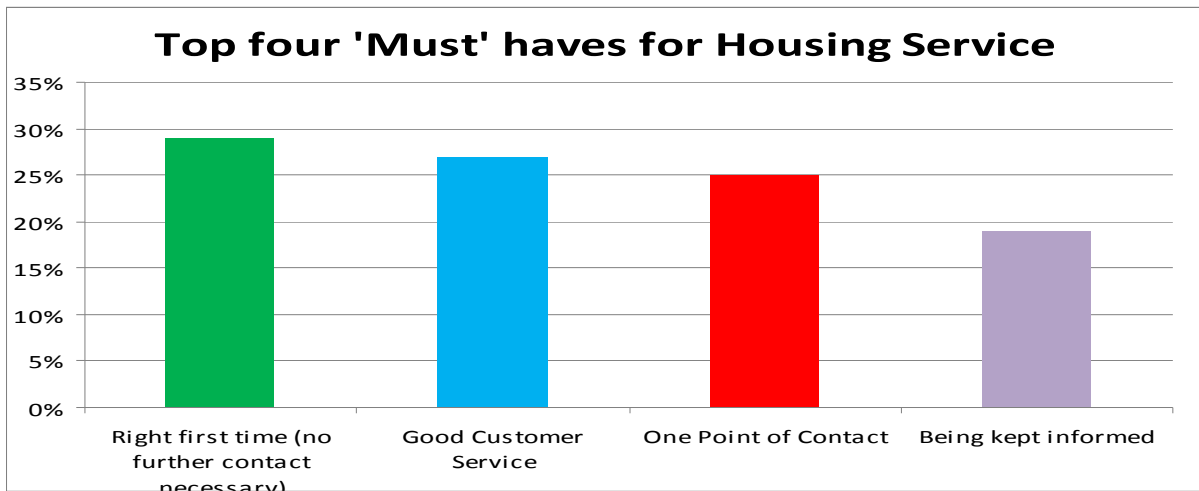
As with all OR reviews, it is important to ensure a holistic approach and for this reason a key part of any project is to conduct the ‘three voices exercises’. This includes:

- The voice of the Customer - This identifies the expressed and non-expressed needs, wants and desires of the recipient of a service. Because customers’ behaviour is key to strategy and process redesign, their insights drive the value levers and mapping, and they define value-added services and products. Additionally, through their use of products and services, they provide ongoing feedback and help identify new product development opportunities.
- The voice of the Process - This looks at the performance, volume and capability of a process to meet both business and customer needs. The voices of the customer and staff feed into process classification and relevancy, and further mapping shows the significance and effectiveness of each process. Each step within a process is given value adding and non-value adding ranking, which helps identify what is most significant to customers and the business. This information is then used to redesign services as it provides an opportunity to tie the customer’s voice to the process culture and separate what is important in the customer’s eyes from more company or business-centric processes.
- The voice of the Staff - This is also linked to the voice of the process in that problem areas can be highlighted along with the voice of the customer to identify potential opportunities. This exercise encourages staff to take personal ownership and a sense of responsibility to ensure that they are directly contributing to the project success. This also has an impact on financial results, as staff can share information related to resources, costs, talent, processes and solutions that provide strategic direction for the review. An overarching impact that is sometimes overlooked is the influence employees have on cultural change, through their voice; employees provide a dialogue within the project that sheds light on how they will apply the company vision to their daily tasks within the proposed redesign.

Analysis from the three voices is used to help form recommendations put forward for future service delivery. It ensures that these recommendations meet the needs of our customers as well as the needs of the business. The next three items (4.1.1, 4.1.2 & 4.1.3) shows generic findings from the three voices analysis; however, this analysis is also threaded throughout the rest of the findings section of this report as and when appropriate.

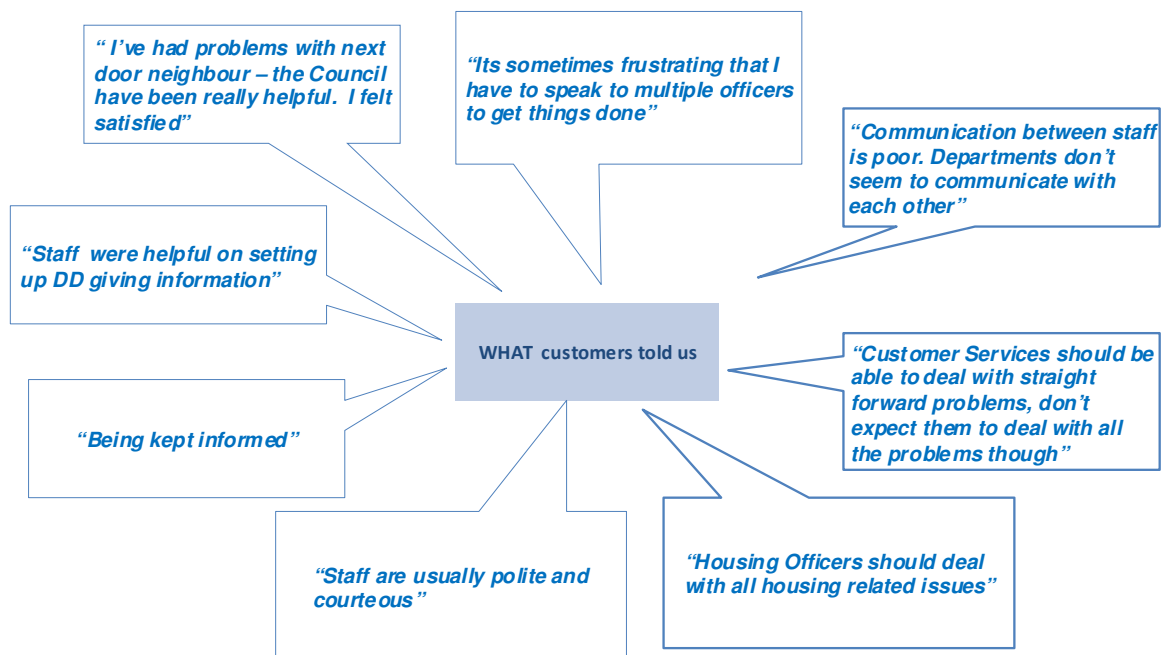
4.1.1 The voice of the Customer

The project team identified that in total 1113 customers had accessed services provided by the three service areas within the six months leading up to the project. This sample size was used to conduct telephone and email surveys. The surveys took into account customers equality characteristics to ensure that we obtained views from a diverse range of customers. The surveys were put together using a ‘Keno’ approach, which examines what customers deem as a ‘must’ from a service. What customers ‘want’ from a service and what would ‘wow’ customers if it were part of a service. 135 surveys were successfully completed from the initial sample size. As well as the surveys, a number of small focus groups took place with ‘involved’ and ‘non-involved’ tenants. ‘Involved tenants’ are customers who live in WLBC council properties and regularly provide feedback on Housing Services to Housing. ‘Non involved tenants’ live in WLBC council properties however, they do not usually participate in feedback. The purpose of these groups was to ascertain their views and aspirations. The project also engaged with tenant groups from the Housing tenant structure; this included the Service Review Group and the Tenants & Residents Forum. Information already collected i.e. the Star Survey, Customer Insight information was also used as reference material. Key results from the Voice of the Customer are shown below:-



Customers Wants & Wows from their Housing Service

- Quick Response & prompt service
- Polite, honest & courteous staff
- Easy to access information
- Better working between sections of the Housing service
- One person to deal with everything
- Help with the welfare reform



4.1.2 The voice of the Process

It was important for the review to focus on those processes and procedures, which involved a high volume of customer contact. In order to identify these specific areas the OR Manager met with the three Service Managers and staff from the teams to identify which processes to target more intensely during the review.

This resulted in the project team identifying three work streams. These were:-

- Becoming a customer
- Being a customer
- Ending a tenancy

An initial data gathering exercise took place to help analyse the time, cycle and numbers of those processes deemed to be high volume.

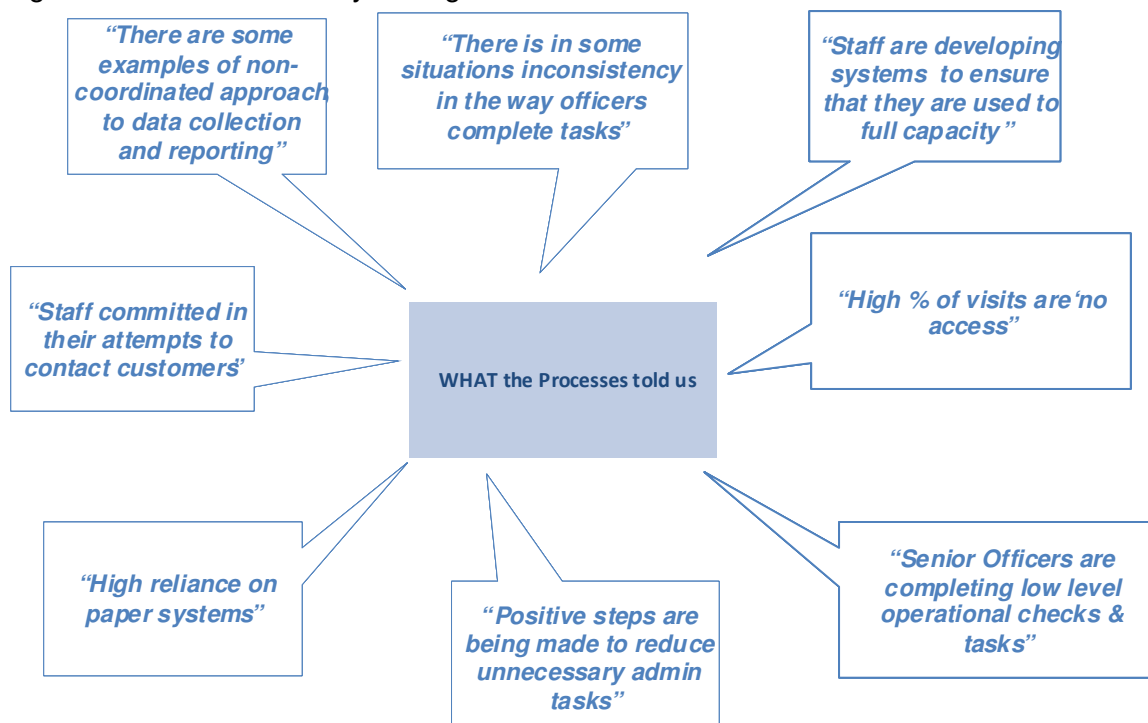
In order to collect the correct information and gain a detailed understanding of the service as a whole, it was important to utilise the skills and knowledge of staff involved in delivering the service. Staff assisted in:-

- Mapping workshops to gain an understanding of current processes including identifying value adding & non-value adding steps within these services.
- Carrying out detailed timings exercises including 'Week in the life of' and visit sheets to identify how officers spend their time on a weekly basis.
- Interrogation of systems in order to extrapolate data regarding volumes.
- Shadowing staff undertaking their daily duties (commonly known as going to Gemba).

The review also:-

- Listened to call recordings in the Contact Centre to understand service delivery.
- Conducted Volumetric and KPI analysis.
- Conducted site visits and desktop research with other Social Housing Providers.

The diagram below illustrates key findings from the Voice of the Process:-



4.1.3 The voice of the Staff

The review held a number of ‘critical questioning’ sessions with staff from the three Services areas. This included meetings with Managers & Team Leaders as well as with key officers from other service areas within the Council, for example Customer Services staff.

Meetings also took place with the Assistant Director of Housing & Regeneration, the Deputy Assistant Director of Housing and Regeneration and Housing & Regenerations two Portfolio Holders.

The purpose of these sessions was to identify their main issues, priorities and aspirations.

As well as identifying the three work steams mentioned earlier in this report, these sessions highlighted a number of cross cutting themes, which were taken into account throughout the review. These were:-

- Cross team working
- Communication
- Customer access
- ICT
- Partnership working

The project team met on a regular basis throughout the review to discuss findings and identify possible solutions.

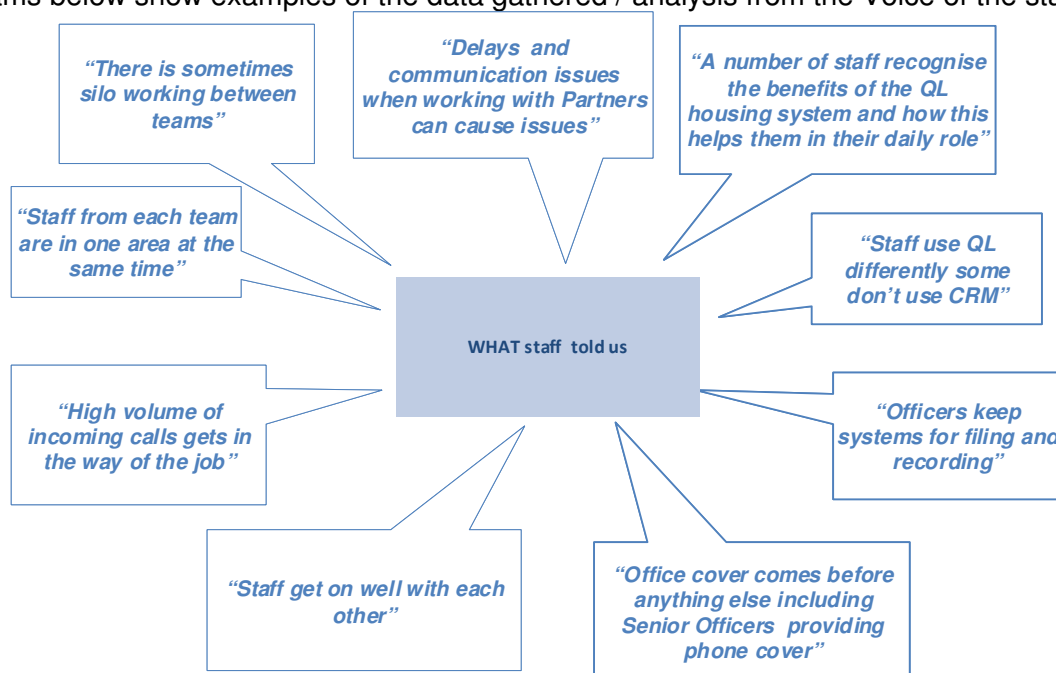
Regular meetings where held with the Assistant Director of Housing & Regeneration, Deputy Assistant Director of Housing and Regeneration & Housing and Regeneration Portfolio Holders to obtain their aspirations and ensure that they were ‘kept in the loop’.

The OR Manager and Housing Operations Manager worked in close partnership for the duration of the review.

As well as the ‘critical questioning’ sessions, officers also took part in ‘Blue sky’ workshops putting forward innovative ideas for the redesign of the new service.

Key Officers across the authority were consulted with during the project to ensure that findings and recommendations for the review are accurate and viable.

The diagrams below show examples of the data gathered / analysis from the Voice of the staff:-



4.2 Voids & Allocations/Housing Options

4.2.1 Housing Options

Housing Applications

It became clear during the 'voices exercises' that the Housing options team are spending the bulk of their time data inputting and assessing Housing applications. Whilst this means that the service is meeting the relevant PI target of 10 days to input a Housing Application, staff are spending all their time inputting and assessing applications and as a result, the service is not as qualitative as it perhaps could be. Staff advised that under the 'as is' service they do not have the time to provide advice & support to prospective customers. Whilst not all applicants require this level of service, some customers apply for properties without understanding what's involved i.e. what is expected from them as a tenant and what the Council will do as their Landlord. Whilst the Council would not want to stop customers applying for accommodation, the impact of not providing this information up front can result in the tenancy not being sustainable. For example, rent arrears accumulating or customers giving up properties, as they cannot manage to maintain their tenancies.

This service has high volume processes and receives approximately 2000 Housing Applications per year; 23% of these are completed online; 77% are paper applications. Once an application is processed, customers are put into an appropriate banding from A-D depending on their level of need – 'A' being the highest priority and 'D' being the lowest. 25% of applications received are banded either 'A' or 'B' the remaining 75% are considered as low level needs. Customers can only apply for a property within their banding.

The current process is paper driven and 98% of applications received require further information before their application is 'banded'. An application will only be 'banded' once all of the relevant information is received, whilst any others will remain pending until such time. At the start of the review, there was no trigger in place for pending applications and as a result, there were a large amount of applications 'on hold'. However, to try to address this, staff have conducted an exercise in contacting customers with a pending application status during the review which has seen a 50% reduction in applications 'on hold' on the Housing Register.

The service uses Abrisas systems to manage applications from customers applying for properties; this includes the management of these applications within a housing register. The applications module encourages self-serve and can electronically assess and band an application. However, as shown above the system is not currently being used, to its full potential. Research during the review established that other Social Housing Providers (for example Halton Housing) are switching off paper applications and all customers will be required to use the online application form. They also use the system to assess and band 100% of their applications.

Research throughout the review highlighted that 61% of contact from customers, enquiring about Housing Options related enquiries was 'avoidable contact'. This includes requests for Housing applications forms, customers returning completed application forms and customers enquiring about the progress of their Housing application form. This contact could be avoided by switching to online applications which will automatically assess and band a customers application. Clearly, online help will be required for some customers to assist them when completing the form and this could be done using various methods. For example using alerts built into the form to guide customers and "how to" you tube style videos. However, some customers will require further help/assistance when completing this form and this could be done either via Mobile Working, via the Contact Centre or via the CSP's. As the research shows, it is likely that approximately 39% of customers will still make contact with Customer Services to obtain advice on; how to apply for accommodation, help with completing their Housing application etc. To deliver this service Customer Services would require a resource of 0.5 FTE, however as stated online applications would reduce the 'unavoidable contact' by 61% which is a saving of 0.5 FTE. Therefore, no additional resource would be required to deliver this service.

Housing Application Visits

Officers conduct on average 98 Housing Application visits per year. The purpose of these visits is to assess if a customer applying for a council property has; a medical condition, which requires particular living requirements and/or is currently living in an overcrowded property and/or has social needs. The majority of applications requiring a visit are placed as pending status and therefore the applicants are not eligible to bid on any properties until after a visit has taken place. The purpose of a visit is to assess if a customer is eligible to be placed into a higher band and not to ascertain if they are eligible to apply for Housing. Therefore, these customers could be placed in a lower banding prior to their visit, which would allow them to bid on lower priority properties, thus increasing the possibility of satisfying their housing needs sooner, as well as generating rental income.

Housing Application Appeals

Whilst the number of Housing Application appeals received each year is relatively low, 43% of them are from customers not agreeing with their 'banding'. 37% of these currently result in the original decision being changed i.e. a significant proportion. Appeals are assessed at senior manager's grade, which could be seen as inappropriately high for this level of work.

Process	Hours to complete
Housing Applications	5043
Housing Applications Visits	174
Housing Applications Appeals	104
Total	5321
FTEs	3.3

As can be seen from the above table the total workload of the 'as is' processes conducted within the Housing Options team prior to the review equates to 5321 hours, i.e. the equivalent of 3.3 FTE's. The current number of FTEs responsible for this workload is three Housing Options Assistants however; the Voids & Allocations Service Manager is currently responsible for conducting the appeals process, which accounts for the additional 0.3 FTE.

Ref	Service Recommendations
SR1.	Promote and increase online Housing Applications and phase out paper applications completely.
SR2.	Further, develop Abris to assess and band all applications.
SR3.	Further develop the Housing Application form to advise customers of the information they will be required to supply when completing each section of the form.
SR4.	Abris to automatically cancel applications forms after an agreed period should a customer fail to provide the required proofs.
SR5.	Provide additional internet access at the Customer Service Points. To promote digital inclusion for applicants to be able to complete online application forms as well as enabling existing customers to access Housing Services online.
SR6.	Customer Service staff to provide support to customers when completing online application forms.

4.2.2 Voids & Allocations

Adverts

On average, the authority advertises 94 Housing properties per month, 77% of properties advertised are let within the 1st cycle of it being advertised. Properties available to rent are displayed within the Council's two Customer Services Points (CSP's), as well as online through Abrisas via a link on the Council's website to West Lancs. HomeFinder. The current process relies on staff printing out copies of each advert, and then travelling to both CSP's to put each advert into separate display boxes, which are attached to the window and walls within both locations. Customers highlighted during the 'voice of the customer' exercise that sometimes adverts do not have the correct property picture and they that this can be misleading. Customers expressed that they would like the right picture to be advertised against the correct property. To ensure that the 'voice of the customer' findings were factual adverts were quality checked throughout the review. This revealed that properties are frequently advertised without any picture of the property being attached.

Housing currently uses Abrisas Software (Choice Based Lettings) to manage a property from when a tenant informs of their notice to terminate to the advertisement and letting of a property. This allows customers to bid for properties online through West Lancs. HomeFinder via a link on the Council's website. Customers can also complete a paper bidding form at the CSP's, which Officers then manually input into the Abrisas system. This is causing duplication within this process when there is access to computers at both locations that customers could use.

Adverts are created manually, however Abrisas has a voids module which could be used to automatically populate the majority of an advert once notification is received that a property is about to become vacant. This can be used in collaboration with QL (Housings case management system). The advert could be then be checked and any additional information could be added either; by Housings Admin team within the 0.5 FTE transfer or by Customer services staff, (no additional resource has been calculated for Customer Services as the Customer Service Manager has agreed that this work would be absorbed into current roles).

All adverts are checked at a Senior Managers level for errors including spelling. However, the majority of the advert is created via templates and the risk of error should be low, therefore they should not require this level of checking. It is possible that the additional checking could be as a result of officers requiring additional training and therefore be addressed, as a development need. This will then eliminate the need for rechecking at a senior level.

Allocations

As the authority uses a Choice Based Lettings system, the allocation process should be a simple quick procedure as the system automatically matches a customer to a property. The current process is longer than it needs to be and includes high levels of checking and some duplication of work. A lot of this involves checking information, which has previously been examined during the application stage, as well as Senior Managers checking officer's work.

Viewings

18% of the 848 viewings conducted per year result in customers declining the property. Using feedback gathered from the 'voice of the customer' exercise this could be reduced by showing floor plans and correct room dimensions on the property adverts as well as the correct pictures. Intelligence gathered from involved tenants and complaints received shows that there are issues with the void re-let standard which also has an impact on property refusals. Viewings currently take place within working hours although this is not an issue now, as customers tend to keep their viewing appointments. Private Landlords are constantly growing within the Borough and desktop research has shown that they have a flexible approach when conducting viewings, which for example can include Saturday mornings. Having limited viewing times compared to other Housing Providers

could affect the authority in the future and could result in customers choosing to go with Housing Providers that are more flexible.

Sign up

On average sign ups, take approximately 1hr. Findings from the review would suggest that this is an appropriate amount of time to spend with a customer. However, the current process is not as effective as it could be. At the start of the review, a lot of time during the sign up was spent giving out information to customers as well as inputting duplicate information into multiple forms. For example the customers personal details, name, address etc. This detracted officers from ensuring that the customer completed a Housing Benefit form when necessary. As a result, customers were sometimes going into unnecessary arrears, which caused problems for the rents team further on into the tenancy. Following an instruction from the Housing Operations Manager and work undertaken by the new Financial and Inclusion Officer this has now been rectified. Currently all sign-ups are identical, only differing if someone is making a claim for benefits or signing for Sheltered Accommodation. The difference being that they are given additional forms to complete/information regarding their property. However, research during the review has identified that customers have different levels of need, some requiring more assistance than others do. Therefore, sign-ups should be more specific to meet the needs of the individual customer and take into account their profiling information using customer insight information held by Housing. First Choice Homes Oldham have taken this approach a stage further by introducing a sustainable tenancy risk assessment at application stage to assess the level of work required at sign up to try to ensure sustainable tenancies.

Notice to Terminate a Tenancy

Whilst customers can inform the organisation that they wish to give notice to terminate their tenancy both in writing and over the phone, the current process requires a signature from a customer before notice can be given. Customers will also be written to if they have not included the right dates for termination on their termination notice and asked to sign a new form with the correct dates. Customers cannot currently give notice to terminate their tenancies online. Discussions with staff and the Council's Legal Services section during the review identified that it is not a legal requirement to obtain a signature to terminate a tenancy. All that is required is for the authority to be able to prove it was the tenant who gave notice. This could be achieved by introducing an authentication process on the Council's website. This is covered in more detail at section 4.5.1 of this report.

Receiving Keys

The process for returning keys has levels of rework for Voids and Allocations staff, as they are inputting information, which has already been completed by Customer Service staff. Keys are returned to the CSP's, booked in by officers and passed to the Voids and Allocations team. They then close the tenancy down; order more keys if required; arrange for a Surveyor to inspect the void property and order the necessary repair works from the required contractor. A solution would be for Customer Services and Housing QL systems to communicate with each other when keys are handed in. For example, Customer Services staff will be able to use front office systems, which will automatically be updated in Housings QL system to close the tenancy down as well as book an appointment for a Surveyor. The keys would then be signed out directly to the Surveyor from Customer Services. Customers are given two sets of keys at sign up and as part of their tenancy agreement they are required to hand back two sets when they leave a property. On average 26% of the keys handed in by customer are missing a set. This works out at a cost to the authority of approximately £1800 per year for keys to be cut and an additional 46 hours of officer's time to arrange for keys to be cut. However, we do not enforce or recharge for this work. Discussions with the Assistant Director of Housing highlighted that Property Services have in the past, looked into buying a key cutting machine that will allow keys to be cut in-house. This could prove a cheaper alternative.

Process	Total hours for Housing Assistants to complete each process per annum
Adverts	1012
Allocations	532
Viewing	1119
Sign up	1717
Notice to Terminate	508
Receiving Keys	369
Total	5257
FTE	3.3

As can be seen from the above table the total workload of the above processes for Housing Assistants equates to 5257 hours, i.e. the equivalent of 3.3 FTE's, the current number of FTEs responsible for this work load is 5 Housing Assistants. Using the week in the life exercises this indicates that the remaining 34% of their time is taken up conducting administrative and communication tasks such as replying to emails and taking and receiving telephone calls. Using information collected via customer services, 100% of incoming calls in relation to the above processes could be answered by Customer Services providing they could access back office information. This would contribute to meeting the needs and desires of our customers as the 'voice of the customer' exercise identified their 'musts' are 'good customer service' and 'one point of contact'. This will include Customer Services providing advice on when properties/keys will be ready, help with on-line bids, arranging appointments for viewings etc.

Ref	Service Recommendations
SR7.	Develop systems to automatically upload adverts to the 2 CSP's.
SR8.	Display adverts on a digital screen in windows of both CSP's.
SR9.	Develop adverts to display the right picture/room size/room dimensions.
SR10.	Stop paper bids by encouraging customers to use online bidding system.
SR11.	Implement Abritas voids module to automatically create adverts when notice to terminate has been given.
SR12.	Work with officers to provide training on how to complete free text on advert templates to mitigate the need for rechecking at a senior level.
SR13.	Explore the possibility of flexible viewings to include outside 9-5 and on Saturday Mornings.
SR14.	Review and update sign up pack.
SR15.	Tailor sign ups to meet the individual needs of the customer by using Customer Insight and profiling information. I.e. some customers will require less support and information than others. .
SR16.	Complete a cost benefit analysis to assess the viability of recharging customers when keys are not returned. This includes the keys being cut in-house via Property Services
SR17.	'New Tenant Visits' should be arranged/booked at customer sign up stage.

4.3 Estate Management Team (EMT)

New Tenant Visit

Officers appear to spend a disproportionate amount of time trying to contact new customers to arrange a 'new tenant visit' with them. A simple solution to this would be for officers to arrange an appointment with the customer at sign up stage. This could be followed up with an email/text message to remind customers of this appointment. In total 36% of new tenant visits result in no access from the first visit, 8% result in no access from the second visit. Officers will continue to try to contact new customers to arrange a new tenant visit with some visiting up to 7 times without gaining access. 4% of new customers are served with a Notice to Quit, as they cannot be contacted after sign up. It became clear during the review that the majority of these visits are conducted between 9.30am - 12 noon and 2.00pm – 4.30pm. There is currently no flexibility and employed customers

are expected to be available during these hours. Officers currently work on flexi time, which allows them to work from 7.00am until 7.00pm and therefore introducing a flexible approach would help reduce the number of no accesses from ‘new tenant visit’ or indeed any other visits.

Anti-Social Behaviour (ASB)

Customers can currently report ASB via the Council’s website, over the telephone, face to face or in writing. The current process for reporting ASB is very basic and requires minimum details, for example name and address of the perpetrator/complainant. It is also unclear as to what details are required. This can result in Housing Officers having to reroute initial complaints to other departments. A diagnostic approach should be adapted at first point of contact to assess the level of the complaint. For example, customers should be asked a series of questions when making an initial complaint, to assess how serious the complaint is and whom this should be directed to. This will help filter the complaint to the appropriate department. For example should this be a referral to the MAPS team or alternatively an appointment arranged with a Housing Officer.

When an initial complaint of ASB is made officers agree a frequency of contact with the complainants, however this agreement places the onus on the officer to maintain contact with the complainant. This often leads officers making repeat unanswered phone calls and no access visits. The reason for this no contact is usually that the problem/complaint has ceased and is no longer causing an issue for the complainant. A more efficient process would be for the agreement to place onus on the complainant to contact the Council should the ASB continue, with a timeframe in place to close the case if no contact is made. However, to ensure that customers are kept informed on progress, Officers should also agree with the complainant that they will keep them updated on any progress/action taken.

Notice to Quit

Information gathered from the ‘officer visits’ exercise highlighted that officers could visit a property up to 10 times to assess if the property has been abandoned. This information also showed that 100% of visits officers made after the initial attempt were unsuccessful. Whilst every effort should be made to ensure that the property has been abandoned before serving notice to customers, the current process appears to be rather drawn out and officers should cut down on the number of visits they make to a property before serving notice, as this clearly is not adding any value to the process.

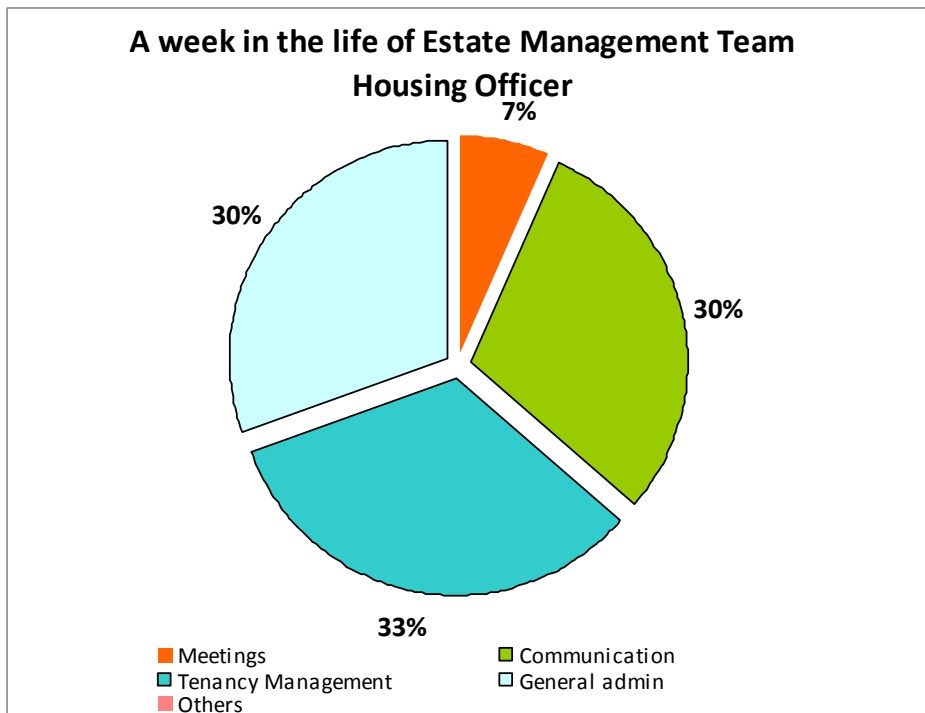
If a tenant informs an officer that they are intending to give up their tenancy, they are asked to call into their nearest CSP to complete a ‘Notice to Terminate’. This is adding an unnecessary step for customers as officers should be able to action this request when advised by the customer either via a handheld device if the officer is out on their patch or alternatively via the telephone to Customer Services.

Process	Total hours for Housing Officers to complete each process per annum
New Tenant Visits	1218
ASB	1022
Notice to Quit	387
Total	2627
FTE	1.6

As can be seen from the above table the total workload of the above processes for Housing Officers equates to 2627 hours, which is approximately 30% of their time, i.e. the equivalent of 1.6 FTE’s. The current number of Housing Officers responsible for this workload within the EMT is 5.25 FTEs. The above does not take into account other Housing Officers duties within the EMT including; land issues/sales, changes to tenancies i.e. sole to joint/succession/assignment of tenancies. However, the week in the life exercises indicates that these additional duties take up approximately 10% of their time, which equates to 0.5 FTE. The additional 60% of Housing Officers time within this team is taken up conducting administrative and communication task such as, replying to emails, updating QL (Housings Management case system), making, and receiving telephone calls. This time would be

better spent out on their patch and being more productive. Using the information collected via customer services 47% of calls for the EMT could be answered by Customer Services at first point of contact which is a desire of customers identified as part of the ‘voice of the customer’ exercise.

The diagram below shows the results from ‘a week in the life of EMT Housing Officer’. This clearly shows how they spend their time.



Ref	Service Recommendations
SR18.	Develop a diagnostic approach for customers wanting to report ASB.
SR19.	Change current contact agreements with customers to ensure that there is a balance of contact. For example customers will contact Officers should and ASB complaint continue and Officers will insure the complainant is updated on any progress/action taken.
SR20.	Explore the possibility of flexible visits to include outside 9-5 and on Saturday Mornings.
SR21.	Ensure that customers can submit a Notice to Terminate a Tenancy via all access channels this includes; via the Council’s website, over the phone and face to face.

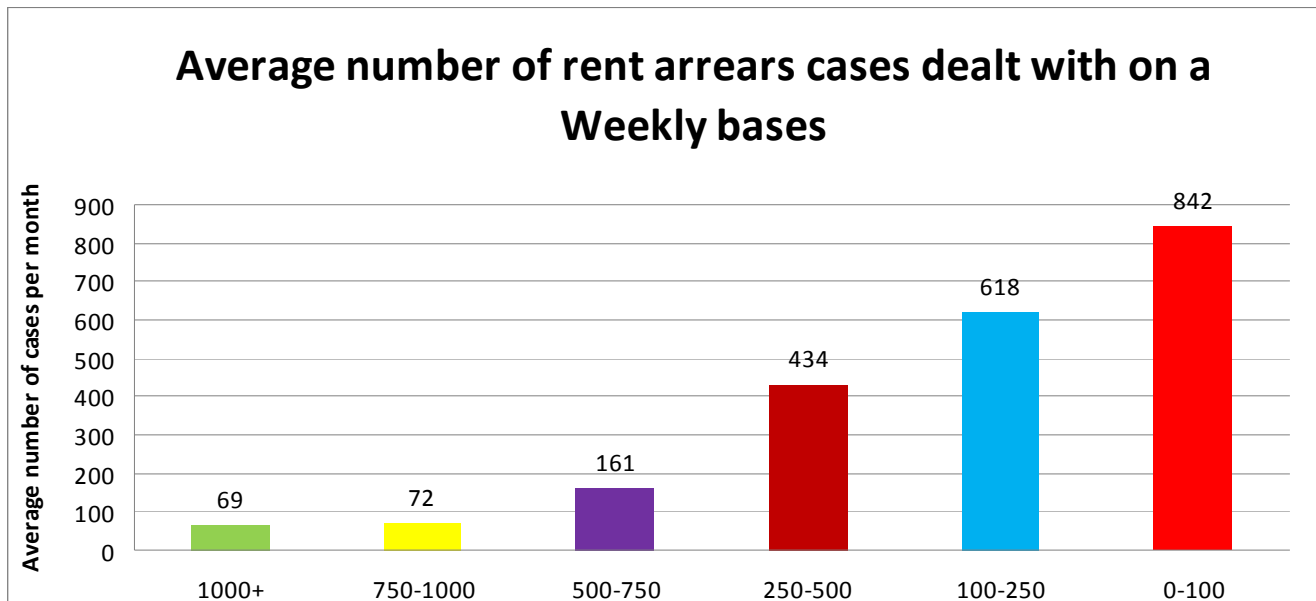
4.4 Rents & Money Advice

Rent Arrears

There is currently a rolling average of 2196 rent arrears cases per week. This is split between Housing Officers and Housing Assistants. Housing Assistants are responsible for low-level rent arrears under £250 and Housing Officers for rent arrears over £250. However, on occasion Housing Officers will take responsibility for cases under £250 and Housing Assistants will take responsibility for cases over £250 depending on the nature of the case. For example Housing Assistants do not conduct home visits and sometimes customers with arrears under the £250 mark may require a visit as they are deemed ‘long term arrears cases’. During the review the Rents and Money Advice Service Manager worked with Housings Service Development team to introduce text messaging. All customers with a mobile number and are in rent arrears are now sent a weekly text message to advise them that their rent is overdue. The remaining rent arrears customers are sent a weekly letter to advise them that their rent is overdue

The average number of cases under £250 per week equates to 1460. Housing Assistants advised that they manage to speak to approximately 30/40 cases per week over the phone, which in total equates to 11% of low level arrears per week. This includes both incoming and outbound calls. Customer Services could assist with this work and more detail is given at section 4.5.1 of this report.

The diagram below provides a breakdown of the average number of arrears cases each week including a breakdown of arrears bands.



Analysis from the Housing Officer visits showed that 81% of all rent arrears visits result in no access. There is no current monitoring in place to assess how many customers contact the Rent & Money Advice team in response to a No Access Card (NAC). However due to the nature of these visits it would be unlikely that the response rate is high. Future monitoring on responses from NAC's should be conducted to assess if it is viable to continue cold calling arrears visits, as this could provide an additional efficiency saving of up to £18000.

Evictions

38 evictions were conducted last year. This process has a lot of crossover from Officer to Officer throughout the process i.e. from the Senior Housing Officer to Housing Officers and Housing Assistants. For example the Senior Housing Officer will pass letters/memos to Housing Assistants for typing up; these are then passed back to the Senior Housing Officer to check before being posted out.

The Senior Housing Officer is responsible for making an application to court for a customer to be evicted and this includes inputting information into the Possession Claim Online (PCOL) database which is done manually. However Housings QL system has a PCOL module which will electronically transfer the data. The eviction process is paper driven and each case has a paper file, on average 329 paper files are created each year with an average of 40 pages in each, which includes formal documentation as well as information printed from QL i.e. case notes/actions. Should a case go to court this file is duplicated at least a further two times to provide a copy for the judge and for any other interested party i.e. the Customers representative/Citizens Advice. From discussions with the Council's Legal Service, the courts are looking to move towards an improved electronic system in the future and this will mean that case files could be forwarded electronically in the future. However in the short term, QL already has an electronic court report which will produce a full electronic case history in chronological order. This can be run remotely from an encrypted electronic device to allow Officers to access data in real time from a court hearing to be shared, rather than relying on paper based information that could be out of date should a customer make a payment.

Analysis at the beginning of the review concluded that under the current rent arrears process it would take Housing Assistants a total of 1700 days per annum to complete the process on all low level rent arrears cases this is the equivalent of 7.5 FTE's. Housing has been preparing for the introduction of Universal Credit throughout the review and as a result the Rent & Money Advice service has been

constantly changing. This has made it difficult to calculate the volumetrics for the both the Rent Arrears and the Eviction processes but it is evident that the initiatives put in place have reduced the original 'as is' process timings to ensure that they are more manageable for the team. The implemented changes included those to the rent arrears escalation process as well as the introduction of text messaging to all customers in rent arrears. Therefore using the original calculation for low level rent arrears of 7.5 FTEs, taken at the beginning of the review and given that the process is now more manageable for the 4.8 FTE Housing Assistants responsible for completing this work it is estimated that this has produced an efficiency saving of approximately £73,000 i.e. 2.8 FTEs. The Rent & Money Advice Service Manager is currently looking at reducing the number of evictions carried out each year as the focus should be on helping customers sustain their tenancies. Therefore any recommendations contained within this report are put forward with knowledge of this policy direction.

Ref	Service Recommendations
SR22.	Monitor future responses from NAC's to assess if it is viable to continue cold-calling arrears visits. (This equates to 1 FTE).
SR23.	Develop PCOL in QL to electronically transfer data and submit an application to court
SR24.	Officers to use hand held devices when at court to run electronic reports to access information in real time.
SR25.	Further develop arrears process to introduce more preventative work around managing money

4.5 Cross Cutting Themes

4.5.1 Customer Access

Website

The number of housing services customers can currently access in relation to the three services areas via the Council's website is very limited. The bullet points below shows the services customers can access at present via the Council's website. Customers can:-

- Pay their council house rent
- Make a housing enquiry
- Request a rent refund
- Request a rent statement
- Apply to rent a council garage
- Report a nuisance neighbour

Contained within the Council's website is a link to the West Lancashire Homefinder portal where customers can:-

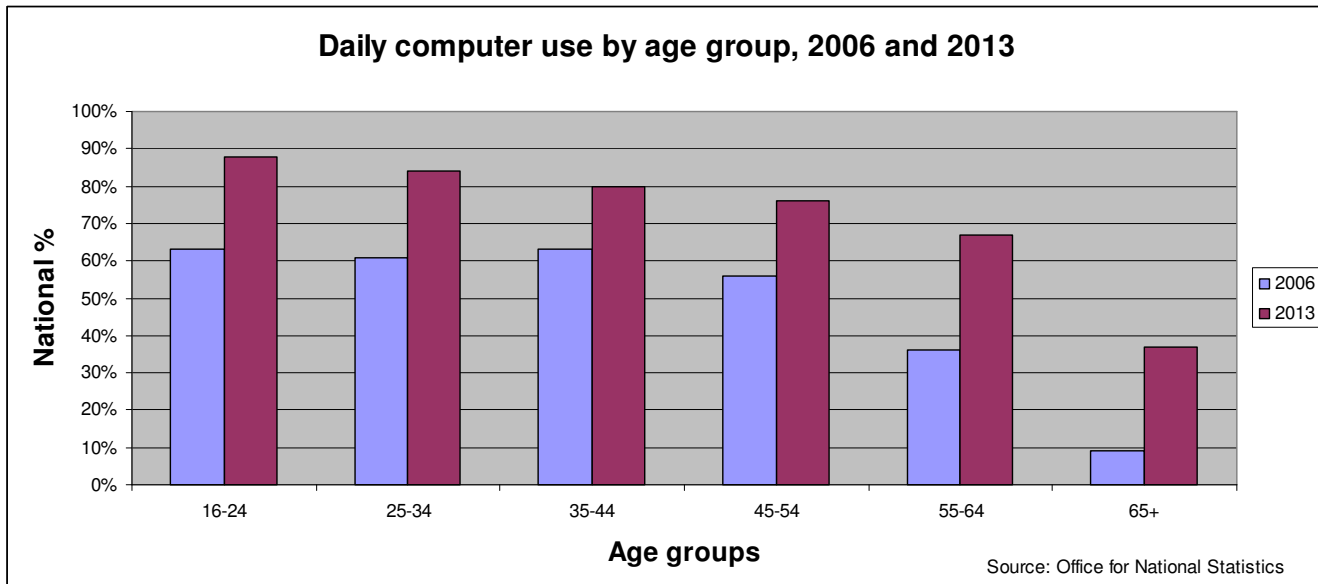
- Make an application to join the Housing Register
- Browse & apply for vacant Social Landlord properties to rent within West Lancashire

Research conducted both on a national level by Cabinet Office and on a local level has identified that by moving services to the web to increase customer online transactions can generate savings and reduce costs by up to 50%. However, its not just about reducing costs, research has also shown that '*customers increasingly expect to access services quickly and conveniently, at times and in ways that suit them*'. As a result, a number of Social Housing Providers are looking to enhance digital inclusion by promoting channel shift and moving a number of services to the web. An example of this is at Halton Housing This is also in accordance with the Council's priority for Click, Call, Come in, and is now more important than ever for Housing Services in relation to its role in the support required for the delivery of UC.

Housing's Performance & Project Management team have worked with Experian (a credit reference agency) to gain an insight in to their customers including, how they are likely to access information

and services. This information highlighted that whilst our customers are using the internet to buy car insurance, book a holiday and for online banking, they are currently less likely to use this method when accessing the Council’s Housing Service. This is likely because there is a need to increase the amount of Housing services available online as well as further promoting these services.

Information from the Office for National Statistics shows that in 2013, 36 million adults (73%) in Great Britain accessed the Internet every day, 20 million more than in 2006, when directly comparable records began. This is illustrated in the diagram below:-¹



Desktop research during the review has also identified that other Social Housing Providers have developed a customer authentication process within their website. This allows customers to register and create a secure password to allow them to log in to an account in order to obtain information and access services 24/7. For example, they may obtain their rent balance before paying their rent, set up a direct debit, etc. By having a secure account customers would also be able to advise the Council that they wish to terminate a tenancy online as already covered in section 4.2.2 of this report (An example of this is Helena Housing).

During the review, the OR Manager and Customer Services Manager met with Northgate to discuss future updates for their Customer Relationship Management system - this is the system used by Customer Services when delivering Services in front office as well as to create the Council’s online webforms. However, this system can also be used to authenticate/sign on customers. Northgate advised that customer authentication could be securely set up via the Council’s website.

Customer Services

Customers can currently access 24 Housing services covering the three service areas including general advice and assistance. Using data provided from Customer Services the average number of service requests currently delivered for the three service areas per year is approximately 20,000.

As part of the review, Customer Service staff were asked to keep a log of all incoming calls/face to face enquires relating to three service areas over a four week period. The purpose of the exercise was to assess the different types of incoming enquiries for each service area, any issues which stopped Customer Services staff being able to deliver an efficient service at first point of contact and the types of enquires which were being passed to back office Housing staff. Customer Service staff were also asked if they could recommend any future improvements which would help them deliver a better more efficient service to these customers. Using this information it became apparent that if customer services staff were able to access information from Housings QL database they could increase the amount of services they deliver for the three services as well as provide a more in-depth

¹ http://www.ons.gov.uk/ons/dcp171778_322713.pdf

service for customers all within one interaction. It should also be noted that tenants have wider customer needs than just in relation to Housing Services and these could therefore be better met this way. As highlighted at section 4.1.1 of this report 'The Voice of the Customer', Customers advised that one point of contact is a 'must'. An example of this is that Customer Services staff are currently unable to access a customer's rent balance or search for their rent reference number which is required for customers to be able to make a payment over the phone. As a result calls are lasting longer than necessary with officers having to ring through to back office to obtain this information prior to taking a rent payment from customers. On some occasions if a customer rings after 17:00 Customer Service staff are not always able to contact anyone from the Rents department and as a result cannot take a rent payment.

With the introduction of Universal Credit (UC) it is important to ensure that every contact counts and this includes being able to deliver the right service, to the right customers at the right time using the right method. As well as delivering services for the three service areas Customer Services also delivers a number of other Housing services including; day to day repairs and right to buy and it is estimated that 16,000 Customers accessed these services via Customer Services last year. Taking into account the 20,000 customers per year who contact Customer Services to access services covered by the three service areas (as previously mentioned at paragraph one of this section), it is estimated that on average Customer Services receive 36,000 service requests per year in relation to all Housing Services. It is likely that a percentage of these customers will have rent arrears and quite possibly be customers that the Rent & Money Advice team has previously tried to contact. This provides a perfect opportunity to capture these customers at first point of contact to discuss their rent account. Housing have introduced a number of initiatives to help with the implementation of UC and Customer Service staff could assist Housing with this by being able to make rent arrangements/agreements with customers, take payments and setting up direct debits all in on interaction. This approach has already been adopted by a number of Social Housing Providers including Helena Housing, Cobalt & Muir Group Housing. Clearly Housing would have to work closely with the Council's Customer Service Manager to ensure that the correct systems and training are put in place to accommodate this.

There were a high amount of requests from customers trying to make or cancel an appointment with a specific officer, again under the current regime Customer Service staff could not deal with these calls and had to ring back office Housing staff. On a number of occasions the required officer was unavailable and as a result the customer was advised that a message would be passed on re their request. A more efficient method would be for Customer Services staff to be able to book/cancel appointments directly into Officers diaries. This facility is already available as Customer Services already provide this service to other Officers of the Council; for example within Community Services.

Currently 27% of tenants pay their dwelling rent by DD and 67% of tenants pay their garage rent by DD. Whilst 73% of customers in dwellings and 33% of customers who rent a garage use alternative methods of payments including Payment Cards and Standing Orders. Direct debits are a better payment method for both customers and the Council as it ensures the correct amount of rent is paid from their account on time. Therefore saving time and effort for the customer as well as the Council this also has cheaper transaction costs. During the review the process for setting up direct debits was streamlined with the introduction of Task Centre (see section 4.5.3). However this still involves customers being sent a paper mandate to complete and send back for this to be manually set up. Should the Council apply for paperless accreditation from the bank this would enable customers to be able to set up direct debits over the phone, instantly and in one transaction.

Customer Services use Interactive Voice Response system (IVR) to ensure that calls are routed through to the appropriate member of staff in Customer Services with the correct skills to be able to deal with the incoming call. Housing already utilise this for their Customers reporting Housing Repairs. Discussions with the Council's Customer Service Manager have revealed that IVR could have a Housing option for all Housing calls, which can then be broken down further should customers want to report a repair or pay their rent. For example customers are given a number of options via the welcome message when calling Customer Services. This could be modified to advise customers to press 1 for Housing Services, should a customer choose to press 1 a further option could be given to the customer to instruct them to; press 1 for Housing Repairs; 2 for Housing rent enquires etc. This would allow the call to be routed to the appropriate Officer with the correct skills set to deal with the incoming call.

Integration of Northgate and QL will also allow Customer Services staff to assist Housing in capturing customer profiling information at first point of contact via the Council's website, over the phone or face to face. Housing will then use this information to create future efficiencies by tailoring future service delivery to meet the needs of customers. Clearly the systems will have to work in real time and be able to transfer information both ways. Housing currently and will continue to collect this information through various channels including when a customer makes an application to join the Housing register. Therefore Customer Services would in the main be conducting spot checks to ensure that this information is up to date. As it is not yet known the volume of this work or to what degree this will affect Customer Services. The review would suggest that Housing work with the Customer Services Manager to identify/agree how this work should be conducted and if any resource transfer would be required at that time.

Automated Payment Line

The Council currently has an automated payment line in place to allow customers to make payments over the phone without any human intervention. Discussions with British Telecom Lancashire Services (BTLS) have concluded that this could be developed to authenticate a customer to allow them to obtain rent balances prior to making a payment.

Voicemail

To gain a clear understanding of the types of calls coming into the three service areas, the OR Manager spent time listening to a random-selection of the 20,000 annual incoming calls to Customer Services. For the vast majority of the sampled calls Customer Services staff struggled to contact the relevant officer and often spent time ringing 3/4 extension number trying to locate the relevant officer, which then resulted in an email from Customer Services requesting the officer to call the customer back. Customer Services could, deal with a large percentage of these calls as already identified at sections 4.1-4.4 of this report. The remaining calls could be transferred and picked up via voicemail. The benefit of this is that it will allow officers to be out on their patch rather than providing office phone cover. It will also reduce the call length for customers as Customer Services will only have to make one phone call to the appropriate officer.

Ref	Service Recommendations
SR26.	Create a customer sign in on the Council's Website.
SR27.	Promote Channel shift by transferring services to the Council's website.
SR28.	Develop integration between Customer Services Northgate system and Housing QL systems to ensure that Customer Services staff can answer simple basic queries. Both systems will need to be able to transfer information in real time.
SR29.	Run a pilot in Customer Services to enable Customer Service staff to talk to customers about their rent account when they contact the council. This includes capturing payments and where appropriate setting up repayment arrangements. This will require a resource/cash transfer of 1 FTE.
SR30.	Introduce a real time bookable appointments system for Housing Officers which can be accessed by customer at first point of contact i.e. via the Council's website, over the telephone or face to face. This will require a resource transfer of 0.5 FTE.
SR31.	Apply to the bank for paperless accreditation to enable customers to set up Direct Debits instantly at first point of contact, i.e. online, over the phone and face-to-face. This will require a resource/cash transfer of 1 FTE.
SR32.	Housing to work with the Customer Services Manager to ensure that any services transferred are set up in the right way and that staff receive the correct training.
SR33.	Develop Automated Payment line to be able to authenticate customers to obtain rent balances.
SR34.	Implement voicemail.

4.5.2 Cross team working

Team Structures

The 'Voices Exercises' highlighted that there are high levels of separate working across the three teams as officers are predominately focused on their specialist area.

The current structure has three teams; Voids and Allocations, Estate Management and Rents & Money Advice, with specialist teams sitting within each team. This is shown in the diagram below:-

Current Structure



Each team has both a Service Manager and Senior Housing Officer, however all except the Voids and Allocations Service Manager are graded at – PO1, the Voids and Allocations Manager is graded at PO3. Using information gathered throughout the review it has become evident that there are high Management costs with Managers splitting some of their tasks and levels of responsibility between the Service Manager post and Senior Housing Officer Post creating blurred roles.

When the teams were set up as functional, it was deemed that the Service Managers role was to be strategic, however over the years these roles have evolved into more operational roles, to the point where some Managers are conducting high levels of admin work and even office cover. Managers have also adopted a checking and controlling culture, which includes reviewing tasks previously completed by officers within their teams some of which are deemed as low risk processes.

Having specialist teams has created problems associated with 'silo working' whereby officers work strictly within the limits of their team and as a result, they don't possibly always see or understand the 'bigger housing picture'. This impacts on how each team shares information and communication is not as effective as it perhaps could be between the teams and indeed with colleagues elsewhere.

Findings from the 'voice of the people' exercise highlighted issues that can arise when having specialist teams. For example, officers from within the Estate Management team only meet customers after they have moved into their property. A consequence of this is that they sometimes struggle when trying to build and manage relationships with customers; this is evident in the high levels of no access for 'New Tenant visits' and perhaps tenancies are not being sustained for as long. This is also true when looking at the high amounts of no accesses for 'Rent Arrears visits'. As highlighted in section 5.2 the 'visits' exercise showed that 81% of these visits resulted in 'no accesses'. Housing Officers from the Rent and Money advice team do not have the opportunity to build a relationship with customers, as the first contact they make is when a customer has fallen into

arrears. Staff advised that customers moving into a property are not always aware of the type of property they are moving into and the responsibilities that come with it e.g. pets not allowed in flats and service charges on certain properties etc. Again, this is causing problems with Tenancy issues and Rent Arrears later on down the line.

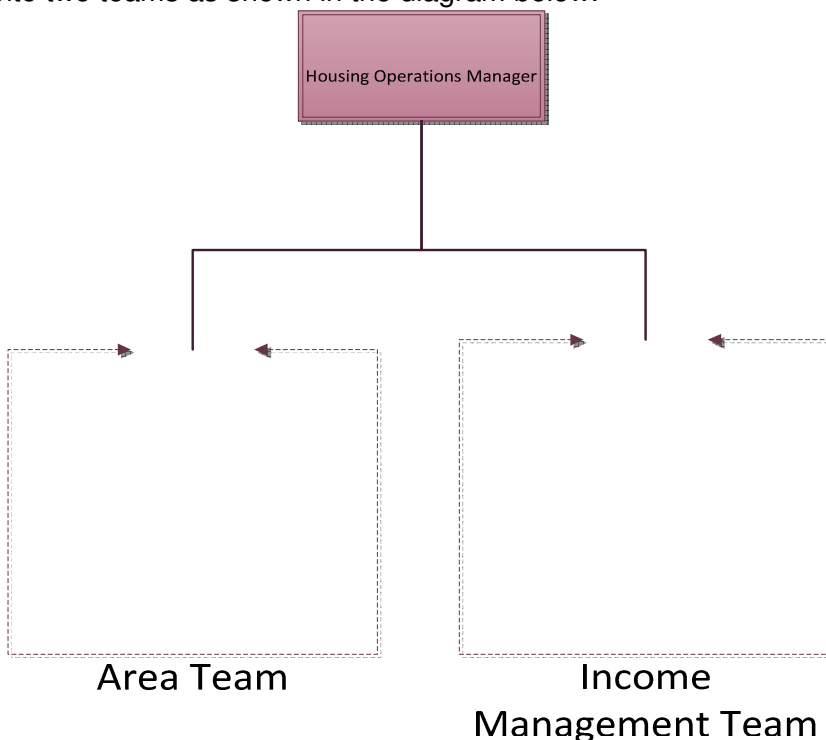
Under the current structure, customers could conceivably receive a visit from as many as four different officers depending upon their service request / Housing need. In reality, the 'visits' exercise showed that up to three officers could be in one area at the same time.

Customers advised during the 'voice of the customer' exercise that it can be frustrating when only certain staff can deal with certain issues and a number of our long standing customers referred to a time when 'their Housing Officer used to deal with everything' and also confirmed that this was their preferred model of service delivery.

The review has concluded that the role of the Housing Officer should become more flexible and generic. Housing Officers should start building a relationship with a customer at the allocations stage. This includes; conducting property viewings, conducting sign up, as well as all other tenancy related issues such as; discussing customers rent accounts, capturing payments and where appropriate setting up repayment arrangements etc. There will however, be a need for some specialist staff when dealing with income management. Especially with the introduction of the Welfare Reforms agenda and Universal Credit, which, will include more in-depth preventative arrears work. Research during the review highlighted that this approach has been adopted by other Social Housing Providers with some moving towards having Housing Officers who offer a full generic role.

The current Housing Officers job descriptions are generic therefore there will be no changes required to this. However generic working will inevitably raise some training issues for staff who have worked in one particular field of housing and there may be some staff resistance to the suggested change, which will need to be carefully managed. In-house training and familiarisation with issues in other parts of the service as shared learning for all staff will help during the transitional period.

To accommodate the above changes the review would recommend restructuring the three teams into two teams as shown in the diagram below:



It is estimated that the implementation of the above-proposed structure would free up a minimum cashable resource of approximately £235,000. The Assistant Director of Housing will produce a detailed staffing structure prior to the implementation of the proposed restructure. This will be subject to the normal consultation arrangements and redeployment considerations as appropriate.

Possible Areas for Reinvestment

As agreed as part of the project deliverables/requirement the savings will be reinvested to create new posts within the Housing and Regeneration Service to assist them in achieving their vision '**To be a top performing Landlord in an economically vibrant West Lancashire**'. The bullet points below provide some examples on areas for reinvestment, which could contribute towards housing achieving their vision. This includes;

Leaseholders

The Council, under the National Capital Right to Buy (RTB) legislation are required to sell the Freehold of houses and the Leasehold of flats where Council Tenants require this. The Council has sold approximately 371 flats under the Leasehold arrangements.

The management of the Leaseholder flats is spread across a number of work areas and as a result, no one has prime responsibility for the coordination of this service. This includes ensuring that Leaseholders, who are required to pay Service Charges and the cost of certain Capital Investment in their homes, receive a good service. A recent exercise has highlighted that; Leaseholder charges are not always paid regularly and promptly; consultation with Leaseholders is inadequate and the service that they receive is not one that the Council would choose to provide. Another important factor is that the number of flats being purchase under the RTB legislation has increased recently. Taking this into account the Assistant Director of Housing and Regeneration has advised that he requires a Leasehold Officer to oversee Leaseholders and act as a conduit between Leaseholder customers and other aspects of service. For example, to ensure that the leases are correct, that charges are paid, that consultation is carried out and correct procedures are followed regarding any increase in service charges, to ensure that funds can be used for specific activities etc.

Service Policy and Improvement

The Assistant Director of Housing and Regeneration's original intention when establishing the three functional teams was to; drive forward service delivery to help the Housing and Regeneration Service meet their Performance indicator targets as well as undertake regular reviews of the service to ensure that best practice was achieved. The functional structure has indeed improved Housing's focus and attention to performance indicators, which have genuinely been beneficial. However, it has created other issues, such as silo working, as well as staff being pulled into day-to-day issues, which stops them from effecting changes required to ensure that the Service is proactive. For this reason, the Assistant Director of Housing and Regeneration has indicated that he would like to reinvest some of the savings to create policy/improvement officers. These Officers will continue to build on the work conducted by the OR review including; conducting regular reviews of systems and policies to ensure that these are up-to-date as well as examine best practice within the Service. These Officers will work closely with customers to review services and effect change, which in turn is beneficial, cost effective and improves the customer experience.

4.5.3 ICT

Task Centre

During the review Housings Service Development Team implemented Taskcentre. Taskcentre is a business process management suite which can be used to link ICT systems together. An example of this can be seen in the work completed to streamline direct debits. Prior to Taskcentre Customer Services would complete a request from a customer to set up a direct debit. This request would generate an email to the Rent & Money Advice team who would then manually send out a paper mandate to the customer. By using Taskcentre there is no longer a need for human intervention from the Rent & Money Advice team. Once a request is completed via Customers Services, Taskcentre will electronically send out a paper mandate to the customer and record this as an action in QL. Taskcentre is a useful tool for automating systems where integration is either too expensive or not viable. The review would suggest that the implementation team work with the Service

Development team to maximise this solution when implementing the recommendations contained within this report.

Mobile Working

During the review mobile working was implemented into the Estate Management team. The Service Development team has indicated within their ICT action plan that there will be a further roll out of Mobile working across the Housing and Regeneration Service in accordance with the ICT Strategy. The OR review would support this recommendation as it provides high efficiencies as tasks can be completed out in the field and within real time. Findings would suggest that further work around mobile working would be required. For example currently if a request for graffiti or fly tipping is required officers have to manually report this when they return to the office to Customer Services. In this instance Task Centre could be used to electronically notify the relevant sections of the graffiti or fly-tipping.

Electronic Document Management

In 2008 the Council conducted an OR review of Electronic Document Management and the benefits/efficiencies this solution could generate. At that time Cabinet agreed to roll this out across the authority. They agreed that EDM should be implemented as part of the OR programme and that the OR Manager should explore the benefits this would bring to each service when conducting an OR reviews.

Prior to and during the review, Housing worked with Civica to review all of their paper house files and then scan these so they could be kept electronically. Housing currently has a 1 year rolling contract with Civica to scan and hold documents electronically. Inevitably this will have generated the biggest saving for implementing an Electronic Document Management solution.

However there are additional benefits to implementing a full Electronic Document Management Solution as opposed to the Electronic Document Storage system Housing currently have in place. As part of their contract with Civica, Civica manually collect any documents from Housing on a monthly basis to be scanned. Staff are then able to access these documents via a hosting website. As documents are stored for a month within Housing prior to them being scanned, Officers do not have access to this information in real-time. They also have to currently go into a different system to view this information. Implementation of EDM in other sections of the Council has been seamless for staff which means they can access information through their normal case management database.

Ref	Service Recommendations
SR35.	Roll out of mobile working across the three service areas
SR36.	Implement EDM inline with the Council's proffered method for storage of electronic documents

4.5.5 Partnership working

It became clear during the review that whilst Housing have good working relationships with internal colleagues this is sometime clouded as there can be misunderstandings of what Housings role is and the role of other sections and the specific service requirements of Housing and how these should be delivered. An example of this was evident during the meetings with staff; some felt that they were completing the work of others. Another issue is around timescales of work Housing may have a piece of work deemed as urgent, however this may not be deemed a priority for another Service area. By introducing a clear set of service standards this would mitigate this problem and further improve relationships as clear guidelines would be in place.

Ref	Service Recommendations
SR37.	Work with other Service Areas to develop a set of internal service standards for delivery of work related to Landlord Services. For example definitive timescales for completion of work, clarification of roles.

5.0 Project Recommendations

This section provides a summary of recommendations that have been arrived at from the review's findings detailed in Section 4. It does not therefore provide a comprehensive list of savings and efficiencies achieved; instead these are fully detailed within the table in Section 6.

1. Promote and increase online Housing applications and phase out paper applications completely.
2. Explore flexible working arrangements for Housing staff delivering the three services to include early evenings/Saturday mornings. This may require a change to contracts.
3. Develop/Integrate ICT systems, which will stop duplication of work, allow information to be accessed in real – time and provide a more efficient service to Customers. This includes integration between Northgate Front Office system and Housings QL client database system.
4. Restructure the Voids & Allocations, Estate Management and Rent & Money Advice teams from three teams into two with a view to freeing up a cashable resource saving of approximately £235,000 to be reinvested back into the Housing and Regeneration Services (as detailed in section 4.5.2 of this report).
5. Explore the flexibility of creating a customer sign in for Council tenants on the Council's website – As a result, customers will be able to access more services online.
6. Consider applying for paperless accreditation from the bank to allow direct debits to be set up in one transaction and explore flexible working.
7. Empower Customer Services staff to provide a service at first point of contact; to include setting up direct debits, booking/rearranging appointments for Housing staff, providing advice and assistance for Housing applications, bidding and allocations enquiries including assistance with online applications. This will require a resource/cash transfer of 1.5 FTEs.
8. Run a pilot in Customer Services to enable Customer Service staff to talk to customers about their rent account when they contact the council. This includes capturing payments and where appropriate setting up payment arrangements. This will require a resource/cash transfer of 1 FTE.
9. Develop a set of internal service standards for delivery of work related to Landlord Services.
10. Implement the corporate EDM solution within the Landlord Service areas reviewed.

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6.0 Savings

Based on full year's savings, the following table provides a detailed summary of the likely cashable/resource savings and efficiencies to be gained; it is anticipated commencing within the year starting April 2016 and realised in subsequent years. It is likely that ICT changes will have to be in place prior to a number of recommendations being implemented and for this reason the table has allowed a 24 month period prior to any savings being realised. However, it should also be noted that a number of the savings, are likely to come to fruition before 2016/17.

	Savings/investment (£) (1 ST full year implementation – 2016/17)	Efficiency (£) (1 st full year implementation – 20116/17)	Savings/investment (£) (Subsequent years)	Efficiency (£) (Subsequent years)
<u>Cash/Resource Saving</u>				
<u>Housing Options</u>	£24,260		£48,519	
		£7,750		£15,500
<u>Voids & Allocations</u>	£89,164		£178,329	
		£5,800		£11,600
<u>Estate Management</u>	£19,709		£39,418	
		£5,300		£10,600
<u>Rent & Money Advice</u>	£21,367		£42,734	
		£36,633		£73,265
<u>Additional Savings</u>				
Stationary & Postage	£1,250		£2,500	
Removing paper file systems	£325	£1,650	£650	£3,300
Charge customers for non returned keys	£900		£1,800	
TOTAL			£313,950	
<u>Transfer of Cash/Resources</u>			£73,080	
TOTAL SAVINGS –	£156,975	£57,133	£240,870	£114,265

The OR Manager has engaged with the Housing Service Development team and BTLS during the review in order to confirm, in principle, that all of the recommendations requiring ICT development are achievable. However in order to obtain detailed costings for each recommendation and to satisfy a business case for each initiative, Service Managers will continue to work closely with BTLS to produce a detailed Action plan. Accordingly, a detailed workshop will be arranged for later this month pending Cabinet's approval of the recommendations contained within this report.

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7.0 Continuous improvement

As with any OR review some findings are either out of scope or alternatively further work needs to be completed before these can be put forward as recommendations. These findings are listed in the bullet points below:-

- Staff advised during the review that the Tenancy Agreement may require reviewing to ensure that it is relevant and up to date. A recommendation would be that a project team should be put in place to review this document to incorporate emerging and future changes to the Service. A budget has been identified to complete this piece of work within the financial year (subject to Council approval).
- Universal Credit is due to be implemented within West Lancashire in September 2014. This will include changes to the way Housing Benefit is paid to tenants. Currently this is paid direct to the Landlord; however Universal Credit will be paid directly into a customer's bank account, 4 weekly in arrears, on any working day of the week. The Council's current direct debit scheme allows two payment dates per month. As a result payments could end up sitting in a customer's bank account waiting for their rent payment to be claimed. This could cause problems for our vulnerable customers who struggle with budget management. Therefore as well as changing processes/roles to conduct more preventative, work the review would suggest that future consideration should be given to developing systems to increase the frequency of direct debit dates. Clearly any solution put in place be electronic and not require any manual input.
- Findings from the review identified that as part of their Digital Inclusion Strategy some Social Housing Providers are providing customers with a smart phone/device at sign up – with the agreement that they will use the device to access Housing Services online. This not only promotes channel shift it also is a way of driving down costs as online transactions are the cheapest way for the Council to deliver services. The cost of these devices are continually reducing with the cheapest one at present costing as little as £30 with connection of costing as little as £2/3 per month.
- Explore the use of Smart apps. - Increase options for payment in an easy and accessible manner.
- Housing is in the process of introducing Royal Mails imail service into the Rent & Money Advice team with a view to rolling it out across the rest of the Housing Service. Imail is a cheaper more efficient way of printing and sending mail. The process is secure and password-protected each user. Documents are securely encrypted before being sent and comply with security and data protection regulations. Future consideration should be given to the benefits imail could bring to the Council as a whole should imail become a corporate solution.
- Explore increasing the use of targeted social media to increase interaction with customers.
- An increasing number of Social Housing Provider's are utilising Rightmove, Zoopla, and other social media to advertise their properties. They are also using these agencies to conduct weekend viewings on their behalf. This could be explored in the future to support the channel shift agenda for online applications.
- Explore everyday tenancies and flexibility within the bidding cycle. Other Social Housing Providers have adopted this approach and as a result have reported they have seen a quicker allocation process for customers, reduced turnaround times for void properties and a reduction in rental income loss.

8.0 Implementation

It is estimated that it will take approximately 24 months to implement the recommendations contained within this report and this will be done over managed stages, each representing a practical approach for delivering the proposed service improvements within a realistic timescale, whilst taking account of the limited resources available from within Housing and Customer Services. A financial resource has been allocated to employ a dedicated project manager due to the scope and scale of this work who will report to the Housing Operations Manager and work with the implementation team to deliver the agreed recommendations.

The quality and achievability of this implementation rests with the implementation team and those participating in the management of the transfer, together with the front/back office staff whom will assume day-to-day responsibility for delivering the practical changes. For clarification, those managing the changes are also those responsible for delivering the service and therefore the overall responsibility will remain within the Housing and Regeneration Service, requiring major input from Customer Services and British Telecom Lancashire Services. The Housings Operations Manager will be responsible for ensuring the agreed recommendations are implemented within the 24 months. However, to allow for flexibility within the implementation it is proposed, therefore, that a more detailed timeline is agreed once this findings report has been agreed by Cabinet.

Appendix 2 Organisational Re-Engineering – Landlord Services (Voids & Allocations, Estate Management and Rent & Money Advice) Management Report
Equality Impact Assessment - process for services, policies, projects and strategies

1.	<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:</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; 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 recommendations of the review will assist in further improving Services.</p>
2.	<p>What sources of information have you used to come to this decision?</p>	<p>The review used existing data held within Housing, including customer profiling information, to identify the types of customers accessing Housing services. Customer surveys were conducted during the review which gathered customers E&D information. This information was then used during the redesign stages of the review</p>
3.	<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>One of the principals of Lean reviews is to take into account the “voice of the customer” (See section 4.1.1 of the Management report – appendix 1 of the above Cabinet Report).</p>
4.	<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:-</p> <p><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>This will help our ability to meet our duties under the Equality Act 2010.</p>
5.	<p>What actions will you take to address any issues raised in your answers above</p>	<p>N/A</p>



AGENDA ITEM: 6(f)

CABINET: 16 September 2014

Report of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Sudworth

**Contact for further information: Mr A Hill (Extn. 5243)
(E-mail: a.hill@westlancs.gov.uk)**

SUBJECT: ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To update the Scheme of Delegation to Chief Officers to prepare the Council for the enactment of certain provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") due to come into force on 20 October 2014.

2.0 RECOMMENDATIONS

2.0 That it be noted that the Leader will delegate authority as set out in Annex 1 to this report and the Scheme of Delegation will be updated accordingly, with effect from 20 October 2014

2.2 The initial Community Remedy thresholds detailed at paragraph 4.17 of the report be approved.

2.3 That a report be provided to Members in 12 months as detailed in 5.4

3.0 BACKGROUND

- 3.1 Anti-social behaviour (ASB) is a broad term used to describe the day-to-day incidents of crime, general nuisance and disorder that can make many people's lives in this country a misery – from litter and vandalism, to public drunkenness or aggressive dogs, to noisy or abusive neighbours. Such a wide range of behaviours means that responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the police, councils and social landlords.
- 3.2 There have previously been numerous attempts made to tackle anti-social behaviour. Through more than ten separate pieces of legislation, a variety of powers have been introduced, however, this led to a variety of very similar tools being developed to deal with slightly different problems, which created some confusion amongst practitioners nationally.
- 3.3 Many of these powers have proved over time to be slow and ineffective, and are now used less and less. For example, the number of Anti-Social Behaviour Orders (ASBOs) issued nationally has declined to just 1,664 in 2010 compared with 4,122 in 2005. And over half of ASBOs are breached at least once, with 42% of these being breached more than once.
- 3.4 Despite all of this attention, nationally anti-social behaviour remained stubbornly high. In 2010/11, 3.2 million incidents of anti-social behaviour were recorded by the police – which are likely to still only be the tip of the iceberg, as many incidents are reported to other agencies or not at all.
- 3.5 As a result, in May 2012 the Home Office issued a white paper entitled “Putting Victims first – more effective responses to Anti-social behaviour” which outlined their proposals for change. It was clear that a key component of the proposed legislation was that the needs of victims were to be put first. Following consultation, The Act was enacted in May 2014. The full act can be found using the following link: <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>.

4.0 DETAILS OF THE LEGISLATION

- 4.1 The Act contains a range of new/replacement powers which are available in relation to ASB. The Act is divided into 14 Parts, of which 6 of these directly affect the Council, in its dealings with ASB.
- 4.2 The provision of Community Safety is the responsibility of the Assistant Director Community Services (“ADCS”). The Council's Community Safety team includes the Anti-Social Behaviour team, who operate out of what is known as the Multi Agency Problem Solving (MAPS) offices at Ormskirk Police Station and deal with all reports of serious ASB. As the management of this team falls under the ADCS the delegations required under this new legislation will be to his service, however the ASB team do undertake ASB work for Housing and therefore a number of delegations will be mirrored to the Assistant Director Housing and Regeneration (“ADHR”) in relation to his Housing Management functions.

- 4.3 Part 1 of the Act introduces ASB Injunctions replacing injunctions that the Council could obtain under the Housing Act 1996 and also ASBO's that the Council could obtain under the Crime and Disorder Act 1999. The Council will be able to apply for injunctions against any person aged 10 years or over. Previously if the person was aged under 18 or the behaviour was not related to a Housing management function the Council had to apply for an ASBO and if it was Housing related and the person was over 18 the Council applied for an injunction. The Police could also apply for ASBOs.
- 4.4 The new powers will allow the Council to apply for, vary or discharge injunctions, issue committal applications against anyone who breaches this injunction and request warrants of arrest to have the perpetrator arrested for a breach. In Annex 1 the delegations detailed at (A)1(i) to 1(iv) and (B)1(i) to (iv) are to allow Officers to apply for such orders.
- 4.5 If the Council wishes to apply for, vary or discharge, an injunction for someone over 18, it must inform any body or individual it deems appropriate. The Government has indicated in guidance examples of parties the Council should be informing. Council Officers attend the Community Safety Partnership's Local Priorities Group and the Strategic Review Group and it will use these meetings to inform the various parties of an injunction application, unless it is urgent, where a protocol will be agreed with these parties so that consultation can be carried out between meetings. For this reason the delegation (A)3 at Annex 1 is requested. If the Council wish to apply vary or discharge an injunction for someone under 18, in addition to the duty to inform parties it must consult with the Youth Offending Team and inform the Court of their views. In order for Officers to consult, the delegation (A)2 at Annex 1 is requested granting permission to do so.
- 4.6 Part 2 of the Act gives the Council the power to apply for a Criminal Behaviour Order ("CBO"). This replaces the existing Criminal ASBO. Once a person has been prosecuted for an offence, the Prosecution can apply for a CBO against the Defendant, including those under 18 years old. It is important to note that the ASB does not have to be linked to the circumstances that gave rise to a prosecution. The CBO can only be applied for by the prosecutor and thus can only be applied for by the Council on prosecutions it undertakes. There are also duties, as with the injunctions, to consult with various parties and therefore Officers seek delegations, (A) - 1(v) to 1(vi) and (A)2 and (A)3 in respect of CBO applications contained in Annex 1. Although the application has to be made by the Prosecution the Council may request that a CBO be applied for by another prosecuting authority. Therefore the ADCS seeks authority to request other prosecution authorities to apply for a CBO on our behalf, which could include, but is not limited to, the CPS, neighbouring Local Authorities or the Environment Agency. The Council cannot require those authorities to apply, but Officers would seek authority to make the request on behalf of the Council and thus seek delegation (A)4 at Annex 1.
- 4.7 A welcome change to injunctions and to the old CRASBO powers (now replaced by the CBO's) is that conditions of these Court Orders may place positive obligations on the Defendant. For example, someone whose behaviour is linked to drugs may be required to attend a drug treatment programme and if they don't,

this would be a breach of the Court Order. If the Court Order contains a positive obligation, the compliance with this has to be monitored and the result of this compliance, either positive or negative, has to be communicated to the Chief Officer of the Police and thus Officers seek delegation (A) 5 of Annex 1. Further, if a Defendant fails to comply with the requirements of the CBO, it is a criminal offence and Officers seek the Delegation to prosecute where appropriate. This delegation is contained at (A)6(i) of Annex 1.

- 4.8 Part 4 of the Act allows the Council to invoke various community protection tools. These include Community Protection Notices (“CPN”), Public Space Protection Orders (“PSPO”) and Closure Orders (“CO”). The CPN can be served on a person or a body where their conduct is having a detrimental effect on the quality of life in the locality and the conduct is unreasonable. The Council is required to warn those persons in writing that a notice will be issued if they do not address this conduct. If they fail to do so, the Council has the power to issue a notice, which if breached, gives various powers to the Council, which include prosecution, as a breach of a notice is a criminal offence. Also if the person or body is in breach of a CPN, the Council can enter land and carry out work and recover the costs of doing so, if that party was required to do works and failed to do so. Therefore Officers seek the delegations to issue such notices and prosecute where appropriate which are contained at (A)6(ii) and (A)7 and delegations to enter the land to carry out the works and recovery expenditure at delegation (A)8 of Annex 1.
- 4.9 The Council will be able to apply for a warrant to temporarily seize goods used in breaching a CPN. In addition, the Court can, following a successful Prosecution for a breach of a CPN, order the Defendant to hand over goods used in the breach to the Police or Local Authority and for the relevant authority to dispose of these goods or goods seized as a result of a warrant. Officers therefore seek delegations (A)1(vii) and (A)9 of Annex 1 to apply for a warrant to seize goods and dispose of any goods if ordered by the Court.
- 4.10 A PSPO is a wide ranging order that can apply to any specified anti social behaviour in a designated area and can also include issues relating to alcohol. Unlike the CPN this applies to a public area and affects any person that breaches the PSPO in that area. It can include positive or negative restrictions and cannot be for a period of more than 3 years. As this will affect a wide range of people in an area of the Borough, Officers seek permission to impose an Order in consultation with the Leader and the Portfolio Holder and if alcohol or licensing conditions are proposed, the Chairman of the Licensing and Gambling Committee. Officers therefore ask for delegation (A)14 of Annex 1.
- 4.11 A CO is where the Council have the power to close premises and deny access to any persons that were accessing the property for a period up to 48 hours. This is particularly useful in properties where drugs are being used or sold. Under the legislation a CO can be issued by an Officer below the rank of Chief Executive for up to 24 hours. There is a requirement to consult various appropriate bodies with regard to CO’s and Officers would request delegations (A)3 regarding consultation and (A)12 regarding issue. If the Council wish to close the premises for up to 48 hours, this has to be approved by a Chief Executive Officer and therefore officers request the delegation to the Managing Directors at (C)1 of

Annex 1. If the Council wish to apply for a closure order over 48 hours or wishes to recover the costs of cleaning, securing and maintaining a closed premises this must be done by an application to the Magistrates' Court. Officers therefore request a delegation to the ADCS to instruct the Borough Solicitor to make such an application detailed at (A)1(viii) and 1(ix) of Annex 1

- 4.12 If any person breaches a PSPO or enters a premises subject to a CO they will have committed a criminal offence. As the body that imposed these Orders it would be the responsibility of the Council to prosecute these breaches; and therefore Officers seek a delegation to issue cautions for breaches or seek formal prosecutions for the offences. Delegation (A)6(iii) to (iv) of Annex 1 refers to these prosecutions. Breaches of a CPN or PSPO can be dealt with by way of a fixed penalty notice. The current maximum penalty for a fixed penalty notice has been set as £100. Officers seek approval to issue fixed penalty notices at the statutory maximum. Officers also seek a delegation to allow the ADCS to do so as detailed at (A)10 of Annex 1. All of these notices detailed above can be appealed; therefore Officers seek a delegation for the ADCS to instruct the Borough Solicitor to defend such appeals, delegation contained at (A)1(x) of Annex 1. Decisions on whether to deal with a breach by way of Fixed Penalty Notice or a Prosecution will be taken in line with the Council's Corporate Enforcement Policy.
- 4.13 In order to enforce various powers under the issue of the various notices and closure orders, a local authority is required to nominate authorised officers to undertake various tasks. The ADCS therefore seeks the delegation to authorise officers under this Act; detailed at delegation (A)13 of Annex 1
- 4.14 Part 5 of the Act extends the Council's powers in seeking possession of its residential properties. The Housing Act 1985 is amended to add absolute grounds for possession, where relevant criminal offences have been committed and the Court has no discretion when granting an order for possession unless exceptional circumstances can be shown. Also a further ground for possession has been added at 2ZA of Schedule 2 of the Housing Act 1985 to evict tenant's that have been linked to public riots. Officers seek to amend the Delegations to the ADHR to reflect these additional powers; and grant mirroring powers to the ADCS in consultation with ADHR. The relevant delegations are at (A)11, (B)2 and (B)3) of Annex 1.
- 4.15 Part 6 of the Act introduces Community Remedies. This is something that follows the principle of supporting victim's needs and allows victims and communities to request a review of their case. Victims will be able to use the Community Remedy to demand action (where none has occurred), starting with a review of their case. Agencies including councils, the police, local health teams and registered providers of social housing will have a duty to undertake a case review when someone requests one and the case meets a locally defined threshold.
- 4.16 To aid consistency across the Policing Division (Southern), a working group has been set up to look at this issue. The following remedy thresholds are proposed to be adopted across the Division initially

- a) **3 or more complaints** in the last 6 months from one individual about the same problem and you think no action has been taken, or;
- b) **5 individuals** complaining about the same or similar incidents in the last 6 months where you think no action has been taken, or;
- c) **1 incident** motivated by **hate** in the last 6 months from one individual where you think no action has been taken

and where these parties feel they have been ignored. These thresholds may be amended in future if appropriate.

- 4.17 Thus if an individual or person on their behalf (with appropriate permission), in the opinion of the ADCS meets one or more of these remedy triggers; relevant authorities must undertake a review. For the purposes of this part of the Act, relevant authorities will be the Council, Lancashire Constabulary and the Clinical Commissioning Group. A review will take place on a case by case basis and the ADCS will appoint an appropriate Officer to undertake this review with the relevant bodies and chair meetings as necessary. The findings of the reviews will be communicated back to the individual as soon as possible with details of any proposed action.
- 4.18 There is a requirement to publicise the existence of the remedy and any details of the numbers of requests made etc. It is proposed that this will all be done using the Council's website and that a press release will also be issued about the trigger itself. It is worth stressing that for all three triggers above if it can be shown that action has been taken by a relevant authority, a full review will not be necessary, however, it may be pertinent to examine whether further action is possible and to advise the individual accordingly.
- 4.19 Under Part 6 the Police are required to produce a Community Remedy Document. This is a list of actions that could be taken against an individual who is engaged in ASB and is not being dealt with by way of court action. It is a requirement of the Police to consult with the Local Authority. Officers therefore request a delegation to deal with any consultation and review resulting from a Community Remedy trigger being met. Detailed in delegation (A)15 of Annex 1.
- 4.20 Finally Part 7 relates to Dangerous Dogs and amends existing legislation and relevant delegations already exist for the extended powers.

5.0 ISSUES

- 5.1 Currently the Council's ASB team (2 f.t.e. staff) enforce the current legislation in relation to ASB committed by, or affecting, Council Tenants. Other ASB is dealt with by the Police. The ASB team takes on the more serious cases following informal action from the Council's Housing staff. The Housing teams will write to and/or visit alleged perpetrators initially, but if their actions are ignored and ASB continues, the case will be passed over for enforcement. This enforcement currently generally takes the form of Anti-Social Behaviour Injunctions (ASBIs), eviction action or possibly Anti-Social Behaviour Orders (ASBOs). The team works extensively with the Police and shares information in line with the multi

agency information sharing protocol. This is done to ensure that all relevant action is taken and that police evidence is used where appropriate.

- 5.2 Some cases (either initially or after referral) also require the involvement of the Environmental Protection team. This can be either as a result of specialist monitoring equipment being necessary to gather evidence, because their legislation (generally the Environmental Protection Act 1990) is more suited to that case or because the issue is so serious a joint approach is necessary. The Environmental Protection team deals with complaints about noise from a property.
- 5.3 Whilst both the ASB team and the Environmental Protection team are operated by the same manager, the housing involvement and indeed the initial contact with Customer Services can mean that a member of the public deals with several officers through the course of a complicated case. I consider that there is some merit in the ASB and noise complaint handling/case handling procedures being reviewed at some point in the future. This would be to look for operational efficiencies and to help to streamline the “customer experience”. It may be that one team that has all the different legislative powers to deal with ASB and nuisance available to it operates with an improved efficiency. That team would be tasked with using the most appropriate legislation to resolve issues for residents.
- 5.4 As this is new legislation the full impact of the legislative changes will not be apparent at the outset, it is therefore envisaged that a report will be provided to Members in the Autumn of 2015.
- 5.5 Officers are also undertaking a review of relevant polices affected by the Act which will be brought before members in due course.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 Reducing anti-social behaviour can have a clear positive impact on the quality of life of individuals, including reducing crime and disorder, and this therefore links to the Sustainable Community Strategy. There are also direct links to the Council’s values and Corporate Priorities.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 It is envisaged that as the legislation can be applied to a wider range of circumstances and to some extent to a lesser legal standard, more cases could be taken. As a result this could impact on the resources of the Council’s ASB and Legal teams. Additionally, the greater administrative requirements of the County Court may impact on the time that is available to commence and deal with cases. Consequently consideration may be given to the resource requirements of the Act through the Housing Revenue Account Budget setting process for 2015/16, alongside other bids. This can then ensure that the decision on whether to allocate additional resources to this area takes into account other HRA spending priorities as well as the views of tenants.

8.0 RISK ASSESSMENT

- 8.1 The Council must exercise its powers under the Act appropriately, and failure to do so may render it liable to challenge, and which may result in a finding of a breach of its responsibilities under the Act. This may result in ombudsman complaints, costs awards and damages claims as well as a detrimental reputational impact. By not responding appropriately to ASB the Council may be leaving residents in a vulnerable position and would not be acting in accordance with its Corporate Priorities.
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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

1. Delegations
2. Legislation summary
3. Equality Impact Assessment
4. Minute of Landlord Services Committee held on 11 September 2014

SCHEME OF DELGATIONS**A. - To the Assistant Director Community Services – Constitution 4.2D (new delegations in 4.2D (iv) Community Safety)**

1. To instruct the Borough Solicitor to:
 - i) apply for injunctions under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014
 - ii) apply for a warrant of arrest for any breaches of an injunction obtained under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014
 - iii) apply for a variation or discharge of an injunction obtained under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014.
 - iv) apply for a committal application on any breach of an injunction.
 - v) apply for a Criminal Behaviour Order under the provisions of Part 2 of the Anti Social Behaviour, Crime and Policing Act 2014 where a person is convicted of an offence following a Council lead prosecution and the behaviour of the offender was such that caused or was likely to cause harassment, alarm of or distress to any person.
 - vi) apply for a variation or discharge of a Criminal Behaviour Order obtained by the Council under the provisions of Part 2 of the Anti Social Behaviour, Crime and Policing Act 2014.
 - vii) apply for a warrant to seized items used in the offence of failing to comply with a Community Protection Notice
 - viii) apply for an extension of a closure order for a period of closure over 48 hours or discharge of a court extended closure order.
 - ix) apply to the Magistrates' Court for an order recovering the costs incurred to the Council in cleaning, securing and maintaining a premises subject to a closure order.
 - x) take all necessary steps to defend the Council against any appeals against the service of a Notice under Part 4 of the Anti Social Behaviour, Crime and Policing Act 2014
2. To consult with the relevant Youth Offending Team in respect of persons under 18 years old on the application for an injunction, criminal behaviour order or on

an application to vary or discharge an existing injunction or criminal behaviour order.

3. To inform and/or consult any body or individual deemed appropriate or specified in Government Guidance on the application for an injunction, criminal behaviour order or Closure Order or on an application to vary or discharge an existing injunction or criminal behaviour order.
4. To request that the Crown Prosecution Service or any other prosecuting authority apply for a Criminal Behaviour Order under the provisions of Part 2 of the Anti Social Behaviour, Crime and Policing Act 2014 where a person is convicted of an offence and the behaviour of the offender was such that caused or was likely to cause harassment, alarm of or distress to any person working, residing or visiting the Borough.
5. To supervise compliance on behalf of the Council with any positive requirement contained in an injunction or Criminal Behaviour Order and to promote such compliance and to inform the appropriate Chief Officer of the Police when the Defendant has fully complied or failed to comply with the positive requirements of the order.
6. To issue formal cautions and to lay informations:-
 - (ii) under section 30 of the Anti Social Behaviour Crime and Policing Act 2014 for a breach of a Criminal Behaviour Order obtained by the Council
 - (iii) under Section 48 of the Anti Social Behaviour Crime and Policing Act 2014 for the offence of failing to comply with a Community Protection Notice
 - (iv) under section 63 or 67 of the Anti Social Behaviour Crime and Policing Act 2014 for failing to comply with the prohibitions imposed by a Public Spaces Protection Order.
 - (v) Under section 86 of the Anti Social Behaviour, Crime and Policing Act 2014 for remaining in or entering a premises subject to a Closure Order.
7. To issue Community Protection Notices under Part 4 of the Anti Social Behaviour, Crime and Policing Act 2014.
8. To enter land and premises open to the air and carry out any necessary works to ensure any failure to comply with a Community Protection Notice under Section 47 of the Anti Social Behaviour Crime and Policing Act 2014 and recover the costs of doing so.
9. To dispose of or destroy of any item used in the commission of the offence of failing to comply with a Community Protection Notice, which a court has ordered be handed over to the authority under section 50 of the Anti Social Behaviour, Crime and Policing Act 2014.
10. To issue fixed penalty notices, where he deems appropriate, for the offence of failing to comply with a Community Protection Notice or for failure to comply with

a Public Spaces Protection Order. The fixed penalty notice be issued for the maximum amount as set by the Anti Social Behaviour, Crime and Policing Act 2014 or amended by subsequent legislation.

11. To serve Notice to Quit, Notice to Terminate Introductory Tenancy and Notice Seeking Possession on grounds specified in section 84A and under Grounds 1, 2, 2ZA and 2A of Schedule 2 of the Housing Act 1985 and instruct the Borough Solicitor to and apply for possession and warrants for eviction obtained on these grounds in consultation with ADHR.
12. To issue, vary or discharge closure notices for a maximum 24 hour period under Part 4 Chapter 3 of the Anti Social Behaviour, Crime and Policing Act 2014.
13. To designate authorised officers to carrying duties specified under sections 51, 63 and 85 of the Anti Social Behaviour, Crime and Policing Act 2014.
14. To issue Public Spaces Protection Order in consultation with the Leader and Portfolio Holder, except where the Prohibitions relates to alcohol, where the Chairman of the Licensing and Gambling Committee shall also be consulted.
15. To undertake all steps necessary to comply obligations under Part 6 of the Anti Social Behaviour, Crime and Policing Act 2014 in relation to Community Remedies and consult where necessary with other statutory bodies.

**B - To the Assistant Director Housing and Regeneration – Constitution 4.2C
(amends delegations 4.2C (iii) Housing (Operational) 13 to 15)**

1. As far as the alleged behaviour affects the Council's Housing Management functions, to instruct the Borough Solicitor to apply for
 - i) injunctions under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014;
 - ii) a warrant of arrest for any breaches of an injunction obtained under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014;
 - iii) a variation or discharge of an injunction obtained under the provisions of Part 1 of the Anti Social Behaviour, Crime and Policing Act 2014;
 - iv) a committal application on any breach of an injunction;
- 2 To serve Notice Seeking Possession on the mandatory grounds specified in section 84A of the Housing Act 1985.
- 3 To instruct the Borough Solicitor commence possession proceedings on section 84A and Ground 2ZA of Schedule 2 of the Housing Act 1985 and apply for warrants for eviction obtained on this ground.

C – To the Managing Directors – Constitution 4.2 (*new delegation at 4.2 – 4.32*)

1. To issue, vary or discharge closure notices for a maximum 48 hour period under Part 4 Chapter 3 of the Anti Social Behaviour, Crime and Policing Act 2014.

NB – Monitoring Officer powers will be used to remove any delegations no longer required following the repeal of legislation on the commencement of this Act or as and when the repeal provisions come into force whilst following any transitional arrangements.

Appendix 2 – Legislation Summary

Part of The Act	Summary of powers available	To Whom	Further information
1	A Court may grant an injunction against a person aged 10 or over if they are satisfied, on the balance of probabilities that the person has engaged or threatens to engage in anti-social behaviour and it is just and convenient to grant it to prevent such engagement.	<p>(a) a housing provider,</p> <p>(b) a local authority, or</p> <p>(c) a chief officer of police</p> <p>Can make application.</p>	<p>“anti-social behaviour” means—</p> <p>(a)conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,</p> <p>(b)conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or</p> <p>(c)conduct capable of causing housing-related nuisance or annoyance to any person.</p> <p>An injunction under this section may for the purpose of preventing the respondent from engaging in anti-social behaviour—</p> <p>(a)prohibit the respondent from doing anything described in the injunction;</p> <p>(b)require the respondent to do anything described in</p>

			the injunction.
2	If a court is satisfied that an offender has engaged in behaviour that caused or was likely to cause harassment alarm or distress and that an order will help prevent an offender engaging in such behaviour, it may make a Criminal Behaviour Order (CBO).	Courts	CBO can prohibit offender doing anything described in the order or can require offender to do anything described in the order.
3	A Constable in uniform may direct a person in a public place to leave and not to return for an “exclusion period”, if they have reasonable grounds to suspect that a person’s behaviour in the locality has contributed to (or is likely to) :- a. Members of the public being harassed, alarmed or distressed, or b. the occurrence of Crime or Disorder or the Constable considers that the direction is necessary to review or reduce the likelihood of a or b.	Police	The exclusion period may not exceed 48 hours.
4 (1)	A Community Protection Notice (CPN) can be served on individuals over 16 or a body if satisfied that on reasonable grounds that the individual or body’s conduct is having a	Police, Local Authority or persons designated by Local Authority.	CPN may impose requirements to <ul style="list-style-type: none"> • Prohibit Specific action • Undertake specific

	detrimental effect of a persistent or continuing nature on the quality of life of those in the locality <u>and</u> the conduct is unreasonable.		<p>action</p> <ul style="list-style-type: none"> • Take reasonable steps to achieve specified results <p>To prevent or reduce the detrimental effect</p>
4(2)	A Public Space Protection Order (PSPO) may be issued by a Local Authority if activities have had a detrimental effect on the quality of life of those in the amenity (or are likely to).	Local Authority	<p>Following appropriate consultation a PSPO can prohibit or require action in the “restricted area”.</p> <p>N.B. These areas would need to be enforced by the Police or the Local Authority and therefore an order would require resourcing appropriately.</p>
4(3)	Police Inspectors (and higher ranks) or a Local Authority can issue Closure Notices where nuisance or disorder from a premises has occurred or is likely to.	Local Authority/Police	<p>Closure Notices are for a period of 24hrs, unless the Police rank is Superintendent (or higher) or for a Local Authority is an officer designated as the Chief Executive Officer (M.D.s).</p> <p>Twenty four hour notices can be extended by a period of up to 24 hrs by these senior designated officers as well.</p>

5	<p>For any of the following:-</p> <ul style="list-style-type: none"> • Serious offences • Breach of Anti-social behaviour injunction • Breach of Criminal Behaviour Order, under the Act. • Properties subject to a Closure Order, under the Act, or • Conviction for offence of breaching noise abatement notice served under the Environmental Protection Act 1990. <p>There is a new absolute ground for possession under section 84 of the Housing Act 1985 – caveats apply.</p>		
6	Each local policing body must prepare a community remedy document for its area, and may revise it at any time.	Police	
6(2)	<p>In a case where a person has made a complaint about anti-social behaviour in a particular local government area, the relevant bodies in that area must carry out a review of the response to that behaviour (an “ASB case review)” if—</p> <p>(a) that person, or any other person, makes an application for such a review, and</p>	person who makes an application for an ASB case review	<p>“Relevant bodies” means</p> <ul style="list-style-type: none"> • Local Authority, • Chief of Police • Clinical Commissioning group

	(b)the relevant bodies decide that the threshold for a review is met.		
7	In relation to Dogs that are dangerously out of control the requirement for this to be in a public place has been removed.	Police	Previously action could not be taken if an attack happened in a home, for example.
8	Relates to offences of unauthorised possession etc of prohibited weapons and ammunition	Police	
9	Sexual harm prevention orders and sexual risk orders, etc	Police	
10	Offence of breaching forced marriage protection order	Police	
11	Miscellaneous police matters		Provision is also made for the Secretary of State to make regulations allowing fixed penalty notices to be served on the keepers of vehicles if litter is thrown from that vehicle, whether or not it was the keeper who threw it.
12	Extradition Act 2003 amendments		
13	Criminal Justice and court fees		
14	General		

Appendix 3

EIA process for services, policies, projects and strategies

1.	<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:</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>	No
2.	<p>What sources of information have you used to come to this decision?</p>	Anecdotal Information from staff
3.	<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>	No
4.	<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:</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>	Utilising the legislation will help to reduce harassment and reduce the number of victims of ASB
5.	<p>What actions will you take to address any issues raised in your answers above?</p>	N/A



AGENDA ITEM: 6(g)

**CABINET:
16 September 2014**

**AUDIT AND GOVERNANCE
COMMITTEE:
23 September 2014**

Report of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Westley

Contact for further information: Mr T P Broderick (Ext 5001)
(E-mail: terry.broderick@westlancs.gov.uk)
J C Williams (Extn. 5512)
(E-mail: judith.williams@westlancs.gov.uk)

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

Borough Wide Interest

1.0 PURPOSE OF THE REPORT

1.1 To review and set the policy for the Regulation of Investigatory Powers Act (RIPA) and review the Council's use of covert surveillance and communications data over the last year.

2.0 RECOMMENDATIONS TO CABINET

2.1 That it be noted that for the period from the last annual report to date the Council has not authorised any relevant RIPA activity.

2.2 That the RIPA Guide at Appendix 1 to the report be approved.

3.0 RECOMMENDATIONS TO AUDIT AND GOVERNANCE

3.1 That the report be noted.

4.0 BACKGROUND

4.1 The Council employ a number of investigative techniques including surveillance, which assist its regulatory functions. Relevant areas of activity can include investigation by Internal Audit, Benefits Fraud Team, Environmental Health,

Housing, Licensing, CCTV Services and the MAPs Team. Some activities must be undertaken in accordance with the Regulation of Investigatory Powers Act 2000 ("RIPA"). RIPA, its subordinate legislation and Codes of Practice prescribe the type of activities permitted and the procedures required to monitor RIPA activity within the Council.

5.0 UPDATE ON COMPLIANCE AND ARRANGEMENTS FOR MONITORING

- 5.1 The Council has robust systems for internal control (as detailed in the Guidance for Compliance with RIPA (RIPA Guide) and the associated documents entitled 'Guidance on the Completion of the RIPA Authorisation Forms'. (Forms Guidance) which gives officers practical guidance. 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 27 June 2013 and received a very favourable report as has previously been reported. The Council also supplies statistical information on the use of RIPA powers on an annual basis to the two offices to inform their annual reports to Parliament.
- 5.2 The Council's approved RIPA Guide is made available on the Council's Intranet at <http://wlintranet/intranet/docs/tpbripaguidlines24040> and is appended to this report at Appendix 1. It is a working document to assist investigating and co-ordinating officers within the Council. Paragraph 5 of the RIPA Guide stresses that grantors must believe the authorised activity is (1) necessary for preventing and detecting crime and (2) is 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 a byelaw would not in all likelihood be proportionate). If it fails either test, authorisations should not be granted.
- 5.3 The Code requires that Councillors should consider internal reports on the use of RIPA on at least a quarterly basis to ensure that it is being used consistently with the Council's Policy and that the Policy remains fit for purpose. This is reported at each meeting of the Audit and Governance Committee. The Code advises that Councillors should not be involved in making decisions on specific authorisations. It is stressed that the involvement of elected members is not to extend to operational decision making or stipulate in detail how the Council discharges the procedure. The Government's position is that there should be no possibility of political interference in law enforcement operations.
- 5.4 Since the commencement of the Protection of Freedoms Act 2012 has further refined the requirements for granting authorisations. To entitle the grant of an RIPA authorisation the criminal offence which is sought to be prevented or detected must be punishable, whether on summary conviction or on indictment, by a maximum term of at least six months' imprisonment, or would constitute an offence involving the sale of tobacco and alcohol to underage children.
- 5.5 In addition the 2012 Act now requires local authorities to obtain the approval of a Magistrate for the use of any one of the three covert investigatory techniques available to them under RIPA, namely Directed Surveillance, deployment of a

Covert Human Intelligence Source (CHIS) and accessing communications data. This process follows on from the “internal authorisation” procedures.

- 5.6 The practical Forms Guidance available to officers sets out how the Magistrates’ approval process is to be followed. There are currently draft proposals before Parliament for approval which will likely result in further refinement of the Forms Guidance.

6.0 MONITORING OF RIPA ACTIVITY

- 6.1 Since the last annual report no covert surveillance has been authorised.
- 6.2 The Borough Solicitor, as Senior Responsible Officer, proactively seeks to ensure that the use of covert surveillance in this authority is well regulated. Applications for authorisation to use covert surveillance must be rejected when the Authorising Officer is not satisfied that the surveillance is necessary or proportionate and legal advice sought by Authorising Officers in appropriate cases.
- 6.3 A RIPA guidance note is circulated at regular intervals to ensure officers remain aware of requirements and is supplemented by a programme of training.

7.0 THE RIPA POLICY

- 7.1 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 by the regulator. The current version includes minor amendments identified at the last inspection (June 2013). The RIPA Guide is found at Appendix 1.
- 7.2 The RIPA Guide includes provisions regulating the process for Management of CHIS (covert human intelligence sources) by the Borough Solicitor.
- 7.3 As noted, 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.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

9.0 FINANCE AND RESOURCE IMPLICATIONS

- 9.1 There are no significant financial and resource implications arising from this report.

10.0 RISK ASSESSMENT

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

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

This will be considered in relation to any particular authorisation.

Appendices

Appendix 1 - RIPA Guide

Appendix 2 – Cabinet Minute (for Audit and Governance Committee only)

WEST LANCASHIRE BOROUGH COUNCIL

Guide for Compliance with the

Regulation of Investigatory Powers Act 2000

In respect of

Directed Surveillance, Use of Covert Human Intelligence Sources and Accessing Communications Data

Version : No.4 - 2014

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1 INTRODUCTION

- 1.1. The Regulation of Investigatory Powers Act 2000 (the 2000 Act) regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected consistent with the obligations under The Human Rights Act 1998, while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
- 1.2. West Lancashire Borough Council is therefore included within the 2000 Act framework with regard to the authorisation of Directed Surveillance, the use of Covert Human Intelligence Sources (CHIS) and the obtaining of communications data through a single point of contact (SPOC).
- 1.3 The purpose of this guidance is to:
 - explain the scope of the 2000 Act and the circumstances where it applies
 - provide guidance on the authorisation procedures to be followed.

This continues to be a developing area of law and the Courts are yet to fully define the limits of the powers. This should be borne in mind when considering this Guide.

- 1.4 The Council has had regard to the Codes of Practice on covert surveillance, CHIS and accessing communications data produced by the Home Office in preparing this guidance and each Service should hold copies to which staff can refer. These documents are available at www.homeoffice.gov.uk/ripa.
- 1.5 In summary the 2000 Act requires that when the Council undertakes "directed surveillance", uses a "covert human intelligence source or accesses communications data (defined below at paragraphs 2, 3 and 4 below) these activities must only be authorised by an officer with delegated powers when the relevant criteria are satisfied.
- 1.6 The Managing Directors, Assistant Director Housing & Regeneration, Assistant Director Community Services and Borough Solicitor can authorise these activities (in relation to communications data, they shall be known as Designated Persons and shall seek the advice of the SPOC, see further paragraphs 4 and 5.1.3 below). Such nomination permits officers to grant authority for any purpose under the terms of the 2000 Act across all Council Services and service areas.
- 1.7 **Once an authorisation is granted for the use (or renewal) of directed surveillance, or acquisition of communications data, or covert human intelligence source it cannot take effect without an order approving the grant (or renewal) being obtained from a single Justice of the Peace (Magistrate, District Judge) (under amendments made by the Protection of Freedoms Act 2012, to s.32A and s.32B of the 2000 Act). This order must be sought from the Magistrates' Court, but when the Court is not in session. The arrangements for seeking the order will be made in consultation with Legal Services.**

- 1.8 Authorisation under the 2000 Act gives lawful authority to carry out surveillance and the use of a source. Obtaining authorisation helps to protect the Council and its officers from complaints of interference with the rights protected by Article 8(1) of the European Convention on Human Rights, i.e. the right to respect for private and family life which is now enshrined in English law through the Human Rights Act 1998. This is because the interference with the private life of citizens will be “in accordance with the law”. Provided activities undertaken are also “reasonable and proportionate” they will not be in contravention of Human Rights legislation.
- 1.9 Authorising Officers and investigators within the Local Authority are to note that the 2000 Act does not extend to powers to conduct intrusive surveillance. Investigators should familiarise themselves with the provisions of Sections 3, 4 and 5 of the Code of Practice on Directed Surveillance to ensure a good understanding of the limitation of powers within the 2000 Act.
- 1.10. Deciding when authorisation is required involves making a judgment **and assessing whether specific conditions apply to the investigation target**. Paragraph 3.4 explains this process in detail. If you are in any doubt, seek the advice of an Authorising Officer, if they are in doubt they will seek advice from the Borough Solicitor/Senior Responsible Officer. However, in those cases where there is doubt as to the need for an authorisation it may be safer to consider seeking/granting an authorisation: a broader reading of the application of the Act’s requirements is encouraged.
- 1.11. In the case of CHIS authorisations for vulnerable people or juveniles, or where surveillance involves communication subject to legal privilege, confidential personal information or confidential journalistic material authorisation must be obtained from the Managing Directors only (this should be the Managing Director (Transformation) as Head of the Paid Service (in her absence the Managing Director (People and Places) may act), **together with the necessary application for an order giving effect to authorisation from a Justice of the Peace**.
- 1.12 Only one of the Managing Directors should be requested to authorise directed surveillance involving the covert filming of any Council member or employee to the extent that this falls within RIPA.

2. DIRECTED SURVEILLANCE

2.1 **The Council must apply to a Justice of the Peace for an order that gives effect to the authorisation for the use of directed surveillance prior to undertaking the activity.**

2.2 What is meant by Surveillance?

"Surveillance" includes:

- a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communication;
- b) recording anything monitored, observed or listened to in the course of surveillance; and

- c) surveillance by or with the assistance of a surveillance device.

2.3 When is surveillance directed?

Surveillance is 'Directed' for the purposes of the 2000 Act if it is covert, but not intrusive and is undertaken:

- a) for the purposes of a specific investigation or a specific operation.
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one is specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation to be sought for the carrying out of the surveillance.

2.4 Surveillance Threshold

2.4.1 Before directed surveillance can be undertaken and the requisite order from a Justice of the Peace applied for, the Council must be satisfied that they are investigating a criminal offence that carries a maximum sentence of 6 months or more imprisonment.

2.4.2 The exception to the 6 month sentence threshold is specific offences of sale of alcohol or tobacco to an underage person which does not fall within the Council's range of regulatory activities.

2.4.3 During the course of an investigation, should the Council become aware that the criminal activity under investigation falls below the 6 month sentence threshold, then use of directed surveillance should cease.

2.4.4 This 6 month sentence threshold does not apply to use of covert human intelligence or communications data techniques.

2.5. The Council cannot undertake intrusive surveillance.

2.5.1 Surveillance becomes intrusive if the covert surveillance:

- a) is carried out in relation to anything taking place on any "residential premises" or in any "private vehicle"; and
- b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device; or
- c) is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle but is carried out without that device being present on the premises or in the vehicle, where the device is such that it consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the vehicle.

2.6 Before any officer of the Council undertakes any surveillance of any individual or individuals they need to assess whether the activity comes within the 2000 Act. In order to do this the following key questions need to be asked.

2.6.1 Is the surveillance covert?

Covert surveillance is that carried out in a manner calculated to ensure that subjects of it are unaware it is or may be taking place.

If activities are open and not hidden from the subjects of an investigation, the 2000 Act framework does not in general apply. However, if there is any doubt in respect of this matter, an officer must consider whether it may be appropriate to seek a RIPA authorisation.

2.6.2 Is it for the purposes of a specific investigation or a specific operation?

For example, are Civic building CCTV cameras which are readily visible to anyone walking around the building covered?

The answer is not if their usage is to monitor the general activities of what is happening in the car park. If that usage, however, changes, the 2000 Act may apply.

For example, if the CCTV cameras are targeting a particular known individual, and are being used in monitoring his activities, that has turned into a specific operation which may require authorisation.

2.6.3 Is it in such a manner that is **likely** to result in the obtaining of private information about a person?

"Private information" is any information relating to a person's private or family life and aspects of business or professional life.

For example, if part of an investigation is to observe a member of staff's home to determine their comings and goings then that would be covered.

If it is likely that observations will not result in the obtaining of private information about a person, then it is outside the 2000 Act framework. However, the use of 'test purchasers' may involve the use of covert human intelligence sources (see later).

If in doubt, it is safer to consider getting authorisation.

2.6.4 Is it undertaken otherwise than by way of an immediate response to event or circumstances where it is not reasonably practicable to get authorisation?

The Home Office gives the example of an immediate response to something happening during the course of an observer's work, which is unforeseeable.

However, if as a result of an immediate response, a specific investigation subsequently takes place that brings it within the 2000 Act framework.

2.6.5 Is the Surveillance Intrusive?

Directed surveillance turns into intrusive surveillance if it is carried out involving anything that occurs on residential premises or any private vehicle and involves the presence of someone on the premises or in the vehicle or is carried out by means of a (high quality) surveillance device.

If the device is not on the premises or in the vehicle, it is only intrusive surveillance if it consistently produces information of the same quality as if it were.

Commercial premises and vehicles are therefore excluded from intrusive surveillance. **The Council is not authorised to carry out intrusive surveillance.**

2.6.6 Does the offence under investigation meet the 6 month threshold?

3 COVERT USE OF HUMAN INTELLIGENCE SOURCE (CHIS)

3.1 A person is a Covert Human Intelligence Source if:

- a) he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph b) or c).
- b) he covertly uses such a relationship to obtain information or provide access to any information to another person; or
- c) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

3.2. A purpose is covert, in relation to the establishment or maintenance of a personal or other relationship, if and only if the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of that purpose.

3.3. The above clearly covers the use of professional witnesses to obtain information and evidence. It is not Council practice to use such witnesses. It can also cover cases such as a Council officer making a test purchase when there is a need to cultivate a relationship with the seller, which would not usually be the case.

3.4. There is a risk that an informant may be, or become, a CHIS. A member of the public giving information will be a CHIS if the information which he covertly passes to the authority has been obtained in the course of (*or as a consequence of the existence of*) a personal or other relationship. See paragraph 2.22 of the CHIS Code of Practice, and paragraph 270 of OSC Procedures and Guidance 2011, which refers to the risk of “status drift”. When an informant gives repeat information about a suspect or about a family, and it becomes apparent that the informant may be obtaining that information in the course of a family or neighbourhood relationship, alarm bells should begin to ring. It probably means that the informant is in reality a CHIS, to whom a duty of care is owed if the information is then used. In such circumstances officers should refer any such instance for legal advice before acting on the information received from such an informant.

3.5 In this context (of authorising CHIS) ANY information (ie not confined to private information alone) to be gained by the covert manipulation of a relationship will

require authorisation.

- 3.6 The Council must apply to a Justice of the Peace for an order that gives effect to the authorisation for the use of covert human intelligence source (see 1.7 above).**

4 COMMUNICATIONS DATA

- 4.1 The Council may also access certain communications data under the 2000 Act, provided this, like all other surveillance, is **for the purpose of preventing or detecting crime**.

- 4.2 Authorisations may be granted by a Designated Person (see 1.6 above) for relevant officers, who shall seek the advice of the Council's SPOC (Single Point of Contact) authorised by the Home Office. The Accessing Communications Revised Draft Data Code of Practice shall be followed at all times. Council staff are not permitted to obtain telecommunications and internet use data other than as provided for by the Act.

- 4.3 The Council must apply to a Justice of the Peace for an order giving effect to the authorisation of the use of communications data.**

5. AUTHORISATIONS, RENEWALS AND DURATION

- 5.1 The Council must apply to a Justice of the Peace for an order that gives effect to the authorisation for the use of directed surveillance, communications data and covert human intelligence source (see 1.7 above).**

5.1.1 The Conditions for Authorisation

5.1.2 Directed Surveillance

- 5.1.1.3 For directed surveillance no officer shall grant an authorisation **and make an application to a Justice of the Peace** for the carrying out of directed surveillance unless he believes:

- a) that an authorisation is necessary for the purpose of preventing or detecting crime and
- b) the authorised surveillance is proportionate to what is sought to be achieved by carrying it out.

- 5.1.1.4 The onus is therefore on the person authorising such surveillance to satisfy themselves it is:

- a) necessary for the ground stated above and;
- b) proportionate to its aim.

- 5.1.1.5 In order to ensure that authorising officers have sufficient information to make an informed decision **about whether to make an application to a Justice of the Peace for an order to give effect to any authorisation**, it

is important that detailed records are maintained. As such the forms in the Appendix and the accompanying Guidance on Completing RIPA Authorisation Forms are to be completed where relevant.

It is also sensible to make any authorisation sufficiently wide enough to cover all the means required as well as being able to prove effective monitoring of what is done against that which has been authorised.

An Authorising Officer may partially approve or partially refuse an application for authorisation. If an Authorising Officer does not authorise all that was requested, a note should be added explaining why.

5.1.2 Covert Use of Human Intelligence Sources

5.1.2.1 The same principles as Directed Surveillance apply. (see paragraph 5.1.1.3 above)

5.1.2.2 The conduct so authorised is any conduct that:

- a) is comprised in any such activities involving the use of a covert human intelligence source, as are specified or described in the authorisation;
- b) relates to the person who is specified or described as the person to whose actions as a covert human intelligence source the authorisation relates; and
- c) is carried out for the purposes of, or in connection with, the investigation or operation so specified or described.

5.1.2.3 In order to ensure that authorising officers have sufficient information to make an informed decision it is important that detailed records are maintained. As such the forms attached are to be completed where relevant.

It is also sensible to make any authorisation sufficiently wide enough to cover all the means required as well as being able to prove effective monitoring of what is done against that is authorised.

5.1.3 Communications Data

Section 22(4) of RIPA allows the Council to request “communications data” from Communication System Providers (CSPs). The access allowed under these powers is limited to telephone, postal and email subscriber and billing information. Any access must be obtained through the use of an authorised single point of contact (SPOC). (See Code on Acquisition and Disclosure of Communications Data para. 3.15 and following.) The Council does not have the right to obtain the content of the communication, but can obtain details of the source and destination of a message. The only ground for Local Authorities is the prevention or detection of crime. CSPs must be provided with a Notice Requiring Disclosure of Communications Data, which must have been duly authorised. The only officers who are allowed to authorise such requests are those accredited by the Home Office (the “Designated Persons” (DPs)). The DP is an individual at the level of Managing Director and Assistant Director and will scrutinise all applications for Communications Data.

The authorisation or grant of a notice to obtain communications data require judicial approval on each occasion.

5.2 Further Requirements of the 2000 Act

5.2.1 An application must be made to the Justice of the Peace for an order that gives effect to the authorisation for the use of Directed Surveillance, Communications Data and CHIS. This process is in addition to the Council's existing authorisation procedure (see 1.7 above).

5.2.2 In light of the changes to the regime applications for urgent grants or renewal, must be in writing. In the Guidance on Completing RIPA Authorisation Forms document which accompanies this Guide are standard forms, which must be used. Officers must direct their mind to the circumstances of the individual case with which they are dealing when completing the form.

5.2.3 Although it is possible to combine two authorisations in one form the Council's practice is for separate forms to be completed to maintain the distinction between Directed Surveillance and the use of a CHIS.

5.2.4 Authorisations lapse, if not renewed:

- 12 months - if in writing/non-urgent - from date of last renewal if it is for the conduct or use of a covert human intelligence source or
- in all other cases (ie directed surveillance) 3 months from the date of their grant or latest renewal.

5.2.5 Any person entitled to grant a new authorisation can renew subject to judicial approval being obtained an existing authorisation in the same terms at any time before it ceases to have effect.

But, for the conduct of a covert human intelligence source, an Authorised Officer should not renew **or make an application to a Justice of the Peace to renew** unless a review has been carried out and that person has considered the results of the review when deciding whether to renew or not. A review must cover what use has been made of the source, the tasks given to them and information obtained.

5.2.6 The benefits of obtaining an authorisation are described in paragraph 7 below.

5.2.7 Factors to Consider (see further guidance the Guidance on Completing Forms document)

Any person giving an authorisation should first satisfy him/herself that the authorisation is necessary on particular grounds and that the surveillance is proportionate to what it seeks to achieve. The proportionate test involves balancing the intrusiveness of the activity on the target and others who might be affected by it against the need for the activity in operational terms. The activity

will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means. All such activity should be carefully managed to meet the objective in question and must not be arbitrary or unfair.

- 5.2.8 Particular consideration should be given to collateral intrusion on or interference with the privacy of persons other than the subject(s) of surveillance. Such collateral intrusion or interference would be a matter of greater concern in cases where there are special sensitivities, for example in cases of premises used by lawyers or for any form of medical or professional counselling or therapy.
- 5.2.9 An application for an authorisation should include an assessment of the risk of any collateral intrusion or interference. The authorising officer will take this into account, particularly when considering the proportionality of the surveillance and whether measures to avoid can be stipulated.
- 5.2.10 Those carrying out the covert surveillance should inform the Authorising Officer if the operation/investigation unexpectedly interferes with the privacy of individuals who are not the original subjects of the investigation or covered by the authorisation in some other way. In some cases the original authorisation may not be sufficient and consideration should be given to whether a separate authorisation is required.
- 5.2.11 Any person giving an authorisation will also need to be aware of particular sensitivities in the local community where the surveillance is taking place or of similar activities being undertaken by other public authorities which could impact on the deployment of surveillance.

Home Surveillance

- 5.2.12 The fullest consideration should be given in cases where the subject of the surveillance might reasonably expect a high degree of privacy, for instance at his/her home (NB. the Council cannot undertake intrusive surveillance) or where there are special sensitivities.

Spiritual Counselling

- 5.2.13 No operations should be undertaken in circumstances where investigators believe that surveillance will lead them to intrude on spiritual counselling between a Minister and a member of his/her faith. In this respect, spiritual counselling is defined as conversations with a Minister of Religion acting in his/her official capacity where the person being counselled is seeking or the Minister is imparting forgiveness, or absolution of conscience.

Confidential Material

- 5.2.14 The 2000 Act allows in exceptional circumstances for authorisations to gather 'confidential material' (see the definitions in Appendix 1). Such material is particularly sensitive, and is subject to additional safeguards under this code. In cases where the likely consequence of the conduct of a source would be for any person to acquire knowledge of confidential material, the deployment of the

source should be subject to special authorisation (by the Managing Directors).

5.2.15 In general, any application for an authorisation which is likely to result in the acquisition of confidential material should include an assessment of how likely it is that confidential material will be acquired. Special care should be taken where the target of the investigation is likely to be involved in handling confidential material. Such applications should only be considered in exceptional and compelling circumstances with full regard to the proportionality issues this raises.

5.2.16 The following general principles apply to confidential material acquired under authorisations:

- Those handling material from such operations should be alert to anything that may fall within the definition of confidential material. Where there is doubt as to whether the material is confidential, advice should be sought from the Borough Solicitor/Senior Responsible Officer before further dissemination takes place;
- Confidential material should not be retained or copied unless it is necessary for a specified purpose;
- Confidential material should be disseminated only where an appropriate officer (having sought advice from the Borough Solicitor/Senior Responsible Officer) is satisfied that it is necessary for a specific purpose;
- The retention or dissemination of such information should be accompanied by a clear warning of its confidential nature. It should be safeguarded by taking reasonable steps to ensure that there is no possibility of it becoming available, or its content being known, to any person whose possession of it might prejudice any criminal or civil proceedings related to the information;
- Confidential material should be destroyed as soon as it is no longer necessary to retain it for a specified purpose;
- Any covert surveillance concerning premises on which legal consultations take place are to be regarded as intrusive surveillance and may not be undertaken by the Council.

Combined authorisations

5.2.17 Although it is possible to combine two authorisations in one form the Council's practice is for separate forms to be completed to maintain the distinction between Directed Surveillance and the use of a CHIS.

5.2.18 In cases of joint working with other agencies on the same operation, e.g. by a Housing Benefit Investigator authority for directed surveillance should be given by the lead agency.

5.2.19. On occasion, several Council Services may be included in the same investigation. One authorisation from the Lead Service should cover all activities.

Handling and disclosure of product

5.2.20 Authorising Officers are reminded of the guidance relating to the retention and destruction of confidential material as described in paragraph 5.2.16 above.

5.2.21 Authorising Officers are responsible for ensuring that authorisations undergo timely reviews and are cancelled promptly after directed surveillance activity is no longer necessary.

5.2.22 Authorising Officers must ensure that the relevant details of each authorisation are sent to the Borough Solicitor/Senior Responsible Officer as described in paragraph 9 below.

5.2.23 The originals of applications for authorisations, reviews, renewals and cancellations for directed surveillance and the use of a CHIS should be submitted to and thereafter retained by the RIPA Co-ordinator, for a period of 3 years and at least between inspections. Copies are to be retained by the authorising officer for a commensurate period. Where it is believed that the records could be relevant to pending or future criminal proceedings, they should be retained for a suitable further period, commensurate to any subsequent review.

5.2.24 Any personal data collected during the course of a covert surveillance operation must be stored as per data protection guidelines set out in the Council's Data Protection Policy below.

- Analysis of data from the operation must be carried out by the officers who carried out the investigation and should be done in a private office to avoid personal material being accessible to other council employees.
- The authorising officer may also be included in analysis of the data collected.
- Data must be kept in a secure environment with limited access.
- Data must be labelled with the reference of the case and the date of collection.
- Data collected which is not appropriate or useful as evidence in the investigation and subsequent formal action must be deleted as soon as this fact is determined or when the case is closed, whichever is the sooner. Consideration of whether or not this material should be destroyed is the responsibility of the senior authorising officer. Care must be taken in this respect, as it must be considered that even if this information is not to be used as evidence, it may be "unused material" for the purposes of criminal proceedings.
- If there is any reason to believe that the data obtained during the course of an investigation might be relevant to that investigation, or to another investigation, or to pending or future civil or criminal proceedings, then it should not be destroyed but retained in accordance with established disclosure requirements and may be disclosed.

5.2.25 There is nothing in the 2000 Act that prevents material obtained through the proper use of the authorisation procedures from being used in other investigations. However, the use outside the Council, of any material obtained by means of covert surveillance and, other than in pursuance of the grounds on which it was obtained, should be authorised only in the most exceptional circumstances.

5.3 **The Use of Covert Human Intelligence Sources**

5.3.1 The Council will not normally use an external or professional source for the purpose of obtaining information. It is not the Council's usual practice to seek, cultivate or develop a relationship through an external or professional source although this may occur where circumstances require it. In these circumstances appropriate authorisations must be obtained. It is potentially possible, though highly unlikely, that the role of a Council employee may be that of a source, for example, as contemplated in paragraph 3.3 above, please cross refer for detail.

5.3.2 Nothing in the 2000 Act prevents material obtained by an employee acting as a source being used as evidence in Court proceedings.

5.3.3 The Authorising Officer must consider the safety and welfare of an employee acting as a source, and the foreseeable consequences to others of the tasks they are asked to carry out. A risk assessment should be carried out before authorisation is given. Consideration from the start for the safety and welfare of the employee, even after cancellation of the authorisation, should also be considered.

5.3.4 The Authorising Officer must believe that the authorised use of an employee as a source is proportionate to what it seeks to achieve. Accurate and proper records should be kept about the source and tasks undertaken.

5.3.5 The Council's practice is not to use an employee acting as a source to infiltrate existing criminal activity, or to be a party to the commission of criminal offences, even where this is within the limits recognised by law.

5.3.6 Before authorising the use of an employee as a source, the authorising officer should believe that the conduct/use including the likely degree of intrusion into the privacy of those potentially affected is proportionate to what the use or conduct of the source seeks to achieve. He should also take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the operation or investigation (collateral intrusion). Measures should be taken, wherever practicable, to avoid unnecessary intrusion into the lives of those not directly connected with the operation.

5.3.7 Particular care should be taken in circumstances where people would expect a high degree of privacy or where, as a consequence of the authorisation, "confidential material" is likely to be obtained.

5.3.8 Additionally, the Authorising Officer should make an assessment of any risk to an employee acting as a source in carrying out the proposed authorisation.

6. REVIEWS

- 6.1. The Home Office Code of Practice on directed surveillance makes specific reference to reviews at paragraph 3.22. It recommends regular reviews be undertaken to see if the need for the surveillance is still continuing. Results of reviews should be recorded in a central record of authorisations (see paragraph 8.1). Reviews should be more frequent when access to confidential information or collateral intrusion is involved. Review frequency should be as often as the authorising officer deems necessary or practicable.
- 6.2. Similar provisions appear at paragraphs 7.1 – 7.2 of the code of practice for CHIS, save that tasks given to the source and information obtained should also be included.
- 6.3. Each authorising officer will therefore determine in each case how often authorisations should be reviewed. They will ensure records of the review will be supplied on the relevant form in Section 9 and send copies to the RIPA Co-ordinator to keep the central register up to date. Good practice requires that this should be done monthly at least.

7. RENEWALS

- 7.1. An authorising officer may renew an authorisation before it would cease to have effect if it is necessary for the authorisation to continue for the purpose for which it was given. **An application for a renewal to the Justice of the Peace is also required (see above).**
- 7.2. The Home Office Code of Practice for directed surveillance at paragraph 5.12 - 5.16 refers. A renewal of the authorisation in writing can be made for 3 months. Applications for renewal should detail how many times an authorisation has been renewed; significant changes to the original application for authority; reasons why it is necessary to renew; content and value of the information obtained so far and results of regular reviews of the investigation or operation.
- 7.3. Similar provisions apply in the code of practice for CHIS except that a renewal here can last for a further 12 months, a review must have been carried out on the use of the source and an application should only be made to renew when the initial authorisation period is drawing to an end. Applications to renew a CHIS also should contain use made of the source and tasks given to the source during the previous authorised period.
- 7.4. Each application to renew should be made at least 7 days before the authorisation is due to expire on the relevant form in Appendix 2. A record of the renewal should be kept within the applying service and supplied centrally to the Borough Solicitor/Senior Responsible Officer - see Section 8 to update the central register of authorisations.

8. CANCELLATIONS

- 8.1. All authorisations, including renewals should be cancelled if the need for the

surveillance is no longer justified. This will occur in most cases where the purpose for which the surveillance was required has been achieved.

- 8.2. Requesting officers should ensure they inform authorising officers if this is the case before the next review. If, in the opinion of the authorising officer at the next review, the need for surveillance is no longer justified, it must be cancelled.
- 8.3. The cancellation forms at Appendix 2 will be used to record a cancellation; the original will be sent to the RIPA Co-ordinator to update the central register of authorisations and the authorising officer will retain a copy - see Section 8.
- 8.4. The Home Office Codes of Practice for both directed surveillance and CHIS make it clear that authorisations must be cancelled if the original authorising criteria are not met. With CHIS, it must be cancelled if satisfactory arrangements for the source no longer exist. Consideration for the safety and welfare of a source continues after cancellation of any authorisation.

9. CENTRAL REGISTER OF AUTHORISATIONS

- 9.1. The Codes of Practice under the 2000 Act require a central register of all authorisations to be maintained. The Senior Responsible Officer or nominated representative shall maintain this register.
- 9.2. Whenever an authorisation is granted renewed or cancelled the Authorising Officer must arrange for the following details to be forwarded by e-mail to the Senior Responsible Officer or nominated representative. Receipt of the e-mail will be acknowledged.
 - Whether it is for Directed Surveillance or CHIS ;
 - Applicants name and Job Title (manager responsible);
 - Service and Section;
 - Applicant's address and Contact Number;
 - Identity of 'Target';
 - Authorising Officer and Job Title; (in line with delegation scheme)
 - Date of Authorisation.
 - A unique reference number for the investigation or operation
 -
 - Whether confidential information is likely to be reviewed as a consequence of the investigation /operation.
 - The date the authorisation was cancelled

Details should be provided to the Senior Responsible Officer in respect of when an authorisation is refused.

See Appendix 2 for the Form of Notification

The original of the authorisation should also be provided; the authorising officer should retain a copy. The Managing Directors will review authorisations every 6 months. It is suggested that authorising officers supply these directly.

- 9.3. The original authorisations shall be securely retained within the RIPA Co-ordinator's Service. It is each Service's responsibility to securely retain all copy authorisations within their Service. Authorisations should only be held for as long as it is necessary. Once the investigation is closed (bearing in mind cases may be lodged some time after the initial work) the records held by the Service should be disposed of in an appropriate manner (e.g. shredded).

10 CODES OF PRACTICE

There are Home Office codes of practice that expand on this guidance. All relevant Services hold a copy.

The codes do not have the force of statute, but are admissible in evidence in any criminal and civil proceedings. As stated in the codes, "if any provision of the code appears relevant to a question before any Court or tribunal considering any such proceedings, or to the tribunal established under the 2000 Act, or to one of the commissioners responsible for overseeing the powers conferred by the 2000 Act, it must be taken into account".

Staff should refer to the Home Office Codes of Conduct for supplementary guidance. These should be available to all relevant officers (see earlier).

11 BENEFITS OF OBTAINING AUTHORISATION UNDER THE 2000 ACT.

11.1 Authorisation of surveillance and human intelligence sources

The 2000 Act states that

- if authorisation confers entitlement to engage in a certain conduct and
- the conduct is in accordance with the authorisation, then
- it shall be "lawful for all purposes".

Part II of the 2000 Act does not impose a requirement on public authorities to seek or obtain an authorisation where, under the 2000 Act, one is available (see section 80 of the 2000 Act). Nevertheless, where there is an interference by a public authority with the right to respect for private and family life guaranteed under Article 8 of the European Convention on Human Rights, and where there is no other source of lawful authority, the consequence of not obtaining an authorisation under the 2000 Act may be that the action is unlawful by virtue of section 6 of the Human Rights Act 1998.

Public authorities are therefore strongly recommended to seek an authorisation where the surveillance is likely to interfere with a person's Article 8 rights to privacy by obtaining private information about that person, whether or not that person is the subject of the investigation or operation. Obtaining an authorisation will ensure that the action is carried out in accordance with law and subject to stringent safeguards against abuse.

- 11.2 The 2000 Act states that a person shall not be subject to any civil liability in

relation to any conduct of his which -

- a) is incidental to any conduct that is lawful by virtue of authorisation; and
- b) is not itself conduct for which an authorisation is capable of being granted under a relevant enactment and might reasonably be expected to have been sought in the case in question

12. SCRUTINY AND TRIBUNAL

- 12.1. To effectively "police" the 2000 Act, Commissioners regulate conduct carried out thereunder. The Chief Surveillance Commissioner will keep under review, among others, the exercise and performance by the persons on whom are conferred or imposed, the powers and duties under the Act. This includes authorising directed surveillance and the use of covert human intelligence sources.
- 12.2. A tribunal has been established to consider and determine complaints made under the 2000 Act if it is the appropriate forum. Complaints can be made by persons aggrieved by conduct e.g. directed surveillance. The forum hears applications on a judicial review basis. Claims should be brought within one year unless it is just and equitable to extend that.

The tribunal can order, among other things, the quashing or cancellation of any warrant or authorisation and can order destruction of any records or information obtained by using a warrant or authorisation, and records of information held by any public authority in relation to any person. The Council is, however, under a duty to disclose or provide to the tribunal all documents they require if:

- A Council officer has granted any authorisation under the 2000 Act.
 - Council employees have engaged in any conduct as a result of such authorisation.
 - A disclosure notice requirement is given.
- 12.3 The Senior Responsible Officer will ensure that a quarterly report is submitted to the Council's Audit and Governance Committee and that an annual report is submitted to Cabinet. The reports will include details of the overall number and type of authorisations granted and the outcome of the case, where known. In addition, the reports will provide a breakdown of the same information by service or groups of services, as appropriate. In order to comply with Data Protection and Code of Practice requirements, no specific details of individual authorisations will be provided.
 - 12.4 The RIPA Co-ordinator will maintain and check the central register of all RIPA authorisations, reviews, renewals, cancellations and rejections. It is the responsibility of the authorising officer, however, to ensure the RIPA Co-ordinator receives the original of the relevant forms as soon as possible and in any event within 1 week of authorisation, review, renewal, cancellation or rejection. The authorising officer should retain copies.

12.5 The management structure for RIPA is set out in Appendix 3.

Definitions from the 2000 Act

- **“2000 Act”** means the Regulation of Investigatory Powers Act 2000.
- **“Confidential Material”** consists of:
 - a) matters subject to legal privilege;
 - b) confidential personal information; or
 - c) confidential journalistic material.
- **Matters subject to legal privilege”** includes both oral and written communications between a professional legal adviser and his/her client or any person representing his/her client, made in connection with the giving of legal advice to the client or in contemplation of legal proceedings and for the purposes of such proceedings, as well as items enclosed with or referred to in such communications. Communications and items held with the intention of furthering a criminal purpose are not matters subject to legal privilege (see Note A below)
- **“Confidential Personal Information”** is information held in confidence concerning an individual (whether living or dead) who can be identified from it, and relating:
 - a) to his/her physical or mental health; or
 - b) to spiritual counselling or other assistance given or to be given, and

which a person has acquired or created in the course of any trade, business, profession or other occupation, or for the purposes of any paid or unpaid office (see Note B below). It includes both oral and written information and also communications as a result of which personal information is acquired or created. Information is held in confidence if:

- c) it is held subject to an express or implied undertaking to hold it in confidence; or
 - d) it is subject to a restriction on disclosure or an obligation of secrecy contained in existing or future legislation.
- **“Confidential Journalistic Material”** includes material acquired or created for the purposes of journalism and held subject to an undertaking to hold it in confidence, as well as communications resulting in information being acquired for the purposes of journalism and held subject to such an undertaking.
 - **“Covert Surveillance”** means surveillance which is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.

- **“Authorising Officer”** means a person designated for the purposes of the 2000 Act to grant authorisations for directed surveillance. (see the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order) SI 2000/2417.

Note A. *Legally privileged communications will lose their protection if there is evidence, for example, that the professional legal adviser is intending to hold or use them for a criminal purpose; privilege is not lost if a professional legal adviser is properly advising a person who is suspected of having committed a criminal offence. The concept of legal privilege shall apply to the provision of professional legal advice by any agency or organisation.*

Note B. *Confidential personal information might, for example, include consultations between a health professional or a professional counsellor and a patient or client, or information from a patient’s medical records.*

Notification to Central Register of Authorisations under RIPA

Whether it is for Directed Surveillance or CHIS	
Applicants name and Job Title (manager responsible)	
Service and Section	
Applicant's address and Contact Number	
Identity of 'Target'	
Authorising Officer and Job Title; (in line with delegation scheme)	
Date of Authorisation	
Whether confidential information is likely to be reviewed as a consequence of the investigation/operation	
The date the authorisation was cancelled	
Whether the authorisation is renewed.	

A copy of the authorisation shall also be sent (See above, Paragraph 9.2).

A unique reference number for the investigation or operation will be allocated by the Borough Solicitor upon receipt of this notification. This reference must be used in subsequent correspondence regarding this authorisation.



APPENDIX 3

Gill Rowe, Managing Director of People and Places
xx

Legal Services, Land Charges, Member Services
Civic Services
Member Development
Admin and Elections (Deputy Returning Officer)
Accountancy
Treasury Management
Audit, Insurance
Risk Management

Kim Webber, Managing Director of Transformation
xx

Benefits etc, Cashiers
Communications/Consultation
Council Tax/NNDR, Creditors
Customer Services/OR
HR Partnership, ICT
Partnership/Performance
Salaries/Wages, Travel Concessions

Bob Livermore, Assistant Director Housing & Regeneration
*

Public Sector Housing Services
Private Sector Housing Services
Housing Options & Homelessness
Housing Strategy, Property Management
Corporate Health & Safety

Dave Tilleray, Assistant Director Community Services *

Leisure, Arts and Culture Services
Environmental Protection, Public Protection &
Licensing
Commercial Safety, Community Safety
Emergency Planning, Technical Services
Ormskirk Market, Decriminalised Parking

Terry Broderick – Borough Solicitor, Senior Responsible Officer *
Supported by Judith Williams – Assistant Solicitor, RIPA Co-ordinator and SPOC
Co-ordinator
Sarah Mooney – Legal Assistant/RIPA Register Officer

* Authorising Officer

xx Authorisations when knowledge of confidential information likely to be acquired or vulnerable individual or juvenile is to be used as a source.

TPBRIPAGUIDELINESVERSION4-2014



AGENDA ITEM: 6(h)

CABINET: 16 September 2014

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holders: Councillors D Whittington and A Fowler

**Contact for further information: Mrs K Samosa (Ext. 5038)
(E-mail: karen.samosa@westlancs.gov.uk)**

SUBJECT: CAPITAL PROGRAMME OUTTURN 2013/2014

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide a summary of the capital outturn position for the 2013/2014 financial year.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the final position, including slippage, on the Capital Programme for the 2013/2014 financial year be noted and endorsed.

2.2 That Call In is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 2nd October 2014.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the final position on the Capital Programme for the 2013/2014 financial year be noted.

4.0 BACKGROUND

4.1 Members have been kept informed of the financial position of the Capital Programme with regular monitoring reports. The last such Report was presented to Cabinet in March 2014 and Executive Overview and Scrutiny in April and

reported on a Capital Programme of £19.503m. This report provides Members with the final position on capital schemes for the 2013/2014 financial year.

- 4.2 It should be noted that the final accounts for the 2013/2014 year are subject to audit and the figures contained in this report are, potentially, subject to change. However, the Audit is nearing completion and no issues have been raised on the capital programme to date. Members will be informed in due course of any significant matters arising from the Audit.
- 4.3 The position on the current year's Programme for 2014/2015 is discussed elsewhere on this Agenda.

5.0 CAPITAL PROGRAMME

- 5.1 The Capital Programme of £19.503m at the end of the 2013/2014 financial year is analysed by Service in Appendix A. The key result for the year is that good progress has been made in delivering schemes and that a much larger capital spend has been achieved compared to previous years.
- 5.2 The total capital expenditure for 2013/2014 was £15.129m which represents 78% of the total Budget for the year. This compares to recent programmes as indicated in Table 1:

Table 1: Capital Expenditure against Budgets			
Year	Expenditure £m	Budget £m	% Spend against Budget
2013/2014	15.129	19.503	78%
2012/2013	10.241	13.362	77%
2011/2012	8.845	12.659	70%
2010/2011	8.097	11.043	73%

- 5.3 In total spending was £4.9m more than 2012/2013 and £6.3m more than 2011/2012. This increase in expenditure is largely due to the increased investment in the Housing Public Sector Programme, and reflects the delivery of the HRA Business Plan and the massive investment in improvements and refurbishment of the Council's Housing stock. Heads of Service comments on the progress with their capital schemes are set out in Appendix B.

6.0 SLIPPAGE OF EXPENDITURE APPROVALS

- 6.1 100% spend against the Budget is never anticipated due mainly to reasons beyond the Council's control. For example, some schemes are reliant on a significant amount of match funding and external contributions, and others are demand led or dependant upon decisions made by partners.
- 6.2 Schemes that are not completed within the financial year for which they are scheduled are slipped into the following financial year along with their unused expenditure and resource approvals. The total slippage figure for capital schemes

from 2013/2014 is £4.593m. An analysis of schemes with a significant amount of slippage is provided in Appendix C.

7.0 SIGNIFICANT VARIANCES

- 7.1 There will always be some variances between the original estimated cost of a capital scheme and its final position and the Council has established budgetary management and control procedures in place to minimise such variances. While there have been a number of over and under spends this year, in total expenditure was £0.219m above budget, which is a small variance of around 1%. An analysis of significant variances by scheme is provided in Appendix D.
- 7.2 This additional expenditure has been partly financed through increased external funding and partly through reducing expenditure budgets on relevant schemes in future years within the context of the managed three year capital programme process. Consequently it is not expected that this position will cause any problems in delivering the agreed Capital Programme in future years.

8.0 CAPITAL RESOURCES

- 8.1 A breakdown of the resources of £19.503m identified to fund the programme is shown in Appendix A. The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy sales) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold. A significant increase in the level of capital receipts being generated took place this year compared to recent years and, as a consequence, budget targets were exceeded.
- 8.2 48 Right to Buy Council House sales were generated against the target of 12 for the year along with 4 other asset sales arising from the Strategic Asset Management Plan. This is analysed in Table 2 below:

Year	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	120	307	256%
Other Sales	50	29	58%
Total	170	336	198%

- 8.3 Estimates for the year are based on historical averages as the actual pattern of sales is volatile. However, following a change to the government rules relating to Right to Buy sales, although the average receipt from each sale has reduced, it has led to an increase in the number of sales and an increase in the total value of receipts generated.
- 8.4 In addition to the Usable Capital Receipt figures shown above, the Council is also able to retain a proportion of the proceeds generated by Council House sales for specific purposes. In this respect, by the end of the financial year £0.42m had been generated for "One for One Replacement Funding" and £0.544m was generated for "Debt Funding".

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

9.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. Individual project plans address sustainability and Community Strategy issues and links to Corporate Priorities. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable.

10.0 RISK ASSESSMENT

10.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

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

- A Capital Expenditure and Resources Compared to Budget
- B Heads of Service Comments
- C Analysis of Significant Slippage
- D Analysis of Variances
- E Minute of Landlord Services Committee held on 11 September 2014
- F Minute of Cabinet (Executive Overview and Scrutiny Committee only)

**2013/2014 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
AT OUTTURN**

Service	Budget Approval	Actual		Variance		Slippage	
	£'000	£'000	%	£'000	%	£'000	%
EXPENDITURE							
Housing and Regeneration							
Public Sector Housing	15,082	12,165	81%	0	0%	2,917	19%
Housing Strategy	657	0	0%	0	0%	657	100%
Property Management	272	224	82%	0	0%	48	18%
Regeneration	184	30	16%	0	0%	154	84%
Community Services							
Private Sector Housing	692	823	119%	131	19%	0	0%
Other Community Services	1,378	983	71%	83	6%	479	35%
Planning	82	60	73%	3	4%	25	31%
Street Scene	758	672	89%	0	0%	86	11%
Corporate Services							
Financial Services	60	42	70%	0	0%	18	30%
Transformation	338	131	39%	2	1%	209	62%
	19,503	15,129	78%	219	1%	4,593	23%
RESOURCES							
Capital Grants	857	988	115%	213	25%	81	9%
HRA Financing	14,673	12,165	110%	0	-68%	2,508	70%
GRA	1,374	815	59%	-122	-9%	437	32%
Capital Receipts	2,599	1,161	45%	129	5%	1,567	60%
	19,503	15,129	78%	220	1%	4,593	23%

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

<p>Public Sector Housing</p> <p>This is the most ambitious programme of investment that the Council has undertaken and this year's Budget for Public Sector Housing is £15m. Of this, £12.1m (81%) has been spent and £2.9m (19%) has been slipped into the new financial year. This is a significant improvement on the 74% spend (£6.7m against a Programme of £9.1m) in the previous financial year.</p> <p>Explanations for significant slippage have been included in Appendix C. Slippage has also occurred on Drainage due to on-going discussions with the utilities company and there has been minor slippage on Failed Double Glazing, Electrical Upgrades, Structural Works, Binstores, Gutters, and Gullies due to planning and design issues along with retentions.</p> <p>Issues were resolved on the Communal Door and Community Heating Programmes meaning the anticipated overspend did not materialise. There was, however, an overspend on Sheltered Accommodation where additional fire equipment and lift works were identified and as a result of additional expenditure on a new Housing Computer System that was added to the Programme. These overspends have, however, been offset by a saving in Professional Fees.</p>
<p>Housing Strategy</p> <p>This budget has been earmarked for contributions to various sites that have attracted HCA funding and/or will be provided by our registered provider partner. Each site is different and delivery and timing is affected by various issues. However, the first development using this budget will commence early in the new financial year meaning that budgets have been slipped.</p>
<p>Regeneration and Estates</p> <p>Demolition works at Gorsey Place were completed in year.</p> <p>Plans are being put into place for procurement and appointment of consultants for the Greenshoots project and scoping work for the Culvert Debris Screens is scheduled to start early in the new financial year. Budgets for both have, therefore, been slipped.</p>

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

Property Management
<p>The Corporate Property Programme comprises a number of projects within Property Services which were mostly completed within the financial year. Slippage comprises those schemes scheduled for locations with uncertain future plans.</p>
Planning
<p>The Planning ICT System is progressing with phase 2 being slipped into the new financial year.</p> <p>The remaining Planning schemes are demand led. The Free Tree Scheme has been hugely popular and is complete for the year with the small overspend against budget being financed from a Revenue contribution. However, demand for both Conservation Area Enhancement Grants and Buildings at Risk has been lower than anticipated and unused budgets have been slipped into the next financial year.</p>
Street Scene
<p>Replacement Blue Bins have been purchased and distributed to households and the scheme is expected to be completed early in the new financial year. The remaining budget for this has, therefore, been slipped.</p>
Corporate Services
<p>Progress made on delivering Parish Capital Schemes rests with individual Parishes and is not within the direct control of the Borough Council. The unspent balance on this budget has, therefore, been slipped into the new financial year.</p> <p>A new ICT strategy has been drawn up to ensure that risk is effectively controlled and expenditure will increase significantly once the strategy has been put in place. Work on the new Website Content Management System has also commenced and a number of purchase orders have been raised for this project. Remaining budgets on both have been slipped into the new financial year.</p>

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

Community Services - Private Sector Housing

Both Disabled Facility Grants and Renovation Grants are demand led. Demand for Renovation Grants was lower than anticipated and demand for Disabled Facility Grants was significantly higher than anticipated. The Clearance Programme was completed within its budget.

The unused budgets on the Clearance Programme and Renovation Grants have helped to offset the overspend on Disabled Facility Grants and the balance of funding has been brought forward from the Medium Term Programme. There has, therefore, been no slippage for this area.

Other Community Services

The Leisure Trust funding is part of an on-going agreement and the budget has been fully spent. Parish Play Area Schemes are completed for the year as is the extension to Sandy Lane Car Park and the resurfacing of the car park at the Robert Hodge Centre.

Additional cameras have been included in the CCTV Programme and schemes are mostly completed for the year with an element of slippage for the Parish area allocation.

Additional works on the Flood Alleviation schemes at both Calico and Dock Brooks have been funded by additional grant. Works at Abbey Brook have commenced and will continue into the new year and the budget has been slipped.

A contribution to survey works on Playing Pitch Improvements is dependent on our partner's external bid application which has been delayed. The budget has, therefore been slipped into next year as has the budget for Moor Street where there have been delays in our partner's consultation process.

Works have commenced on various Play Areas and Parks and the remaining budgets have been slipped into the new year.

**2013/2014 CAPITAL PROGRAMME OUTTURN
HEADS OF SERVICE ANALYSIS OF SIGNIFICANT SLIPPAGE**

Scheme	Amount of Slippage	Reason for Slippage
	£'000	
GENERAL CAPITAL PROGRAMME		
ICT Development Programme	160	Various ongoing ICT schemes that will be completed in the next financial year.
West Lancs Play Strategy	80	Delayed start to the rolling programme due to re-prioritising Parish and other Play Areas.
Moor Street Enhancements	253	Delay in public consultation process with Lancashire County Council.
Economic Regeneration	150	Delayed start to scheme.
Affordable Housing	657	Expenditure dependent on external partners.
Blue Bin Scheme	86	Final implementation phase due April 14.
HOUSING CAPITAL PROGRAMME		
Environmental Improvements	112	Delayed start to works now progressing.
Windows and Doors	664	Main contract delayed due to technical/specification issues.
Bathrooms	115	Year one of a five year Programme started late in the year. Budget fully committed.
General Contingency	66	Contingency for works which are identified as a result of other works..
Energy Efficiency Works	51	Savings achieved on tendering slipped to finance subsequent programmes.
ReRoofing	203	Works deferred until the new year to acheive savings by combining projects.
Professional Fees	210	Fully committed programme that will be expended in the new financial year.
Adaptations for the Disabled	141	Ongoing, demand led, rolling Programme. Slippage due to delays in architect design on extensions.
Lifts	174	Delay due to problems appointing specialist consultants.
Affordable Housing	68	Retention for the Elmstead New Build Programme.
Firbeck Revival	1,043	Ongoing Programme of Estate remodelling. Works progressing.

2013/2014 CAPITAL PROGRAMME OUTTURN
HEADS OF SERVICE ANALYSIS OF SIGNIFICANT VARIANCES

Scheme	Amount of Variance	Reason for Variance
	£'000	
<u>GENERAL CAPITAL PROGRAMME</u>		
Parishes Children's Play	32	New s106 funded schemes previously approved but not included in the programme due to unknown timing.
Flood Alleviation Schemes	38	Additional works identified at Calico and Dock Brooks fully funded by Government Grant.
Housing Renewal Grants/Loans Financial Assistance	-22	Spending in this area is demand led and the programme was not fully utilised in the year.
Disabled Facilities Grants (DFGs)	154	DFG spending is demand led and can vary significantly from year to year. Expenditure this year was greater than anticipated but will be managed through the three year capital programme process
Other Schemes	15	Net total of other schemes with small variances.
<u>HOUSING CAPITAL PROGRAMME</u>		
Sheltered Housing/Cat II Upgrades	86	Additional lift works and equipment.
Housing Computer Systems	29	New computer system implementation.
Professional Fees	-113	Savings due to delay in staff recruitment.
Total Variance	219	



AGENDA ITEM: 6(i)

CABINET: 16 September 2014

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holders: Councillors D Whittington and A Fowler

**Contact for further information: Mrs K Samosa (Ext. 5038)
(E-mail: karen.samosa@westlancs.gov.uk)**

SUBJECT: CAPITAL PROGRAMME MONITORING 2014/2015

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide an overview of the current progress on the Capital Programme.

2.0 RECOMMENDATIONS TO CABINET

2.1 That Members note the progress on the Capital Programme as at the end of July, 2014.

2.2 That Call In is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 2nd October 2014.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That Members note the current progress on the Capital Programme.

4.0 BACKGROUND

4.1 It is an agreed policy and best practice that monitoring reports are produced on a regular basis to ensure that Members are kept informed of the financial position of the Capital Programme. This is the first such report for the 2014/2015 financial year.

5.0 CAPITAL PROGRAMME BUDGETS

- 5.1 A Capital Programme totalling £20.238m was approved at Council on 26th February 2014. Slippage totalling £4.593m from the 2013/2014 Programme is included for consideration elsewhere on this Agenda and has been added to the 2014/2015 Programme. The Capital Programme for 2014/2015 is, therefore, now £24.831m and this is analysed by Service in Appendix A.

6.0 CAPITAL EXPENDITURE

- 6.1 Normally, new capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead in times, for example, because of the need to undertake a tendering process and award contracts at the start of the scheme. Other schemes are dependant on external partner funding and these schemes can only begin once their funding details have been finalised.
- 6.2 This pattern has been repeated in the current year with £2.15m of expenditure having been incurred by the end of July. This compares to £2.058m at the same point in 2013/2014 and £1.653m in 2012/13.
- 6.3 It is anticipated that most schemes will progress and spend in line with their budget targets by the year end. All schemes, however, will be reviewed over the coming months and a Revised Medium Term Programme will be reported to Members in the Autumn taking into account new information and recent developments.

7.0 CAPITAL RESOURCES

- 7.1 Total budgeted resources for the year are £24.831m. This is analysed in Appendix A and includes funding for slippage.
- 7.2 The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy legislation) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold. The budget for usable capital receipts to be generated from Council House sales in the year is set at £0.325m from 50 sales. By the end of July, 11 sales have completed generating £0.078m of useable capital receipts.
- 7.3 Retained proceeds generated by Council House sales are now split between general usable capital receipts (detailed above), One for One Replacement Funding, and Debt Funding. At the end of the quarter 1, £0.05m had been generated for One for One Replacement Funding and £0.126m generated for Debt Funding.
- 7.4 In addition to receipts from council house sales the Council also has a programme to sell plots of its land and other assets under the Strategic Asset Management Plan. The budget for this in the 2014/2015 Programme is £0.25m (including the

sale of the house adjacent to the Civic Hall). To date, there have been 2 land sales and the house at the Civic Hall has been sold. This has generated a total of £0.188m.

- 7.5 Overall budgeted capital receipts from in year asset sales provide a relatively small proportion of the funding for the Capital Programme. Options for the use of any additional receipts generated over and above the budget will be reviewed over the medium term and will be reported to Members in due course

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. Individual project plans address sustainability and Community Strategy issues and links to Corporate Priorities. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable. This report monitors progress against the plans.

9.0 RISK ASSESSMENT

- 9.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. Schemes within the Programme that are reliant on external contributions or decisions are not started until funding is secured and other resources that are subject to fluctuation are monitored closely to ensure availability.

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

- A Capital Programme Service Budgets
- B Minute of Landlord Services Committee held on 11 September 2014
- C Minute of Cabinet (Executive Overview and Scrutiny Committee only)

2014/2015 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
as at July 2014

Service	Budget
	£'000
EXPENDITURE	
Public Sector Housing	19,849
Housing and Regeneration	
Housing Strategy	657
Property Management	212
Regeneration	1,032
Community Services	
Private Sector Housing	669
Other Community Services	1,031
Planning	224
Street Scene	126
Corporate Services	
Financial Services	63
Transformation	478
Environmental/Centre Improvement Fund	490
	24,831
RESOURCES	
HRA	11,078
HRA Borrowing	8,362
Capital Grants	535
GRA	551
GRA Borrowing	850
Capital Receipts	3,455
	24,831



AGENDA ITEM: 6(j)

CABINET: 16 SEPTEMBER 2014

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE: 23 OCTOBER 2014**

Report of: Transformation Manager

Relevant Head of Service: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor D Whittington

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

SUBJECT: QUARTERLY PERFORMANCE INDICATORS (Q1 2014/15)

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present performance monitoring data for the quarter ended 30 June 2014.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the Council's performance against the indicator set for the quarter ended 30 June 2014 be noted.

2.2 That Cabinet endorse the targets for the Revenues & Benefits and ICT Services proposed via the shared services contractual process.

2.3 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 23 October 2014.

3.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

- 3.1 That the Council's performance against the indicator set for the quarter ended 30 June 2014 be noted.
-
-

4.0 CURRENT POSITION

- 4.1 Members are referred to Appendix A of this report detailing the quarterly performance data.

- 4.2 Of the 35 indicators reported quarterly:
- 16 met or exceeded target
 - 6 indicators narrowly missed target; 7 were 5% or more off target
 - 2 indicators have data unavailable at the time of the report (*NI 191 Residual household waste per household; NI 192 % household waste sent for reuse, recycling and composting*)
 - 4 indicators do not have data reported for Q1 (NI195a-d).

As a general comparison, Q1 performance from the 2013/14 suite gave 15 (from 31) indicators on or above 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-B5. 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.

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 2014/15 as agreed by Cabinet in March 2014. Targets for the Revenues & Benefits and ICT Services provided through BTLs are established through the shared services contractual process. Performance against the full corporate suite of indicators 2014/15 will be reported within the Business Plan Annual Report.

Background Documents

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

Equality Impact Assessment

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 Q1 April-June 2014/15

Appendix B – Current Improvement Plans

- B1: HS13-WL114: % LA properties with CP12 outstanding
- B2: TS24a-BV212: Average time to re-let local authority housing-GENERAL NEEDS
- B3: TS24b-BV212: Average time to re-let local authority housing-SUPPORTED NEEDS
- B4: NI157c: Processing of planning applications: Other applications
- B5: WL01: No. residual bins missed per 100,000 collections







Appendix C – Minute of Cabinet (Corporate & Environmental Overview and Scrutiny Committee only)

APPENDIX A: QUARTERLY PERFORMANCE INDICATORS





Icon key					
PI Status			Performance against same quarter previous year		
	OK (within 0.01%) or exceeded	16		Improved	11
	Warning (within 5%)	6		Worse	12
	Alert (by 5% or more)	7		No change	3
N/A	Data not collected for quarter	4	/	Comparison not available	7
	Awaiting data	2		Awaiting data	2
Total number of indicators		35			

Shared Services ¹

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
ICT1 Severe Business Disruption (Priority 1)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	99.0%			
ICT2 Minor Business Disruption (P3)	97.0%	98.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	97.0%			
ICT3 Major Business Disruption (P2)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	97.0%	New for 2014/15		
ICT4 Minor Disruption (P4)	99.0%	99.0%	99.0%	99.0%	98.0%	99.0%	99.0%	99.0%	99.0%	97.0%	New for 2014/15		
B1 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (days)	12.34	11.86	11.93	11.27	7.12	7.66	8.31	7.44	6.79	12	The PI now reports cumulative progress to the annual target, not 'within quarter' performance. Data for previous quarters has been restated to reflect this change.		
B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	£48,269	£90,397	£130,250	£170,882	£43,041	£84,613	£123,567	£170,909	£34,524	£43,040	Shortfall is due to the fluctuation in debit raised in this challenging area of debt collection i.e. there is not a stable, regular debit raised that can be relied on to influence on-going collection rates. No plan attached since actions planned to improve performance are discussed and managed through contractual monthly Quality of Service meetings.		
R1 % of Council Tax collected ²	30.59%	58.07%	86.77%	96.40%	28.33%	55.47%	82.85%	95.32%	28.95%	27.96%			






PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
R2 % Council tax previous years arrears collected	9.35%	12.91%	11.28%	18.32%	4.66%	11.71%	16.94%	20.94%	3.38%	6.90%	New for 2014/15 A detailed analysis of overall arrears is being produced to inform a focussed arrears recovery strategy. No plan attached since actions planned to improve performance are discussed and managed through contractual monthly Quality of Service meetings.		
R3 % of Non-domestic Rates Collected ²	32.31%	61.41%	88.04%	95.40%	27.89%	58.57%	84.58%	95.53%	30.75%	27.60%			
R4 Sundry Debtors % of revenue collected against debt raised	N/A	N/A	N/A	N/A	48.23%	66.83%	71.07%	90.05%	62.59%	45.75%	This is now reported as a %, rather than a cash figure.		

Community Services

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL08a Number of Crime Incidents	1,444	1,392	1,351	1,253	1,281	1,403	1,449	1,329	1,312	1,565			
WL_18 Use of leisure and cultural facilities (swims and visits)	286,740	271,371	232,005	311,788	293,167	313,674	243,378	326,547	310,875	280,000	From Q1 2014/15, Community Resource Centre (CRC) data is no longer included. Data from Q1 2012/13 onwards has been restated without CRC to allow comparison with previous performance.		

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Housing & Regeneration

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS1-WL111 % Housing repairs completed in timescale	94.62%	98.18%	98.66%	97.90%	97.20%	96.57%	96.46%	96.68%	96.76%	97.00%	Target for 2014/15 was increased from 95.5%. Current performance would have exceeded the previously set target. Focus remains on improving performance, and this will be reviewed at the next contractor meeting. Head of Service's amber assessment: improvement plan not required.	↓	
HS13-WL114 % LA properties with CP12 outstanding [Lower is Better]	0.01%	0.09%	0.08%	0.11%	0.07%	0.04%	0.01%	0.1%	0.1%	0%	Target based on legal requirement for all eligible properties to have certificate. Reported performance is an average from months in the period and equates to around 6 properties. Improvement plan attached at Appendix B1	↓	
TS1 Rent Collected as a % of rent owed (excluding arrears b/f)	98.02	98.15	98.63	98.41	97.58	97.58	98.25	98.47	99.2%	99.83%	Target for 2014/15 was increased from previous target of 97%. The impact of Welfare Reform and the roll-out date for first tranche of Universal Credit (now September) were unknown when this target was agreed. A direct comparison with previous years is not possible. Data for 2012/13-13/14 is provided for reference only. See note. Head of Service's amber assessment: no improvement plan required.	/ ³	
TS24a-BV212 GN Average time taken to re-let local authority housing (days) - GENERAL NEEDS	21.32	19.70	21.75	29.67	53.61	49.52	58.10	65.74	30.25	28.00	Improvement plan attached at Appendix B2	↑	
TS24b-BV212 SP Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	47.59	73.29	167.57	50.23	29.94	64.73	98.01	62.31	82.04	50.00	Improvement plan attached at Appendix B3	↓	

Planning

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 157a Processing of planning applications: Major applications	55.56%	80.00%	33.33%	80.00%	30.00%	77.78%	54.55%	85.71%	100%	65.00%	A direct comparison with previous years is not possible. Data for 2012/13-13/14 is provided for reference only. See note.	/ ⁴	
NI 157b Processing of planning applications: Minor applications	81.33%	82.09%	73.13%	75.86%	87.50%	84.62%	82.43%	72.15%	74.67%	75.00%	Improvement plan attached at Appendix B4		
NI 157c Processing of planning applications: Other applications	92.53%	92.54%	91.78%	89.23%	91.61%	93.02%	92.99%	84.35%	79.83%	85.00%	Improvement plan attached at Appendix B4		
WL24 % Building regulations applications determined within 5 weeks	79.29%	79.51%	66.20%	73.33%	80.00%	67.09%	75.61%	71.93%	71.58%	70.00%			

Transformation

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL121 Working Days Lost Due to Sickness Absence ⁵	2.26	2.42	2.14	2.31	2.63	2.74	2.88	1.87	1.71	2.02			
BV8 % invoices paid on time	97.46%	96.98%	96.71%	97.82%	97.21%	97.03%	97.75%	96.24%	96.53%	98.24%	Revised guidance was issued to staff at the end of Q1. Head of Service's amber assessment: improvement plan not required.		
WL19b(ii) % Direct Dial calls answered within 10 seconds ⁶	79.20	78.49	78.38	79.47	79.55	80.18	80.49	81.82	82.01	82.21	Head of Service's amber assessment: improvement plan not required.		
WL90 % of Contact Centre calls answered	84.7%	85.7%	88.8%	89.9%	87.3%	93.6%	92.6%	91.3%	93.1%	90.6%			
WL108 Average answered waiting time for callers to the contact centre (seconds)	38.00	46.00	26.00	36.00	47.00	17.00	25.00	34.00	20.00	26.25			

Street Scene

PI Code & Short Name	Q1 2012/13	Q2 2012/13	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Current Target	Comments	Q1 14/15 vs Q1 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg)	121.91	122.3	131.59	116.18	114.84	111.36	140.5	134.38		123.48	Pending confirmation of merchant data by LCC		
NI 192 Percentage of household waste sent for reuse, recycling and composting	51.48%	52.74%	44.17%	40.73%	52.35%	42.16%	39.93%	37.10%		47.58%	Pending confirmation of merchant data by LCC		
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	N/A	.33%	1.00%	N/A ⁷	N/A	.83%	1.67%	.16%	N/A	1.61%	Surveyed three times each year. No data for Q1.	/	N/A
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	N/A	6.49%	3.10%	N/A ⁷	N/A	7.09%	2.70%	2.47%	N/A	7.33%	As for NI195a	/	N/A
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	N/A	.67%	.00%	N/A ⁷	N/A	.33%	.00%	.17%	N/A	1.11%	As for NI195a	/	N/A
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	N/A	0.00%	0.00%	N/A ⁷	N/A	0.00%	0.00%	0.00%	N/A	0.00%	As for NI195a	/	N/A
WL01 No. residual bins missed per 100,000 collections	49.96	63.36	65.40	87.09	64.78	63.54	65.40	134.20	94.91	70.00	Improvement plan attached at Appendix B5		
WL06 Average time taken to remove fly tips (days)	1.18	1.10	1.12	1.05	1.05	1.07	1.08	1.12	1.12	1.09	Head of Service's amber assessment: improvement plan not required.		
WL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%	New for 2014/15	/	

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Notes:

¹ Managed through LCC/BTLS contract. Contractual targets are annual. Quarter targets are provided as a gauge for performance but are not contractual. Proposed annual targets for BTLS SLAs for 2014/15 are: ICT1 Severe Business Disruption (99%); ICT2 Minor Business Disruption (97%); ICT3 Major Business Disruption (97%); ICT4 Minor Disruption (97%); ICT5 Advice and Guidance (97%). B1: Average time to process all item (12 days) ; B2: Overpayment Recovery of Housing Benefit overpayments (£170,000) B3: Benefit Fraud Sanctions & Prosecutions (data only); B4: Benefits Local Authority Error (Below £139,020); R1: Council Tax: Collection Rate Current Year (97.10%); R2 Council Tax: Previous Years Arrears (24.5%); R3: % NNDR Collection rate current year (97.2%); R4: Sundry Debtors (89.1%).

² In line with current good practice, outturns/targets from 2013/14 no longer include a value of 'credit on accounts' resulting in the outturn being lower than if credits were still included. Quarter outturns of 2012/13 are therefore not directly comparable, but data provided for reference/information.

³ For 2014/15, TS1 replaces BV66a with a simplified calculation. A direct comparison with previous years outturn is therefore not possible, but data is provided for reference/information.

⁴ For 2014/15, following updated guidance from DCLG, the 13 weeks period is not counted in those cases where a time extension is agreed with the applicant. A direct comparison with previous years outturn is therefore not possible, but data is provided for reference/information.

⁵ For 2014/15, BV12 is recoded as WL121 since the calculation used was not fully reflective of the BV12 guidance. Calculation for 2014-15 remains the same. From Q3 2012-13 data does not include BTLS seconded staff.

⁶ WL19bii: Direct Dial - from Q1 2012-13 data does not include BTLS seconded staff.

⁷ Data for Q4 2012/13 was collected but not analysed due to a staff vacancy, subsequently filled. However, due to competing priorities this analysis has not taken place.

'NI' and 'BV' coding retained for consistency/comparison although national reporting no longer applies.

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL114: % LA properties with CP12 outstanding
<p>Reasons for not meeting target 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 which requires legal action to enable us to gain access to properties. Whilst the target of 0% is what we are striving for, this will require no properties to be without a current CP12 for the entire year which is very challenging.</p>	
<p>Brief Description of Proposed Remedial Action 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.</p> <p>We will continue to work with and monitor our contractor to reduce the number of properties without a current CP12 and cater for individual tenant needs, including weekend and evening appointments.</p> <p>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.</p> <p>Gas restriction devices on properties with a history of repeat “no access” will continue to be fitted, this device restricts the delivery of gas to the boiler which will prompt the tenant to phone us for access.</p> <p>In addition to the legal processes, we have recently introduced an additional process of intensive contact attempts a week before the expiry of the CP12. We also aim to extend this week long window out during the course of the year to have a longer period of intensive contact attempts before the CP12 expiry to put further downward pressure on the numbers.</p> <p>We will investigate with our legal colleagues the potential to reduce the time taken for legal proceedings to take place.</p> <p>We will assess the impact of shortening our servicing cycle from the current 10 months to ensure that should a tenant refuse access we have adequate time to take legal action and gain access within the 12 month window.</p>	
<p>Resource Implications A small cost is associated with fitting gas restriction devices, which is met from existing budgets.</p>	
<p>Priority High</p>	
<p>Future Targets No change</p>	
Action Plan	
Tasks to be undertaken	Completion Date
Extension to intensive contact period	December 2014
Investigate timescales for legal proceedings	December 2014
Assessment of service cycle	December 2014

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS24a Average time taken to re-let local authority housing (days) - GENERAL NEEDS
Reasons for not meeting target	
<p>Performance has been above target over the last 12 months due to a number of issues; primarily, the backlog of maintenance work due to the increased number of empty homes as a result of placing high cost voids on hold to control spending in 2012/13, the additional work relating to the Kitchen & Bathroom Refurbishment Programmes, and the reduction in demand for some general needs properties across the new town estates, which has meant it is now taking longer to let these property types in these areas.</p>	
Brief Description of Proposed Remedial Action	
<p>Whilst the backlogs have now been cleared, the additional work and subsequent delays associated with the Kitchen & Refurbishment Programme will continue. Three additional contractors have been engaged to assist with workload.</p> <p>Allocations staff continue to take a more proactive approach to promoting and advertising empty homes, and options for offering more flexibility in allocations have been implemented.</p> <p>These actions have so far resulted in significant improvements in performance with relet times reducing from 65 days in Q4 to 30 days this quarter.</p>	
Resource Implications	
Loss of rental income	
Priority	
High	
Future Targets	
No change	
Action Plan	
Tasks to be undertaken	Completion Date
Ensure that all new voids are relet within target.	Ongoing
Work with contractors to minimise delays with kitchen refurbishment works.	Completed
Look at new ways to advertise and promote low demand properties.	Completed
Consider more flexible allocations for lower demand homes	Completed
Release all voids on hold.	Completed

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS24b - Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS
Reasons for not meeting target	
<p>Several long term voids have been relet during the quarter which adversely affects average number of days to relet.</p> <p>For a number of years the council has been experiencing low demand across many of its sheltered housing schemes. The following properties, let in Quarter 1, had been empty for over 6 months due to the lack of demand for sheltered accommodation: 25 Evenwood Ct, 25 Pennington Ct, 88 The Dell, 14 Victoria Ct, 7 Crosshall Ct, 44 Bath Springs Ct. If these properties were excluded from the calculation, relet performance would be 29.79 days for Q1.</p> <p>The Kitchen and Bathroom Refurbishment Programmes have also resulted in inevitable delays in the reletting of those empty properties requiring new kitchens and/or bathrooms.</p>	
Brief Description of Proposed Remedial Action	
<p>Options Appraisals of sheltered schemes have been commissioned.</p> <p>All investment in Category II sheltered schemes will be considered in light of the councils Asset Management Plan.</p> <p>An open day has taken place at Evenwood Court, Tanhouse and further promotional exercises to stimulate demand will be undertaken.</p> <p>Declassification of some additional sheltered schemes has been completed.</p>	
Resource Implications	
Loss of rental income	
Priority	
High	
Future Targets	
Action Plan	
Tasks to be undertaken	Completion Date
Options Appraisals	Ongoing
Asset Management Planning	Ongoing
Promotion of low demand schemes	Complete
Declassification programme	Complete

PERFORMANCE IMPROVEMENT PLAN	
Indicator	NI 157b Processing of planning applications: Minor applications NI 157c Processing of planning applications: Other applications
Reasons for not meeting target	
Two staff members that dealt mainly with these types of planning application left the authority. There was a slight gap before replacement staff commenced employment.	
Brief Description of Proposed Remedial Action	
Fill vacant posts - replacement staff have recently commenced employment with the Council.	
Resource Implications	Nil
Priority	High
Future Targets	
Action Plan	
Tasks to be undertaken	Completion Date
Fill vacant posts	Completed

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL01: missed bins per 100,000 collections
Reasons for not meeting target	
<p>There has been a significant reduction in the number of missed collections from quarter four. During quarter one, the refuse and recycling section carried out the delivery of 8,700 blue bins, which impacted upon service delivery.</p> <p>The service is also awaiting the delivery of a specialised refuse collection vehicle, which will service properties that have an access issues.</p>	
Brief Description of Proposed Remedial Action	
<p>Continue to monitor service performance and investigate if the current improvement does not continue.</p> <p>The manufacturer of the refuse collection vehicle has provided a delivery schedule of December 2014.</p>	
Resource Implications	
None	
Priority	
Medium	
Future Targets	
Continue with existing performance target .	
Action Plan	
Tasks to be undertaken	Completion Date
Weekly performance monitoring	October 2014



AGENDA ITEM: 6(k)

CABINET: 16 September 2014

Report of: Assistant Director Housing & Regeneration / Transformation Manager

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor J Houlgrave

Contact for further information: Ms Alice Cleary (Extn. 5380)
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SUBJECT: UNIVERSAL CREDIT DELIVERY PARTNERSHIP AGREEMENT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To set out details on the introduction of Universal Credit in West Lancashire and the supporting role that the Council can undertake in this process.

2.0 RECOMMENDATIONS

2.1 That delegated authority be granted to the Transformation Manager to enter into a Delivery Partnership Agreement, and any subsequent agreements, with the Department of Work and Pensions (DWP) and other supporting third party organisations to support residents in West Lancashire who claim Universal Credit, including entering into all necessary documentation and obtaining all necessary consents.

2.2 That Call In is not appropriate for this item as this matter is one where urgent action is required because of the timescales involved.

3.0 BACKGROUND

- 3.1 The decision to enter into a Delivery Partnership Agreement with the DWP relates to the Government's Welfare Reform programme with a focus on Universal Credit.
- 3.2 The Welfare Reform Act 2012 introduces a number of changes which fundamentally move towards the introduction of a single UC for working age claimants which replaces and subsumes a number of previous benefit streams into one. UC will replace Income-based Jobseeker's Allowance, income-based Employment and Support Allowance, Income Support, Child Tax Credit, Working Tax Credit and Housing Benefit.
- 3.3 For further detail on Welfare Reform and Universal Credit, reference can be made to the Members' Update that was circulated to Corporate & Environmental Overview & Scrutiny on 10 July 2014.
- 3.4 Universal Credit (UC) is the most significant element of the Government's Welfare Reform agenda. UC was rolled out across 4 'pathfinder' sites in the Northwest of England from April 2013, and the DWP have announced 2 further phases and it is currently expected that West Lancashire will be included from mid-September 2014. Currently only a very limited number of benefit categories have been transferred into UC and it is not expected that full implementation will be achieved before 2017. Consequently it is anticipated that the introduction of UC will initially only affect a limited number of benefit claimants.
- 3.5 The DWP commission each Local Authority (LA) to provide key services to support UC claimants through a Local Support Services Framework (LSSF). The detail of this is included in a Delivery Partnership Agreement (DPA), which outlines four key services:
- Personal Budgeting Support (PBS) – budgeting advice for UC claimants who have been identified as high risk of financial difficulties or a vulnerability.
 - Assisted Universal Credit claims – help with the on line claim where the claimant does not have internet access at home.
 - Council Tax Support (CTS) - processing of CTS claims for UC claimants.
 - Complex Housing Case Support - assistance where there is a query regarding the housing element of UC.
- 3.6 A DPA to deliver these services for the period 15.09.14 to 31.03.15 is being proposed. During this period there will be on-going assessment of the service provided and negotiations for further DPA funding for the following financial year. The DPA follows a standard format that the DWP is looking to agree with all authorities.

4.0 CURRENT POSITION

- 4.1 Following notification of the roll out of UC the Council has engaged with the DWP to understand their expectations of the services provided under a DPA as follows:

- 4.2 PBS – as part of the claim process claimants are asked by the DWP to disclose if they have any financial issues that may affect their ability to manage monthly benefit payments. If they have, then the DWP may make a referral for PBS to the Council. It was felt that there was an existing level of expertise in dealing with customers with financial difficulties within the Council’s housing section and that this element of the service would be best delivered by this service area.
- 4.3 Assisted Internet Claims – all UC claims are processed online through the Gov.uk website. Where a customer does not have access to the internet to make the claim then they can be referred for an assisted claim – this can be simply providing them with access to a PC through to a fully assisted claim where they are personally guided through the claim process.

In order to provide a range of options 2 delivery methods are being proposed / developed (subject to the establishment of a suitable contract framework):

- The Lancashire County Council (LCC) Library service. LCC has a network of 5 libraries across the borough and many residents already use these facilities for internet access. The location of library’s in the rural areas of the borough mean that they are ideally placed to service resident’s needs.
 - Community Centres – there is a network of community centres across Skelmersdale that are able to provide access to the internet to make UC claims. Analysis of benefit claims across the borough shows that there is likely to be higher demand for local support in Skelmersdale, and that residents prefer to use community based facilities rather than those in the town centre. Engagement with the relevant Community Centres has been conducted by the Council’s Housing team and access to the internet has been agreed.
- 4.4 The processing of Council Tax Support for UC claimants and complex housing queries will be managed by BTLs as part of the existing Housing Benefit contract.
- 4.5 The Council’s Legal team have been consulted regarding the terms and conditions of the DPA and any issues highlighted have been addressed

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 There are no significant sustainability impacts associated with this report, and in particular no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 As part of the DPA there are funding streams for each of the four key activities. The Council has worked with the DWP to agree projected volumes for each activity and what the costs of the services are expected to be. The DWP will fund all of the services provided in the DPA, and there will be monthly meetings where expenditure will be monitored.
- 6.2 Additionally there are arrangements for each service provider to supply details of the services they have delivered under the DPA. These will be processed by the

Council's finance service and a monthly invoice will be sent to the DWP that will cover the actual costs of the service provided.

- 6.3 The initial DPA will only last until March 2015, after which it is expected that the DWP will wish to put an updated agreement in place taking into account initial lessons learnt and a range of other factors. Any new agreements will be subjected to the standard due diligence checks e.g. legal and finance review, before they are accepted.

7.0 RISK ASSESSMENT

- 7.1 The Council does not have to enter into this agreement with the DWP. However if it does not then it will make the transition to UC more difficult for benefit claimants and would be at odds with the approach adopted by other local authorities.
- 7.2 The agreement should not involve a high degree of risk for the Council as it will only last for 6 months and all costs incurred should be recoverable from the DWP

Background Documents

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

Equality Impact Assessment

A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account when undertaking the actions detailed within this article.

Appendices

Appendix 1 – Equality Impact Assessment

Appendix 2 - Minute of Landlord Services Committee held on 11 September 2014

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

Appendix 1

1.	<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 recommendations of the report and the alternative options considered have a positive equality impact from entering into this agreement due to ease of access to services, as set out in paragraph 4.3.</p>
2.	<p>What sources of information have you used to come to this decision?</p>	<p>Details of tenants affected by Welfare Reform.</p>
3.	<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>Feedback from staff and customers involved in Welfare Reform and Universal Credit.</p>
4.	<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>This will help our ability to meet our duties under the Equality Act 2010.</p>
5.	<p>What actions will you take to address any issues raised in your answers above</p>	<p>None, the affects will be positive.</p>



AGENDA ITEM: 6(I)

**AUDIT & GOVERNANCE COMMITTEE:
26 June 2014**

CABINET: 16 September 2014

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Ms J Ashcroft (Extn. 2606)
(E-mail: julie.ashcroft@westlancs.gov.uk)**

SUBJECT: FINANCIAL REGULATIONS

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To consider the revision and updating of the Council's Financial Regulations within the Constitution.

2.0 RECOMMENDATION TO AUDIT & GOVERNANCE COMMITTEE

2.1 That the updated set of Financial Regulations attached at Appendix 1 be endorsed and the document reissued to all staff.

3.0 RECOMMENDATION TO CABINET

3.1 That the updated set of Financial Regulations attached at Appendix 1 be endorsed and the document reissued to all staff.

4.0 BACKGROUND

4.1 It is a statutory and regulatory requirement for Councils to have Financial Regulations and Procedures in place that set out the financial arrangements for managing the organisation.

4.2 The Council's Financial Regulations were last updated in 2011, and the changes made at that time included shortening and streamlining the document, bringing it up to date, and ensuring compliance with best practice.

4.3 The new format has been received well by officers and management and the indication is that it has worked well in practice.

5.0 CURRENT REVIEW

- 5.1 In line with the Council's commitment to regularly review its key documents and procedures, a review of Financial Regulations has been undertaken and Appendix 1 provides proposed revisions.
- 5.2 The Budget and Policy Framework, which forms part of the Constitution, was also reviewed as part of this process but no changes were deemed necessary to this document at this time.
- 5.3 The proposed amendments to Financial Regulations largely relate to changes across the Authority since 2011. For example, a new corporate Purchase Order exemption list has been devised and reference is made to this in the 'Ordering and paying for work, goods and services' section. Similarly, a new Payment Requisition form has been devised, with greater controls on authorisation routines, and the same section now makes reference to this also.
- 5.4 There have been changes to Payroll procedures since the partnership with Wigan Council and BTLS and the section on 'Payments to Employees and Members' has been altered to reflect this approach.
- 5.5 A new HRA business plan was introduced in March 2012, which was a fundamental change in the financing of the housing service, and this is reflected in the regulations with a new section included for it within 'Financial Planning'.
- 5.6 Further enhancements and alterations have been made across the document, for example more emphasis on ensuring compliance with data protection and any other updated legislation.
- 5.7 Following this review, the document is now deemed to be accurate and up to date. It is intended that once Members have endorsed the new version of the Regulations, that the Constitution will be updated accordingly and all Members and staff notified of the changes to the Regulations.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 All the activity referred to in this report is covered by existing budget provisions.

8.0 RISK ASSESSMENT

- 8.1 The maintenance of an up to date set of Financial Regulations is necessary to demonstrate compliance with the Council's statutory and regulatory duties, to ensure that the Council is well managed financially and that all relevant staff are aware of their specific financial responsibilities.

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 – Revised Financial Regulations

Appendix 2 – Minute of Audit & Governance Committee 26 June 2014 (Cabinet only)

FINANCIAL REGULATIONS

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SECTION A - FINANCIAL MANAGEMENT AND STANDARDS

1.0 INTRODUCTION

1.1 Financial management covers all the financial responsibilities and accountabilities involved in running the Council. Members and Officers have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by setting out clear standards to work to and ensuring that controls are in place to promote compliance with them.

2.0 FINANCIAL MANAGEMENT STANDARDS

2.1 The key controls for financial management standards are their promotion throughout the Council and a monitoring system to review compliance with them.

2.2 Council, Cabinet and Committees have a role to play in the financial management of the Council as set out in the Constitution. In addition, the respective roles and responsibilities of Officers are also set out in the Constitution, in the Proper Officer Provisions and Scheme of Delegation.

2.3 The Chief Finance Officer (CFO) is responsible for:

- complying with the statutory duties set out in section 151 and 114 of the Local Government Act 1972
- the proper administration of the Council's financial affairs and ensuring that proper professional practices are maintained
- setting financial management standards and monitoring their compliance
- advising on the corporate financial position and on the key strategic controls necessary to secure sound financial management
- providing financial information and advice to enable accurate and timely monitoring and reporting
- reporting potentially unlawful entries, actions and expenditure

2.4 Heads of Service are responsible for:

- ensuring that Cabinet members are advised of the financial implications of all proposals and that the financial implications have been agreed with the CFO
- consulting with the CFO and seeking the necessary Committee approvals before any commitments are made that are liable to affect the Council's finances materially
- promoting and monitoring adherence in their Services to financial standards prescribed by the CFO

3.0 ACCOUNTING POLICIES

3.1 The Chief Finance Officer is responsible for selecting suitable accounting policies and ensuring they are applied consistently in accordance with proper professional practice. These accounting policies will be reviewed and published with the annual financial statements.

3.2 Heads of Service are responsible for promoting and ensuring adherence to these accounting policies and guidelines.

4.0 **MANAGEMENT OF EXPENDITURE AND INCOME**

4.1 The management of expenditure and income is a key control in ensuring that the Council's budget is adhered to and that limited resources are used in the most efficient, economic and effective way. Effective management ensures that once budgets have been approved, resources allocated are used for their intended purposes and are properly accounted for.

4.2 The Chief Finance Officer is responsible for the overall framework of budgetary management and control and has specific duties relating to write-offs, virement, contingency sums and treatment of year end balances.

4.3 Heads of Service are responsible for:

- managing budgets responsibly and prudently
- assigning a Budget Manager for each budget heading who understands their financial responsibilities and ensures that there is adequate provision before any expenditure is incurred
- ensuring that official purchase orders are used to place orders with suppliers and contractors, unless there are exceptional circumstances or the supplier is detailed on the approved exemption list. In cases of exceptional circumstances, e.g. emergency telephone orders, an official purchase order should be raised as soon as practicable after the event to ensure there is a clear audit trail and that the commitment can be recognised for budget monitoring purposes
- ensuring an approved certification process is followed for all expenditure
- ensuring operations achieve financial performance targets
- regular monitoring of income and expenditure to ensure adherence to budgets and identify any fluctuation in income against set targets
- maintenance of effective records for all monies due and instigating effective recovery procedures for non-payment of debts
- regular consultation with assigned Accountants on developing or changing issues throughout the financial year
- taking appropriate corrective action where significant variations from the approved budget are forecast

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5.0 **ACCOUNTING RECORDS AND RETURNS**

5.1 The proper compilation, maintenance and retention of records is one of the ways in which the Council discharges its responsibility for the proper stewardship of public resources.

5.2 The key controls for accounting records and returns are adherence to accounting policies, standards and timetables, the timely and accurate recording of all transactions, material commitments and contracts and other essential accounting information, adequate reconciliation procedures, retention of prime documents and effective back up of records.

- 5.3 The Chief Finance Officer is responsible for determining the accounting procedures and records for the Council.
- 5.4 Heads of Service are responsible for:
- consulting with the CFO before making any changes to accounting records and procedures
 - maintaining adequate records to provide an audit trail from source of income/expenditure through to the accounting statements
 - supplying information required to enable the statement of accounts to be completed
 - separating the duties of providing information about sums due to or from the Council and calculating, checking and recording these sums, from the duty of collecting or paying them
 - ensuring the proper retention of financial records in accordance with the Council's Retention and Disposal schedule

6.0 **ANNUAL STATEMENT OF ACCOUNTS**

- 6.1 The Council has a statutory responsibility to prepare its annual accounts to provide a true and fair view of its operations during the year. These accounts are subject to scrutiny by Members, External Audit and the public. The external audit provides assurance that the accounts are prepared properly and that proper arrangements have been made for securing economy, efficiency and effectiveness in the use of resources.
- 6.2 The Chief Finance Officer is responsible for the proper administration of the Council's financial affairs and the preparation of the statement of accounts in accordance with proper practices. This includes drawing up a timetable for final accounts preparation, the production of supporting working papers and other evidence, reviewing the system of internal control to ensure that it is effective and that financial transactions are lawful and making proper arrangements for the external audit of the accounts.
- 6.3 Heads of Service are responsible for complying with accounting guidance provided by the CFO and supplying information for the statement when required.

SECTION B - FINANCIAL PLANNING

7.0 INTRODUCTION

7.1 Financial planning is the development of effective systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. Preparing a policy framework, comprehensive budgets and robust business and performance plans are the key elements to achieving this. By regular monitoring, the Council can ensure that legal requirements and other relevant government guidelines are met and that variances and spending pressures are identified and dealt with promptly.

8.0 BUDGET AND POLICY FRAMEWORK PROCEDURES RULES

8.1 The Council is responsible for agreeing the Budget and Policy Framework, approving procedures for agreeing variations to approved budgets subject to the delegated virement arrangements, approving plans and strategies forming the policy framework, determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework and setting the level at which the Cabinet may reallocate budget funds from one service to another. The Cabinet is responsible for taking in-year decisions on resources and priorities in order to deliver the budget and policy framework within the financial limits set by the Council.

9.0 THE BUDGET

9.1 The budget is the financial expression of the Council's plans and policies. It must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Council. Budgets are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent.

FORMAT AND PREPARATION

9.2 The Chief Finance Officer is responsible for advising the Cabinet on the format of the budget and ensuring that a revenue budget and capital programme is prepared on an annual basis. The budget format determines the level of detail to which financial control and management will be exercised and must comply with all legal and relevant accounting requirements. The draft budget will include allocation to different services and projects, proposed taxation levels and contingency funds.

9.3 Heads of Service are responsible for ensuring that budget estimates, reflecting agreed service plans, are submitted to the Cabinet and that these estimates are prepared in line with guidance issued by the CFO.

BUDGET SETTING

9.4 The key controls for budget setting are specific budget approval for all expenditure, consultation with budget managers in the preparation of budgets

for which they will be responsible and a monitoring process to review the effectiveness and operation of budget preparation.

9.5 The Chief Finance Officer is responsible for encouraging best use of resources and value for money and advising on the medium term implications of spending decisions.

| 9.6 ~~Also~~ **The CFO is also responsible for** determining the detailed form of revenue estimates and the methods for their preparation, preparing reports on budget prospects, including resource constraints set by the government, and on the aggregate spending plans of Services, the resources available to fund them and implications for the level of council tax to be levied.

9.7 Heads of Service are responsible for:

- preparing estimates of income and expenditure
- preparing budgets which are consistent with the Council's annual budget cycle and with guidelines issued by the CFO
- integrating financial and budget plans into service planning
- having regard to spending patterns and pressures, legal requirements, policy framework requirements and initiatives already underway when drawing up draft budget requirements

MONITORING AND CONTROL

9.8 Budget management ensures that once the budget has been approved by the Council, resources are used for their intended purposes and properly accounted for. Budgetary control is a continuous process enabling the Council to review and adjust its budget targets during the financial year. Variances can be identified quickly and the Council is less likely to overspend.

9.9 The key controls for managing the revenue budget are the nomination of a budget manager for each cost centre who accepts responsibility and accountability for their budgets and understands their financial responsibilities, ensuring adequate processes are in place to record and account for all income and expenditure and that performance levels of their service are monitored regularly in conjunction with the budget and appropriate action taken where necessary to align service outputs and budgets.

9.10 The Chief Finance Officer is responsible for establishing an appropriate framework of budgetary management and control in line with recommended best practice and providing regular reports to both budget managers and Members on the Council's projected income and expenditure compared with the budget.

9.11 Heads of Service are responsible for:

- ensuring an accountable budget manager is identified for each item of income and expenditure

- managing expenditure within the budget allocated i.e. the planned income and expenditure for a service area or 'cost' centre and ensuring budget heads are not overspent (reflecting ~~how presented~~their presentation in the budget book as detailed in the Budget and Policy Framework Procedure Rules)
- ensuring budgets are managed in accordance with virement rules laid down in the Budget and Policy Framework
- taking appropriate corrective action where significant variations from the approved budget are forecast and alerting the CFO of any problems
- ensuring expenditure is committed only against an approved budget head, with an approved certification process and in compliance with relevant guidance and financial regulations
- ensuring all income and expenditure is properly recorded and accounted for
- ensuring an effective monitoring process is in place to review performance in conjunction with the budget
- seeking advice from the CFO on any new proposals that could create financial commitments in future years, change existing policies or affect services

RESOURCE ALLOCATION

- 9.12 A mismatch often exists between available resources (staff, money, equipment, goods and materials) and required resources. It is imperative that needs are carefully prioritised and that resources are fairly allocated in order to fulfil legal responsibilities.
- 9.13 The key controls for resource allocation are that resources are acquired in accordance with the law ~~and~~ using an approved authorisation process and are used only for the purpose intended with the minimum level of waste, loss or inefficiency, properly accounted for and held securely.
- 9.14 The Chief Finance Officer is responsible for advising on methods available for funding of resources and assisting in the allocation of resources to budget managers.
- 9.15 Heads of Service are responsible for working within budget limits, utilising resources in the most efficient, effective and economic way and identifying opportunities to minimise or eliminate resource requirements without having a detrimental effect on service delivery.

THE HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

- 9.16 The HRA Business Plan sets out projections on future expenditure and income for the HRA over the next 30 years. This enables key expenditure and resource issues to be considered in the long term timescale that is required when considering the management and maintenance of the Council's housing stock.
- 9.17 The key controls for the HRA Business Plan are an annual review of the forecasts and projections within the plan and the updating of the forecasts and

projections within the plan so that it can influence and inform the Housing budget that will be agreed by Council

9.18 The Chief Finance Officer is responsible for ensuring that the Business Plan is reviewed and updated on an annual basis as part of the budget setting process for consideration by Members.

9.19 The Assistant Director Housing and Regeneration is responsible for:

- preparing estimates of income and expenditure
- integrating financial and business plans into service planning
- having regard to spending patterns and pressures and legal requirements and initiatives already underway when drawing up projections

THE CAPITAL PROGRAMME

9.16-20 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Council. Capital assets shape the way services are delivered for the long-term and create financial commitments for the future. There are ~~strict government~~prudential and regulatory controls on the financing capacity of the Council which is why capital expenditure must be carefully prioritised in order to maximise the benefit of scarce resources.

9.17-21 The key controls for capital programmes are Cabinet and Council approval of capital scheme budgets, the development of project plans detailing estimates and targets, ~~targets and~~ accountable officers for individual capital schemes and an effective capital programme monitoring system.

9.18-22 The Chief Finance Officer is responsible for ensuring that a capital programme is prepared on an annual basis for consideration by Members, issuing guidance concerning capital schemes and submitting financial monitoring reports to Members on approved programmes.

9.19-23 Heads of Service are responsible for:

- Complying with CFO guidance on capital schemes
- ensuring all capital proposals have undergone a thorough project appraisal
- proceeding with projects only where there is confirmed and adequate provision of resources in the capital programme
- ensuring adequate records are maintained in respect of all capital contracts
- providing information on the progress of capital schemes for inclusion in financial monitoring reports
- ensuring that credit arrangements, including loans and leases, are not entered into without prior approval from the CFO

MAINTENANCE OF RESERVES

9.20-24 The Council must decide the level of ~~general~~ reserves it wishes to maintain before it can decide the level of Council Tax. Reserves are

maintained as a matter of prudence. They enable the Council to provide for unexpected events and thereby protect it from overspending should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

| 9.24-25 The key controls for reserves are maintaining them in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC) and agreed accounting practices and clearly defining the proposed usage and basis of transactions for each reserve established.

| 9.22-26 The Chief Finance Officer is responsible for maintaining and keeping up to date a reserves policy in line with recommended best practice, advising Members on prudent levels of reserves for the Council and ensuring that resources are only used for the purposes for which they were intended.

| 9.23-27 Heads of Service are responsible for recommending to the CFO the setting up of specific earmarked reserves ~~or provisions and managing their reserves in line with the requirements of the reserves policy~~

10.0 **PERFORMANCE PLANS**

10.1 Business and performance plans set out the Council's overall priorities and objectives, planned projects, initiatives and targets, current performance and proposals for further improvement and efficiencies.

- 10.2 The key controls for business and performance plans are that they are produced consistently, on time with accurate, complete and up to date data and with improvement targets that are meaningful, realistic and challenging.
- 10.3 The Chief Finance Officer is responsible for ensuring financial performance information is reported to Members and is available for inclusion in business and performance plans and that effective systems are in place to collect accurate financial information.
- 10.4 Heads of Service are responsible for devising business and performance plans and contributing to the development of initiatives, targets and performance information.

SECTION C - RISK MANAGEMENT & CONTROL OF RESOURCES

11.0 INTRODUCTION

11.1 Robust systems are required for identifying and evaluating all significant operational risks to the Council on an integrated basis. This includes the proactive participation of all those associated with planning and delivering services.

12.0 RISK MANAGEMENT & INSURANCE

12.1 Risk is the chance or possibility of loss, damage or injury or failure to achieve objectives caused by an unwanted or uncertain action or event. By being risk aware the Council is better placed to avoid threats and take advantage of opportunities. A robust risk management system is embedded across the Council to monitor and manage risks and an approved Risk Management Policy and Strategy is in place outlining processes and officer roles and responsibilities.

12.2 The Chief Finance Officer is responsible for promoting the Risk Management Policy and Strategy, reporting on the effectiveness of the risk management system and ensuring adequate insurance cover for all of the Council's activities and employees.

12.3 Heads of Service are responsible for:

- taking responsibility for risk management and adhering to the risk management strategy and policy, including regularly reviewing risks in their service areas
- ensuring that business continuity plans are in place for applicable service areas in case of disasters which could result in significant loss or damage
- notifying the CFO immediately of any loss, liability or damage which may lead to a claim against the Council
- reviewing the annual summary statement of insurance cover and throughout the year notifying the CFO promptly of all new risks, properties, assets or vehicles which require insurance and of any alterations or service changes affecting existing insurances
- consulting the CFO and the Borough Solicitor on the terms of any indemnity which the Council is requested to give
- ensuring that Council employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation which may prejudice the assessment of liability in respect of any insurance claim

13.0 INTERNAL CONTROLS

13.1 Internal control refers to the systems of control devised by management to help ensure the Council's objectives are achieved in a manner which promotes economical, efficient and effective use of resources and ensures statutory obligations are met, risks are managed and the Council's assets and interests are safeguarded.

13.2 Robust internal control systems include adequate and effective financial and operational systems and procedures which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and robust information systems.

13.3 ~~Also-They also incorporate~~ effective managerial control systems which include defining policies, setting objectives, monitoring performance and taking appropriate anticipatory and remedial action. Control systems should be regularly reviewed, including review by Internal Audit.

13.4 The Chief Finance Officer is responsible for assisting the Council in putting in place an appropriate control environment and effective internal controls.

13.5 Heads of Service are responsible for:

- ensuring staff have an understanding of the consequences of a lack of control
- managing processes to check that established controls are being adhered to and to evaluate their effectiveness in the achievement of objectives and management of risk
- reviewing existing controls in the light of changes affecting the Council and establishing and implementing new ones in consultation with the CFO
- ensuring internal control systems comply with all applicable statutes and regulations

14.0 **AUDIT REQUIREMENTS**

INTERNAL AUDIT

14.1 Internal Audit is an independent and objective appraisal function established by the Council for reviewing the system of internal control and is a statutory requirement for Councils. It examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

14.2 The key controls for Internal audit are that it is independent in its planning and operation, the Internal Audit Manager has direct access to management and elected Members and internal auditors comply with the ~~CIPFA Code of Practice for Internal Audit in Local Government~~United Kingdom Public Sector Internal Audit Standards.

14.3 The Chief Finance Officer is responsible for ensuring the independence of the internal audit function and that internal auditors have the authority to access ~~Council premises~~, records (including those of third parties), documentation, Council premises and assets and receive information and explanations deemed necessary for any matter under consideration.

14.4 Heads of Service are responsible for:

- ensuring Internal Audit are given access at all reasonable times to premises, personnel and documentation which they consider necessary for the purposes of their work and are provided with any information and explanations requested
- discussing audit reports and implementing agreed actions in line with deadlines detailed in action plans
- ensuring new systems for maintaining financial records or records of assets, or changes to such systems, are discussed and agreed with the Internal Audit Manager before implementation

EXTERNAL AUDIT

- 14.5 All large public sector organisations are subject to external audit. The external auditor has rights of access to all documents and information which are necessary for audit purposes and their objectives are to review and report upon the financial implications of corporate governance arrangements, the financial statements and accounts and ~~certain aspects of value for money arrangements.~~ to manage performance.
- 14.6 The Chief Finance Officer is responsible for ensuring that external auditors are given appropriate access, ensuring effective liaison between External and Internal Audit and advising staff and members on their responsibilities in relation to external audit.
- 14.7 Heads of Service are responsible for ensuring records and systems are up to date and available for inspection and that External Audit are given appropriate access to them.

15.0 PREVENTING FRAUD AND CORRUPTION

- 15.1 The council will not tolerate fraud, corruption, bribery or malpractice in the administration of its responsibilities and to prevent this has an Anti Fraud, Bribery and Corruption Policy and Anti-Money Laundering Policy in place detailing processes and officer roles and responsibilities.
- 15.2 The Chief Finance Officer is responsible for developing, maintaining and promoting both policies and ensuring all irregularities are reported and investigated appropriately.
- 15.3 Heads of Service are responsible for ensuring awareness of and adherence to the policies, instigating action under the Council's disciplinary procedures where necessary and ensuring the registers of external activity and gifts and hospitality is-are up to date in line with the procedure laid down in the Officer Code of Conduct and that all staff under their control report all instances of suspected fraud immediately in accordance with approved procedures.

16.0 STAFFING

- 16.1 In order to provide a good service, the Council must recruit and retain high calibre, knowledgeable and qualified staff in line with its recruitment and selection process.
- 16.2 The key controls for staffing are having an appropriate staffing strategy and policy in place, procedures for forecasting staffing requirements and cost, ensuring staff time is used efficiently and adequate checks are undertaken on staff prior to appointment.
- 16.3 The Chief Finance Officer is responsible for ensuring that budget provision exists for all existing and new employees.
- 16.4 Heads of Service are responsible for providing information to the CFO to ensure appropriate budgets for staffing, ensuring the staffing budget is an adequate forecast of staffing levels and ensuring adequate control over such costs as sickness, overtime, training and temporary staff. Staffing budgets must not be exceeded without due authority and must be managed to enable the agreed level of service to be provided.

17.0 **ASSETS**

- 17.1 The Council holds assets in the form of land, property, vehicles, equipment, furniture, information and other items worth significant sums of money.

SECURITY

- 17.2 It is important that assets are safeguarded and used efficiently in the delivery of services and that there are arrangements for the security of assets and information required for service operations.
- 17.3 The key controls for the security of assets are the maintenance of an up to date asset register, staff awareness of their responsibilities with regard to safeguarding assets, robust information ~~and computer~~ systems and compliance with the Council's ~~computer and internet security policies~~[ICT Security Policy](#).
- 17.4 The Chief Finance Officer is responsible for ensuring that an asset register is maintained for all ~~fixed long term~~ assets with a value in excess of ~~£520,000~~ and assets are valued in accordance with recommended best practice ~~so that this information can be incorporated into the statement of accounts~~.
- 17.5 Heads of Service are responsible for:
- maintaining a database for all significant properties, plant and machinery and moveable assets currently owned or used by the Council
 - ensuring lessees and other prospective occupiers of Council land and buildings are not permitted to take possession until a lease or agreement has been established and the form of lease should be agreed with the CFO and Borough Solicitor where appropriate

- ensuring adherence to building security procedures, the safe custody of all vehicles, equipment, furniture, stock, keys and any other property and reporting any loss or theft immediately to the CFO
- ensuring that no Council asset is subject to personal use by an employee without proper authority
- ensuring that any use of property or establishment by a section other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use
- passing title deeds to the Borough Solicitor.
- ensuring all suspected security incidents are reported appropriately and consulting with the CFO where security is thought to be defective or where it is considered that special security arrangements may be required
- arranging for the valuation of assets for insurance and accounting purposes
- ensuring access to all systems is appropriately restricted, network security procedures are adhered to and that computer usage is in line with the ICT Security Policy
- ensuring that all employees are aware of their personal responsibility with regard to ~~the protection and confidentiality of information~~ data protection legislation and the Council's Data Protection Policy
- maintaining inventories of all items over £100 including item description, location and value and ensuring attractive and portable items are appropriately marked and insured
- undertaking an annual check of inventories and stocks and taking action in relation to surpluses or deficiencies
- investigating and removing from the Council's records discrepancies as required and obtaining appropriate approval to do so where necessary

DISPOSAL

- 17.6 Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and ~~regulations~~ guidance of the Council. Assets should only be disposed of when it is in the best interest of the Council and best price must be obtained for disposals bearing in mind other factors, such as environmental issues. For items of significant value, disposal should be by competitive tender or public auction.
- 17.7 The Chief Finance Officer is responsible for providing guidance on disposals or part exchange of an asset and ensuring appropriate accounting entries are made.
- 17.8 Heads of Service are responsible for seeking advice from the CFO on the disposal of surplus or obsolete materials, stores or equipment where appropriate and ensuring that any income received is properly accounted for. The proposed sale of land, buildings or other significant assets must be discussed with the CFO prior to disposal.

18.0 TREASURY MANAGEMENT

- 18.1 To provide assurances that money is properly managed in a way which balances risk with return the Council has adopted and adheres to the CIPFA

Code of Practice on Treasury Management in the Public Services. As the cornerstones for effective treasury management, the Council has in place an approved Treasury Management Policy Statement and Treasury Management Practices. The statement outlines the policies, objectives and approach to risk management of its treasury management activities and the practices set out the manner in which the Council will seek to achieve those objectives and how it will manage those activities.

18.2 The Chief Finance Officer is responsible for:

- the execution and administration of treasury management decisions and acting in accordance with the policy statement and practices and the CIPFA Standard of Professional Practice on Treasury Management
- providing Council with reports on treasury management including an Annual Strategy and Plan and a Mid-year review
- providing regular reports to the Audit & Governance committee for effective scrutiny of treasury management strategies and policies
- ensuring the Council's activities comply with the policy statement and practices

18.3 Heads of Service are responsible for;

- following any instructions on banking issued by the CFO, ensuring loans are not made to third parties and that interests are not acquired in companies, ventures or other enterprises without consultation with the CFO and approval of the council
- ensuring all trust funds are operated within relevant legislation and the specific requirement for each trust
- arranging, where funds are held on behalf of third parties, for their secure administration and the maintenance of all detailed records of transactions in consultation with the CFO

SECTION D – SYSTEMS AND PROCEDURES

19.0 INTRODUCTION

19.1 Sound systems and procedures are essential to an effective framework of accountability, governance and control. Various systems and procedures are used across the Council to control its assets. These should be well managed with controls to ensure that transactions are properly processed and errors minimised and detected promptly. The financial management information they contain must also be accurate.

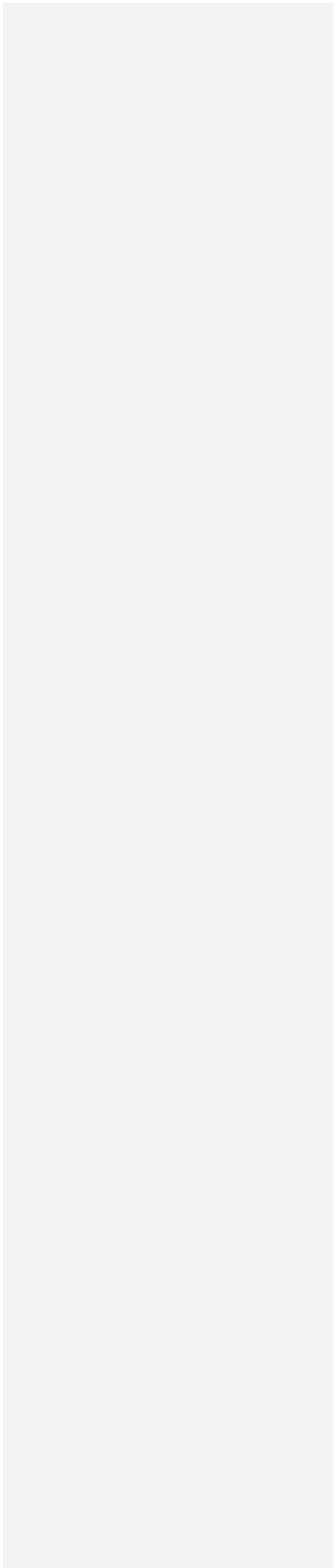
20.0 SYSTEMS AND PROCEDURES

20.1 The key controls for systems and procedures are that robust data exists to enable the Council's priorities, budgets and plans to be formulated, performance is communicated to the appropriate managers on an accurate, complete and timely basis, operating systems and procedures are secure and early warning is provided of deviations from targets, plans and budgets that require management attention.

20.2 The Chief Finance Officer is responsible for ensuring that the council's financial systems are sound and must agree any new financial systems or changes made to existing ones.

20.3 Heads of Service are responsible for:

- ensuring accounting records are properly maintained and held securely and that sound financial processes are in place
- ensuring financial documentation is managed in accordance with the Council's Retention and Disposal Schedule
- ensuring all financial transactions have an adequate audit trail from original document to the accounting records and vice versa
- incorporating appropriate system controls so that input is genuine, complete, accurate, timely and not previously processed, all processing is carried out in an accurate and timely manner and data from the system is complete, accurate and timely ~~in line with the Council's Data Quality Strategy and meets the standards of the Data Quality Protocol~~
- ensuring an appropriate segregation of duties is in place for all systems
- ensuring systems and procedures are documented and staff are well trained in operations
- ensuring business continuity plans are in place for appropriate service areas
- consulting with the CFO and informing Internal Audit before changing systems or introducing new ones
- establishing a scheme framework of delegation identifying officers authorised to act on their behalf in respect of payments, income collection, placing orders and entering into contracts, including variations, and showing the limits of their authority
- supplying and keeping up to date lists of authorised officers, with specimen signatures and delegated limits/roles, to the CFO, ~~Internal Audit~~ and Revenues and Payments, ~~together with any subsequent variations~~



- ensuring staff comply with the ICT ~~documents~~ Security Policy and Anti-Phishing, paying particular attention to back-up procedures, copyright and data protection

21.0 **INCOME**

21.1 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all of the income due to the Council is identified, collected, receipted, banked and accounted for properly. Wherever possible, income should be obtained in advance of supplying goods or services to aid cash flow and avoid the time consuming and costly administration of debts.

21.2 The key controls for income are the identification of all income due, effective charging and collection policies, effective recovery action and write off procedures, appropriate retention of income documents and reconciliations of money collected to the Council's financial systems and bank account.

21.3 The Chief Finance Officer is responsible for approving arrangements and procedures for the collection of income and ~~administering~~ the write off of bad debts, including their appropriate accounting treatment and referring large sums write offs over £5,000 to Cabinet for approval, where appropriate, in line with the Scheme of Delegation to Chief Officers.

21.4 Heads of Service are responsible for:

- ensuring there is an appropriate and effective set of procedures, systems and documentation in place for the collection of income
- ensuring bills are correctly calculated and served in a timely manner
- regularly reviewing fees and charges, including VAT requirements, for the supply of goods and services
- complying with the Fees and Charges policy
- ensuring discounts or exemptions are applied correctly and consistently and that any system parameters relating to fees and charges are set correctly in line with agreed levels
- ensuring any refunds and credits are applied correctly and consistently
- ensuring an adequate separation of duties between identifying amounts due and collection and reconciliation
- monitoring income and debt levels, establishing and initiating appropriate recovery procedures for unpaid debt and complying with the Corporate Debt Recovery Policy
- issuing receipts or other ~~appropriate~~ approved documentation for income collected
- ensuring ~~two employees are present during post opening~~ there are appropriate arrangements in place so that any income received by post is properly identified and recorded
- ensuring income collection documentation is managed in accordance with the Council's Retention and Disposal schedule
- ensuring income is paid promptly into the Council's bank account in full, with details recorded on paying-in-slips where required

- ensuring payments are immediately and correctly posted to individual accounts or funds
- ensuring there is regular reconciliation of income collected and deposited with bank statements
- ensuring the CFO is aware of all sums due to the Council
- ~~writing off debts which are deemed to be irrecoverable up to a limit of £5,000, or nominating an officer to be authorised to do so (such officers must be included on the authorised signatories list held by Revenues and Payments and Internal Audit should also be informed in advance of any proposed changes) after consultation with the CFO, or seeking Cabinet approval for write off of debts in excess of the approved limit.~~
- consulting with the CFO on the appropriate process for the write off of any debts over £5,000
- accurate records of all write offs must be retained in line with the Council's Retention and Disposal schedule
- notifying the CFO of outstanding income relating to the previous financial year as soon as possible after 31 March

22.0 **EXPENDITURE**

ORDERING AND PAYING FOR WORK, GOODS AND SERVICES

- 22.1 Public money should be spent with demonstrable probity and in accordance with the Council's policies. All purchasing should seek to achieve and evidence value for money. These regulations should be read in conjunction with the Council's Contracts Procedure Rules, Procurement Practice Notes, Purchasing Rules, Purchasing system instruction manual and Invoice processing instructions
- 22.2 The key controls for ordering and paying for work, goods and services are compliance with the Council's purchasing instructions and contract procedures rules, goods and services ordered, authorised and checked only by appropriate persons, management of transaction and payment documents in line with the Retention and Disposal schedule and accurate recording of expenditure, including VAT, in the accounts. Making payments to the correct person, for the correct amount and only where goods have been received to the correct price, quantity and quality standards are also key controls along with effective processes for the security and integrity of all data.
- 22.3 The Chief Finance Officer is responsible for ensuring that there are sound procedures in place for ordering goods and services and incurring expenditure, approving ~~the form of official orders and associated~~ any amendments to the terms and conditions of the Council's official e-purchasing ordering template, making payments from the Council's funds following appropriate authorisation, providing advice on the most economical payment methods and ensuring that a budgetary control system is established which enables commitments to be taken into account in budget monitoring reports.
- 22.4 Heads of Service are responsible for:

- ensuring all staff are aware of their responsibility to declare any links or personal interests they have with purchasers, suppliers and contractors in line with the Officers Code of Conduct
- ensuring that official orders are issued for all work, goods or services to be supplied to the Council at the time commitments are incurred (except for ~~supplies of utilities, periodic payments such as rent or rates, transactions covered by contract or agreement and petty cash purchases~~ the approved exceptions contained on the official Exemption list). All purchase orders are to be raised through the Civica electronic purchasing system in accordance with the Council's purchasing instructions and standard terms and conditions (except for those transactions ~~covered by~~ secured through housing maintenance contracts which may be processed through the housing maintenance order system or other exceptions agreed by the CFO)
- ensuring orders are only used for goods and services provided to the Council. Individuals must not use official orders to obtain goods or services for their private use, nor must personal or private use be made of Council contracts
- ensuring value for money is achieved by obtaining and demonstrating recording competitive prices for goods and services of the appropriate quality in line with CFO guidance and contract procedure rules
- ensuring all procurement complies with contract procedure rules and procurement practice notes
- agreeing with the CFO the financial aspects of a contract where appropriate
- ensuring only those staff they have nominated can raise and authorise orders through the Civica purchasing system and that these names, ~~together with the limits of their authority,~~ are provided to the Purchasing and Land Charges Manager, the CFO and, Revenues and Payments ~~and Internal Audit~~ together with any subsequent variations
- ensuring officers authorising orders are satisfied that goods and services ordered are appropriate and needed, that there is adequate budgetary provision and that contract procedure rules have been complied with
- ensuring there is an adequate separation of duties in the ordering, ~~authorising,~~ receiving, checking and authorisation for payment of goods and services e.g. the authoriser of an invoice is a different officer to the person who authorised the order and who checked the invoice
- ensuring that goods and services are checked on receipt to verify that they are in accordance with the order and where appropriate entered on inventories or stock records
- supplying lists of officers authorised to sign invoices, with specimen signatures ~~and delegated limits,~~ to the CFO, ~~Internal Audit~~ and Revenues and Payments, together with any subsequent variations
- ensuring the treatment of invoices is compliant with the Invoice processing instructions and that VAT is treated correctly
- ensuring payment is only made where a VAT invoice has been received, checked, coded (where appropriate) and certified for payment
- ensuring payments are not made on a photocopied or faxed invoice or statement or other document other than the formal invoice, unless there is an adequately documented reason for doing so. Details of these circumstances should be reported to the Internal Audit Manager

- ensuring Payment Requisition forms are only used in appropriate circumstances, i.e. where payment by invoice is not viable, and that they are signed in accordance with authorised signatory lists
- ensuring all payment records are managed in accordance with the Retention and Disposal schedule
- encouraging suppliers to receive payment by the most economical means. Payments made by direct debit must be supported by documented prior approval from the CFO valid documentation and appropriately authorised
- ensuring that loans, leasing or rental arrangements are not entered into without prior agreement from the CFO
- notifying the CFO of outstanding expenditure relating to the previous financial year as soon as possible after 31 March
- notifying the CFO immediately of any expenditure to be incurred where there is no budgetary provision e.g. as a result of statute/court order

IMPREST ACCOUNTS

- 22.5 Cash imprest accounts are provided to meet minor expenditure. Minor items of expenditure should not exceed the prescribed amounts and the same standard of record keeping should be maintained as for any other type of expenditure.
- 22.6 The Chief Finance Officer is responsible for providing employees with cash imprest accounts, ~~reimbursing when necessary~~ and maintaining a record of these, reimbursing when necessary, prescribing rules for their operation, including classes of expenditure which may not be processed through petty cash, determining petty cash limits and rules to ensure the safe custody and control of these advances.
- 22.7 ~~Service Heads~~Heads of Service are responsible for ensuring employees operating an imprest account record transactions promptly, obtain and retain vouchers to support each payment and where appropriate obtain a VAT ~~invoice~~receipt, hold the imprest securely, reconcile and balance the account at least monthly and provide the CFO with a certificate of the value of the account held at 31 March each year.
- 22.8 Also upon demand be able to produce cash and vouchers to the total value of the imprest amount, never use the float to cash personal cheques or to make personal loans, only pay reimbursements or change into the account and on ceasing to hold an imprest advance, account to the CFO for the amount advanced together with the balance to be paid back in.

HOUSING AND COUNCIL TAX BENEFITS AND COUNCIL TAX SUPPORT

- 22.9 Housing ~~and Council Tax~~ benefits and Council tax support are a significant area of expenditure for the Council and due care and diligence is required in their administration to ensure a secure and efficient service is provided, claimants are paid correctly and cases of fraud are minimised.

22.10 The key controls for ~~the payment of benefits~~this area are robust identification and verification procedures, compliance with current benefit legislation, trained staff and quality control checks, robust anti-fraud procedures and an effective computer system.

22.11 The Chief Finance Officer is responsible for reviewing ~~benefit~~ systems and procedures to ensure sound and effective controls are in place and for ensuring that reconciliations are completed between relevant financial systems.

22.12 The Transformation Manager is responsible for managing the contract with our service provider and for:

- ensuring identity details and circumstances are checked and verified prior to payment of a claim
- ensuring all new staff are adequately trained and that regular refresher sessions are provided for existing staff, particularly on the implementation of new legislation
- ensuring staff are alert to the possibilities of fraudulent claims
- ensuring all payments comply with current benefit legislation and that all tapers, rules and allowances are set correctly within the computer system
- ensuring the correct benefit amount is paid to the correct person
- ensuring benefits are not overpaid
- in consultation with the CFO, ensuring adequate ~~cheque~~ controls are in place on payments and that benefit payments are not duplicated
- ensuring all benefit payments are properly recorded and accounted for
- ensuring records are robust so that the correct subsidy is claimed
- ensuring all documentation and information is retained in line with the Council's Retention and Disposal schedule
- ensuring access to the Benefits and Council Tax systems is restricted, properly password protected and that adequate contingency measures are in place should a system failure occur

PAYMENTS TO EMPLOYEES AND MEMBERS

22.13 Staff costs are ~~the largest~~large item of expenditure for most council services. It is important that payments are accurate, timely, made only when they are due for services to the Council and accord with individual's conditions of employment. All payments should be accurately and completely recorded and accounted for.

22.14 The key controls for payments to employees and Members are compliance with HM Revenues & Customs regulations, compliance with the Retention and Disposal scheme, use of approved properly authorised prime documents to initiate payments and frequent reconciliations of payroll expenditure against approved budgets and control accounts and payroll system data. Also submission of timesheets and claim forms where appropriate, proper authorisation procedures and adherence to starter and leaver procedures and the Council's harmonisation and single status document and contracts of employment.

22.15—The Chief Finance Officer is responsible for ~~ensuring effective payment reviewing~~ systems and procedures to ensure sound and effective controls are in place, completing regular reconciliations of payroll data and monitoring payroll holding accounts. ~~The Transformation Manager is responsible for the secure and reliable payment of all monies due to staff, the accurate and timely administration of all deductions and the local administration of the superannuation scheme.~~

22.16 The Transformation Manager is responsible for managing the Payroll contracts with our service providers and for:

- ensuring the secure and reliable payment of all monies due to staff and Members
- the accurate and timely administration of all deductions including income tax, national insurance and superannuation contributors
- the local administration of the superannuation scheme
- ensuring that the correct amounts are paid to the correct individuals in line with contracts and conditions of employment
- compliance with HM Revenues and Customs regulations and any other legislator/regulatory requirements
- use of approved, properly authorised documents to initiate, amend or terminate payments

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22.~~16~~-17 Heads of Service are responsible for:

- ensuring appointments are made in accordance with Council regulations and the recruitment and selection policy
- notifying Human Resources of appointments, terminations or variations which may affect the pay, pension or contract of employment of an employee or former employee
- certifying travel and subsistence claims and other allowances in accordance with the rules contained in the Harmonisation and Single Status Document
- nominating officers authorised to sign claim forms and timesheets and providing specimen signatures to the CFO, ~~Internal Audit and Revenues and Payments~~ and Human Resources section in advance, together with any subsequent variations
- ~~ensuring adequate and effective systems and procedures are operated so that payroll transactions are processed only through the payroll system, payments are only authorised to bona fide employees and only made where there is a valid entitlement and conditions and contracts of employment are correctly applied~~

seeking advice from the CFO on the payment of self-employed consultants in advance of their appointment

- ensuring payroll documentation is managed in accordance with the Retention and Disposal schedule

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23.0 TAXATION

- 23.1 The Council is responsible for ensuring its tax affairs are in order as penalties for incorrect accounting are severe. It is important that all officers are aware of their role.
- 23.2 The key controls on taxation are that budget managers are kept abreast of tax issues and aware of their record keeping responsibilities, all taxable transactions are identified, properly calculated and accounted for within stipulated timescales and returns are made to the appropriate authorities within stipulated timescales.
- 23.3 The Chief Finance Officer is responsible for the Council's administration of VAT, completing VAT returns for HM Revenues and Customs and ensuring the VAT manual is up to date. The Transformation Manager is responsible, through our service providers, for completing all HM Revenues and Customs returns regarding PAYE and providing details of the ~~Construction Industry Tax Deduction (CITD) scheme~~ Construction Industry Scheme (CIS), receiving tax credits and maintaining tax records.
- 23.4 Heads of Service are responsible for:
- ensuring compliance with the Council's VAT manual and any periodic VAT instructions
 - ensuring the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HM Revenues and Customs regulations
 - ensuring contractors fulfil the necessary ~~Construction Industry Tax Deduction~~ CIS requirements
 - ensuring all payments relating to persons arising from their employment by the Council are processed through the payroll system and that tax is deducted from any payments appropriately

SECTION E – EXTERNAL ARRANGEMENTS

24.0 INTRODUCTION

24.1 The Council provides a leadership role for the community and brings together the contributions of various stakeholders. It also actively seeks to promote and improve the economic, social and environmental well-being of its area. In doing so it will comply with all relevant regulatory regimes, for example [E.U.](#) State Aid and competition law requirements.

25.0 PARTNERSHIPS

25.1 Partnerships play a key role in delivering community strategies and contributing to the well-being of the area. They also provide new ways to share risks, access new resources and new and better ways of delivering services. The Council has a comprehensive Protocol for Partnership Arrangements. This outlines officer and partner responsibilities and provides a checklist of all necessary requirements before entering into a partnership, during it and following its cessation.

25.2 The Chief Finance Officer is responsible for advising on effective controls ~~which will~~to ensure that resources are used efficiently and effectively and the key elements of funding a project, ensuring accounting arrangements are satisfactory and promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council.

25.3 Heads of Service are responsible for:

- adhering to the Protocol for Partnership Arrangements before embarking on any partnership agreement, ensuring a risk management appraisal is undertaken and obtaining appropriate approvals
- ensuring partnerships do not impact adversely on Council services
- providing appropriate information for the statement of accounts
- maintaining all contract documentation in line with Rule 16 of the Council's Contract Procedure Rules
- ensuring partners are aware of their obligations with regards to confidentiality, conflicts of interests, communication and financial and contract responsibilities

26.0 EXTERNAL FUNDING

26.1 External funding is potentially an important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with Council objectives and that financial liabilities do not remain with the Council at the end of projects. Some funding is linked to tight specifications and may not be sufficiently flexible to link to the Council's overall plan.

26.2 The key controls for external funding are ensuring conditions of funding and statutory requirements are complied with, responsibilities of the accountable body are clearly understood, funds are acquired only to meet the Council's

priorities and that any match funding requirements are given due consideration prior to entering into agreements and that future revenue budgets reflect these requirements.

26.3 The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the accounts, audit requirements are met and that match funding requirements are considered.

26.4 Heads of Service are responsible for ensuring that appropriate authorisations are obtained, claims for funds are made by the due date, that projects progress in accordance with agreed timescales and that all expenditure is properly incurred and recorded. There should also be clear plans or an exit strategy in place to ensure the Council is not left burdened with unfunded liabilities.

27.0 **WORKING FOR THIRD PARTIES**

27.1 Current legislation enables the Council to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risks associated with this work is minimised and that such work is intra vires.

27.2 The key controls for working for third parties are ensuring that proposals are costed properly, formal approval processes are adhered to and that contracts are drawn up in accordance with proper practices.

27.3 The Chief Finance Officer is responsible for providing guidance with regard to the financial aspects of third party contracts.

27.4 Heads of Service are responsible for:

- ensuring appropriate approvals are obtained before any obligations are ~~concluded~~entered into to work for third parties
- maintaining a register of all contracts entered into and ensuring all contracts are properly documented
- ensuring appropriate insurance arrangements are made
- ensuring the Council is not put at risk from any bad debts
- ensuring contracts are not subsidised by the Council
- ensuring appropriate expertise exists to undertake the contract
- ensuring contracts do not impact adversely on the Council's services
- providing appropriate information for the statement of accounts

Agenda item 6(l)

Financial Regulations

MINUTE OF AUDIT AND GOVERNANCE COMMITTEE HELD ON 26 JUNE 2014

11. FINANCIAL REGULATIONS

Consideration was given to the report of the Borough Treasurer, as contained on pages 65 to 94 of the Book of Reports, on the revision and updating of the Council's Financial Regulations within the Constitution.

RESOLVED That the updated set of Financial Regulations attached at Appendix 1 of the report be endorsed and the document reissued to all staff.