



ARTICLE NO: 1A

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE:**

**MEMBERS UPDATE 2013/14
ISSUE: 4**

Article of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor Sudworth

**Contact for further information: Mrs J A Ryan (Extn 5017)
(E-mail: jill.ryan@westlancs.gov.uk)**

**SUBJECT: MINUTES OF LANCASHIRE COUNTY COUNCIL'S HEALTH SCRUTINY
COMMITTEE**

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1** To keep Members apprised of developments in relation to Health Overview and Scrutiny in Lancashire.

2.0 BACKGROUND AND CURRENT POSITION

- 2.1** The Health and Social Care Act (2001), subsequently superseded by the National Health Service Act 2006 and the Health and Social Care Act 2012, extended the powers of Overview and Scrutiny Committees of local authorities responsible for social services functions to include the power to review and scrutinise matters relating to the health service in their areas.
- 2.2** The Health Scrutiny Committee at Lancashire County Council exercises the statutory functions of a health overview and scrutiny committee. The Membership of the Committee includes twelve non-voting Co-opted district council Members, West Lancashire's representative is Councillor Mrs Stephenson.
- 2.3** To ensure that Members receive regular updates on the work being undertaken by the Committee and to provide an opportunity to feed back

any comments via the Council's representative, a copy of the County Council's Health Scrutiny Committee minutes are attached.

3.0 SUSTAINABILITY IMPLICATIONS

3.1 There are no significant sustainability impacts associated with this update.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 There are no financial and resource implications associated with this item except the Officer time in compiling this update.

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

Minutes of the Health Scrutiny Committee

1. 3 December 2013
2. 14 January 2014

Lancashire County Council

Health Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 3 December, 2013 at 10.30 am
in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

Present:

County Councillor Steven Holgate (Chair)

County Councillors

M Brindle	A James
D Clifford	A Kay
Mrs F Craig-Wilson	Y Motala
G Dowding	M Otter
N Hennessy	N Penney
M Iqbal	B Yates

Co-opted members

Councillor Julia Berry, (Chorley Borough Council Representative)
Councillor Paul Gardner, (Lancaster City Council Representative)
Councillor Bridget Hilton, (Ribble Valley Borough Council Representative)
Councillor Liz McInnes, (Rossendale Borough Council Representative)
Councillor Mrs D Stephenson, (West Lancashire Borough Council Representative)
Councillor Betsy Stringer, (Burnley Borough Council Representative)
Councillor M J Titherington, (South Ribble Borough Council Representative)
Councillor David Whalley, (Pendle Borough Council Representative)
Councillor Dave Wilson, (Preston City Council Representative)

County Councillor D Clifford replaced County Councillor B Murray for this meeting.

1. Apologies

Apologies for absence were presented on behalf of Councillors Brenda Ackers (Fylde Borough Council) and Julie Robinson (Wyre Borough Council).

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

3. Minutes of the Meeting Held on 22 October 2013

The Minutes of the Health Scrutiny Committee meeting held on the 22 October 2013 were presented

Resolved: That the Minutes of the Health Scrutiny Committee held on the 22 October 2013 be confirmed and signed by the Chair.

4. Complaints and Customer Feedback Annual Report

The report explained that the production of the Annual Complaints and Customer Feedback Report was a longstanding statutory requirement. It contained statistical information, analysis and learning for the organisation in relation to adult social care complaints, comments and compliments received from 1 April 2012 to 31 March 2013.

Angela Esslinger, Strategic Development Manager, Directorate for Adult Services, Health and Wellbeing, used a PowerPoint presentation to draw out the key points. It identified trends, summarised the headlines and key statistics for the year, and learning from complaints and customer feedback. A copy of the presentation is appended to these minutes.

Members raised a number of comments and questions and the main points are summarised below:

- In response to a request for examples how systems, procedures and social work practices had changed in response to feedback, the Committee's attention was drawn to case studies contained in the report. It was difficult to demonstrate specific changes as a result of feedback, but the Multi Agency Safeguarding Hub (MASH) was one example of something that had been introduced in response to feedback.
- It was suggested that changes in the attitudes of some of those involved in social care was an important factor and a question was asked about how distinctions were drawn between lapses in protocols and procedures, and where there is a training need. In response, it was explained that the designated complaint officers who 'signed off' complaints following investigation were heads of service in social work practice. They commissioned training in complaint investigation and training to improve the way in which social work was undertaken.
- It was acknowledged that comments and complaints provide a useful diagnostic tool, however it was felt that the current questionnaire, which had been circulated round the meeting for information, needed re-wording into everyday language that was clear and easy for people to understand.

It was confirmed that this had already been recognised and the form was currently being reviewed.

- Members were informed that the county council was continually reviewing the way in which information was captured and increasingly trying to capture feedback in 'smarter' ways such as via the internet. The way in which information was measured was also subject to change. This was in the context of budget pressures and reducing resources which had led to the loss of a number of experienced staff.
- It was confirmed that if a completed feedback form indicated that the respondent wanted their 'comments to be treated as a complaint' then it would be recorded and treated as such.
- Sometimes the completed forms included comments about other services, for example about the Health Service and these would be followed up.
- In terms of being proactive at picking up issues, it was explained that the Personal Social Care Team were best placed. It was explained that complaints could often involve a number of agencies, which could sometimes present a challenge. There were joint protocols and whichever agency had the main role in the complaint would normally take it forward.
- It was noted from the report that a project had been commissioned because the number of joint complaints had quadrupled from 5 in 2011/12 to 21 complaints in 2012/13 and many of these complaints had been about hospital discharge processes. The Chair asked that this Committee be sent a copy of the report when available.

Resolved

That the Health Scrutiny Committee,

- (i) Receive the Adult Social Care Complaints and Customer Feedback Annual Report 2012/13 and acknowledge the associated learning from customer feedback for the past year; and
- (ii) Agree that the Adult Social Care Complaints and Customer Feedback Annual Report for 2012/13 can be shared as a public document.

5. Report of the Care Complaints Task Group

The report explained that at the Health Scrutiny Committee Steering Group meeting on 10 January 2012 members had met with Pendle Councillors David Whalley and Graham Roach together with their Scrutiny Officer Kath Haydock to receive a presentation of a report on a scrutiny review they had recently undertaken entitled "Scrutiny Review of the Welfare of Elderly People in Care Homes".

One of the conclusions of the report produced by the Pendle scrutiny review identified that:

'Further clarification is needed in respect of the complaints procedure so that improvements aimed at ensuring the swift resolution of complaints and concerns can be considered'

A discussion between members highlighted that there were a number of issues that merited further investigation and these were set out in the report.

As a direct result of these discussions the Steering Group of the Health Scrutiny Committee requested that a County Council task group be established, with the co-operation of two District Council members (one of these from Pendle Borough Council), to look into these issues in more detail and on a county-wide footprint. A request to establish a task group was submitted to the Scrutiny Committee, and this was approved at the meeting held on 14 September 2012.

The report of the task group's investigation, 'Care Complaints' including conclusions and recommendations was attached as Appendix A to the report now presented by its Chair, County Councillor Chris Henig.

In presenting the report County Councillor Henig thanked Wendy Broadley, Principal Scrutiny Officer for her support during the process.

She explained how the task group had reached its recommendations and why certain areas of concern that had emerged during the investigation fell outside the scope of the task group. The Chair of the Health Scrutiny Committee assured members that these matters would be included in the work plan for the Steering Group of this Committee. He also suggested that a copy of the report be sent to the relevant Parliamentary Select Committee.

In considering the report members made a number of comments which are briefly summarised below.

- There was often a fear of some sort of backlash if a resident or their family made a complaint and it was important therefore that they were made aware of advocacy services. Members' attention was drawn to page 15 of the report which talked about advocacy services and referred to an 'Independent Visitor Advocate' pilot study by the organisation delivering advocacy services within Lancashire and Blackburn with Darwen to the Department of Health. It was hoped that fear of complaining would be further addressed by this sort of initiative.
- It was suggested that it was often the owner or manager of a care home that was responsible for the culture within the organisation leading to poor levels of care; the importance of good management was emphasised. It would be important to know where to complain to if the manager was the problem.
- It was considered important that there be an official register for both qualified and unqualified care staff. This could help address the risk of poor staff moving from care home to care home without their new employer having any knowledge of past poor performance. It was

suggested that the Cabinet Member and/or perhaps the Government be asked to consider compulsory registration.

- There was a feeling that care staff should be paid more; the low level of pay gave the 'wrong' message about how important good care is.
- It was suggested that information relating to compliments and complaints, local councillor contact details, HealthWatch and other relevant agencies be displayed on care home notice boards.
- There should also be an adequate whistleblowing policy.
- The member from Pendle Borough Council thanked the task group and the Scrutiny Officer for the report and emphasised the importance of now ensuring that the recommendations were acted upon, especially the single point of access for people who wish to complain.

Resolved: The Health Scrutiny Committee agreed:

- i. To support the recommendations of the Task Group, as set out in Appendix A to the report now presented;
- ii. That an interim response to the Task Group's recommendations be received from the Cabinet Member for Adult and Community Services by the Steering Group by the end of January 2014..
- iii. That a full response from the Cabinet Member be received by this Committee by April 2014.

6. Report of the Health Scrutiny Committee Steering Group

On 27 September the Steering Group had met with West Lancashire Clinical Commissioning Group and Lancashire Care Foundation Trust. A summary of the meeting was set out at Appendix A to the report now presented.

On 18 October the Steering Group had met with Fylde & Wyre Clinical Commissioning Group. A summary of the meeting was set out at Appendix B to the report now presented.

It was explained that the role of the Steering Group was to manage the workload of the Committee. It comprised four members and met more frequently than the main Committee, every three weeks, and determined the work plan for the Committee. The current work plan for the Committee would be circulated to members for information. Members were encouraged to feed in their suggestions for topics to be considered in the future. New ways of working were constantly being considered because it was important that there was a strong relationship between the Steering Group and the main Committee.

It was agreed that members be informed about items scheduled for each Steering Group meeting to enable them to attend should they choose to.

Regarding suggested topics for the Steering Group:

- There was concern that GPs were refusing to carry out Atos assessments which people needed for the Department for Work and Pensions when claiming benefit and it was felt that this required further investigation.
- It was considered important that, in the context of an ageing population, as community based services were increasing it was important that links between social care and adaptations be investigated. There was concern that people were struggling to cope because their accommodation had not been adequately adapted.

Regarding the report of the meeting on 27 September with Lancashire Care Foundation Trust (LCFT), members were assured that the Steering Group continued to carefully monitor mental health care provision and that transport to care facilities was a particular issue of concern that had been raised many times with LCFT.

Members raised particular concerns about Altham Meadows suggesting that information sessions had not been adequately publicised by LCFT. One member believed that there were many inaccuracies in the information provided and he strongly disagreed with the Trust's decision to close beds at Altham Meadows. He felt that it was incorrect to suggest fewer beds were required and in his view people in need of care and their families wanted to retain a local service; the proposed Harbour site was not on a bus route and there were no overnight facilities for families - this would lead to feelings of isolation. He also suggested that as the facility was a PFI the Trust would be committed to pay for a further ten years.

It was reported that the Trust had offered to host a workshop which would give members an opportunity to discuss related issues outside a committee setting.

Resolved:

- i. That the report of the Steering Group be received; and
- ii. That comments made by members be noted.

7. Recent and Forthcoming Decisions

The Committee's attention was drawn to forthcoming decisions and decisions recently made by the Cabinet and individual Cabinet Members in areas relevant to the remit of the committee, in order that this could inform possible future areas of work.

Recent and forthcoming decisions taken by Cabinet Members or the Cabinet can be accessed here:

<http://council.lancashire.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

Resolved: That the report be received.

8. Urgent Business

No urgent business was reported.

9. Date of Next Meeting

It was noted that the next meeting of the Committee would be held on Tuesday 14 January 2014 at 10.30am at County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Lancashire County Council

Health Scrutiny Committee

Minutes of the Meeting held on Tuesday, 14 January, 2014 at 10.30 am in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston

Present:

County Councillor Steven Holgate (Chair)

County Councillors

M Brindle	Y Motala
Mrs F Craig-Wilson	B Murray
G Dowding	M Otter
N Hennessy	N Penney
M Iqbal	B Yates
A Kay	

Co-opted members

Councillor Brenda Ackers, (Fylde Borough Council Representative)
Councillor Jean Cronshaw, (Chorley Borough Council Representative)
Councillor Paul Gardner, (Lancaster City Council Representative)
Councillor Bridget Hilton, (Ribble Valley Borough Council Representative)
Councillor Julie Robinson, (Wyre Borough Council Representative)
Councillor Mrs D Stephenson, (West Lancashire Borough Council Representative)
Councillor M J Titherington, (South Ribble Borough Council Representative)
Councillor David Whalley, (Pendle Borough Council Representative)
Councillor Dave Wilson, (Preston City Council Representative)

1. Apologies

Apologies for absence were presented on behalf of County Councillor Alycia James and Councillors Liz McInnes (Rossendale Borough Council), Tim O'Kane (Hyndburn Borough Council) and Besty Stringer (Burnley Borough Council).

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

3. Minutes of the Meeting Held on 3 December 2013

The Minutes of the Health Scrutiny Committee meeting held on the 3 December 2013 were presented

Resolved: That the Minutes of the Health Scrutiny Committee held on the 3 December 2013 be confirmed and signed by the Chair.

4. Lancashire County Council's Public Health Responsibilities

The Chair welcomed Dr Sakthi Karunanithi, Director of Public Health, Adult Services, Health and Wellbeing Directorate.

Dr Karunanithi presented the report which explained that responsibility for the majority of public health services had transferred from the NHS to Lancashire County Council on 1 April 2013 providing a number of opportunities to more closely integrate public health interventions with other local authority services and to increase local democratic accountability for public health.

The report provided a brief overview of the County Council's public health responsibilities and highlighted key public health challenges to help inform the Health Scrutiny Committee about potential areas of public health for it to focus on.

Dr Karunanithi used a short PowerPoint presentation to further explain the role of public health, focusing on resources, how the County Council would work with its district council partners and the key challenges facing the county council. A copy of the presentation is attached to these minutes.

The Chair invited members to put questions to Dr Karunanithi, the main themes and points arising are summarised below:

Staff

- In response to a question whether staff in the Public Health team were now fully integrated in to the County Council, Dr Karunanithi explained that staff from three primary care trusts had come together into one Public Health unit, merging different cultures and ways of working. The primary objective had been for the County Council to understand what it had inherited and that the transition had gone smoothly.
- A named director would provide a link between Public Health and the other Directorates within the county council.
- It was relatively early days in terms of the new arrangements, not only for the County Council but for its partners too. There were also wider organisational changes to come to enable the County Council to adjust to significant financial pressures, and there would inevitably be a further period of change. Whilst it was difficult to give an end date by which Public

Health staff would be fully embedded, Dr Karunanithi felt that it would take some 18-24 months.

- Dr Karunanithi believed that there was a good mix of skills within the Public Health team and also among other colleagues within the County Council and district councils with whom they would be linking. The approach would not be 'business as usual' and it was recognised that there would be a need to change and adapt to local needs.

Health Checks

- Members were concerned that the number of GPs who had signed up to deliver health checks was too low and that some of those who had signed up were not actually carrying them out. It was felt that Public Health had a duty to ensure that health checks were working as intended.
- Dr Karunanithi explained that health checks were a mandated public health service funded by the Public Health Grant; the County Council was responsible for commissioning the service that GPs provide.
- Public Health had a responsibility to ensure that people were being offered health checks; Dr Karunanithi confirmed that 85% of GPs had signed up to deliver health checks, but he acknowledged that monitoring performance presented a challenge.
- Health checks were a corporate priority, the county council was working closely with the NHS, and progress was regularly reported to the Cabinet Committee on Performance Improvement.
- It was hoped to improve uptake and there was to be an awareness campaign at the end of January.
- It was acknowledged that historically, people only went to see their GP when they were ill and it was necessary for Public Health to promote health checks as a 'wellness' service and to ensure that GP practices had appropriate support.
- It was suggested that there needed to be more control to ensure that GPs were actually carrying out the health checks that they had signed up to, and this was perhaps something that the Health Scrutiny Committee could look at in more detail.

Health Inequalities

- It was felt that there should be a whole-system approach to Public Health looking more at early intervention and prevention including matters such as planning, housing and the provision of open spaces, all of which have an impact on wellbeing.
- It was suggested that there should be some sort of inequality 'proofing' process in place and that a greater number of decisions taken within the County Council should be subject to a health and wellbeing impact assessment. For example, the proposal to cut evening or weekend bus services would affect the least wealthy and could lead to social isolation.
- Dr Karunanithi acknowledged that successfully addressing and removing health inequalities was the ultimate 'holy grail' which would necessarily involve the private and third sectors also. He agreed that it was important

to consider how to minimise the impact of decisions and how best to allocate resources. He made the point that health inequalities had not been successfully addressed in years of growth; the challenge was even greater in times of austerity and the social impact was now starting to show in areas such as employment, housing and relationships.

- One member suggested that employers were not considering people with long-term disabilities for employment because they were under increasing pressure to reduce absence levels.
- It was suggested also that employment brought health benefits and it was important to encourage businesses into the county who would employ local people.
- The importance of working with the district councils who could usefully contribute to the public health agenda was emphasised - South Ribble Borough Council had addressed the issue of health inequalities in its task group report 'Mind the Gap' and had identified areas within the borough where life expectancy and long term ill health were issues of serious concern.
- Dr Karunanithi agreed that health inequalities could not be addressed by just one agency and the role of the districts was vital. The solutions did not lie in providing more services, but in addressing the underlying determinants of health.
- In response to a question about provision of services for mental wellbeing, particularly psychosis and schizophrenia in young people resulting from use of cannabis, Dr Karunanithi confirmed that a lot of resources were being put into addressing substance misuse. He would report back to the Committee on this issue.
- It was noted that the list of performance challenges set out in the presentation did not include the issue of on-line grooming and sexual exploitation, which was a serious and growing problem. There had been recent examples of such cases in Lancashire. It was suggested that it was essential to tackle the common underlying causes of the challenges facing Public Health. Dr Karunanithi again assured the Committee that the need to address root causes in order to reduce the need for services further down the line was well understood. Addressing the wider determinants of health was a priority. Partnership working was being strengthened and, regarding the specific example of child exploitation, the Public Health team was working with a range of partners including Community Safety and the Health and Wellbeing Board.
- There was some concern that social landlords were not providing appropriate facilities for disabled tenants. Dr Karunanithi referred to the Disabled Facilities Grant which was part of the Better Care Fund – a joint pooled budget. He asked the councillor who had raised this point to refer any specific concerns to him outside the meeting.

Other

- One member raised a question about discrepancies in the population figures for Burnley; there was a difference of some 11,400 depending on the source referred to. This was a large discrepancy and she believed that it was important to ensure this figure was correct, particularly in a deprived area such as Burnley because it would affect funding and health service

provision. It was also necessary to have reliable figures to be able to plan services for dementia care into the future. Dr Karunanithi undertook to look into this and get back to her. He explained that dementia had not been referred to on the slide headed 'Performance Challenges' because this list included only those issues that required improvement.

- In terms of procurement, Dr Karunanithi explained that it was important for the county council to understand what contracts it had inherited, what the public health needs were, and how resources were currently committed. There was no intention to simply re-commission services and, as contracts came to an end, there would be an opportunity to consider need and address services in a more joined-up, equitable way based on need and not history. Decisions would be published in the usual way for members and the public to see.
- It was suggested that good practice arising from 'Health Cities' be shared with the Committee, in writing initially (The Healthy Cities Network is a global movement that engages local authorities and their partners in health development through a process of political commitment, institutional change, capacity-building, partnership-based planning and innovative projects).

Following the discussion, it was suggested that to enable the Health Scrutiny Committee to best decide how it could contribute to the Public Health agenda it would be helpful for it to receive details of Public Health programmes, including the responsible officer, timescales, how objectives would be achieved, and how outcomes would be measured. The Committee could then take part in a half day workshop to consider what aspects of Public Health it could usefully scrutinise.

Resolved:

It was agreed that:

- i. A list of programmes of work being undertaken by Public Health be provided to the Health Scrutiny Committee. The list to include the responsible officer, timescales, how objectives would be achieved; and how outcomes would be measured.
- ii. A workshop be held to enable members of the Health Scrutiny Committee to consider the programme of work referred to at (i) above and identify topics for further scrutiny
- iii. It be recommended that a greater number of decisions taken within the County Council be subject to a health and wellbeing impact assessment.

5. Report of the Health Scrutiny Committee Steering Group

On 8 November the Steering Group had met with officers from Lancashire Teaching Hospitals Trust to discuss the work and performance of the Trust. A summary of the meeting was set out at Appendix A to the report now presented.

On 29 November the Steering Group had met with the Chief Executive of Lancashire Healthwatch. A summary of the meeting was set out at Appendix B to the report now presented.

Resolved: That the report of the Steering Group be received.

6. Recent and Forthcoming Decisions

The Committee's attention was drawn to forthcoming decisions and decisions recently made by the Cabinet and individual Cabinet Members in areas relevant to the remit of the committee, in order that this could inform possible future areas of work.

Recent and forthcoming decisions taken by Cabinet Members or the Cabinet can be accessed here:

<http://council.lancashire.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

Resolved: That the report be received.

7. Urgent Business

No urgent business was reported.

8. Date of Next Meeting

It was noted that the next meeting of the Committee would be held on Tuesday 4 March 2014 at 10.30am at County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston



ARTICLE NO: 1B

**CORPORATE AND
ENVIRONMENTAL OVERVIEW
AND SCRUTINY COMMITTEE:**

**MEMBERS UPDATE 2013/14
ISSUE: 4**

Article of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

Contact for further information: Mrs. J Brown (Extn 5065)
(E-mail: julia.brown@westlancs.gov.uk)

SUBJECT: MINUTES OF ONE WEST LANCASHIRE BOARD – THEMATIC GROUPS

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To notify Members of the latest notes/minutes of meetings of One West Lancashire Board - Thematic Groups available on the Board's website.

2.0 BACKGROUND

2.1 The West Lancashire Local Strategic Partnership was dissolved on 31 March 2013 and its successor partnership arrangement 'One West Lancashire' was established. Minutes of the Thematic Groups will continue to be received by the One West Lancashire Board and reported to Members via future issues of this Members' Update.

2.2 The following notes/minutes have been included since the last edition of this Members Update:

- Economy, Education and Employment - 13 March 2013
- Community Safety Partnership - 30 January 2013
- Health and Well Being Partnership - 8 May 2013
- Ageing Well Partnership - 18 June 2013, 20 August 2013

They can be accessed on the One West Lancashire Board's web page at:
<http://www.wlcvcs.org/index.php/partnerships/one-west-lancs/131-help-for-your-group/one-west-lancs/544-thematic-groups>

3.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

3.1 There are no significant sustainability impacts associated with this article and, in particular, no significant impact on crime and disorder. The Thematic Groups were established in order to achieve the objectives of the Sustainable Community Strategy.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 There are no significant financial or resource implications arising from this article.

5.0 RISK ASSESSMENT

5.1 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 article.

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 Article 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.



ARTICLE NO: 2A

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2013/14
ISSUE: 4**

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Article of: Transformation Manager

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

Portfolio Holder: Cllr David Westley

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

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SUBJECT: BUSINESS PLAN 2011-15: DELIVERY PLAN MONITORING (Q2 2013-14)

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Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To update Members on the progress that has been made towards the implementation of the Business Plan Delivery Plan during July-September 2013.

2.0 BACKGROUND AND CURRENT POSITION

2.1 In April 2011, the Council formally adopted a Business Plan 2011-15. The purpose of this plan is to deliver the Council's priorities whilst realising the efficiencies and savings necessary for the effective financial and operational management of the Council. The actions to achieve this are detailed in the Business Plan Delivery Plan.

2.2 Progress against the Delivery Plan is monitored through quarterly monitoring reports to the Business Plan Working Group. This monitoring process enables action to be taken or explanations to be provided, ensuring the most effective performance management of the Council's Business Plan.

2.3 In refreshing the Business Plan for 2013/14, actions were aligned directly to the Council's priorities to provide a framework for their delivery. Appendix A shows that progress has continued to be made on the delivery plan in the second quarter of 2013-14.

3.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

3.1 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.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 There are no significant financial or resource implications arising from this article.

5.0 RISK ASSESSMENT

5.1 It is essential to the effective management of the Council that sufficient time and consideration is given to the business planning process. The risk of non-achievement of the aims of the Business Plan is mitigated through strong and effective performance management arrangements. The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant operational risk registers.

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 Article is for information only and 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: Q2 Business Plan Delivery Plan Monitoring Report


APPENDIX A: Business Plan Delivery Plan Q2 2013/14


Action Status		
 Action completed	 Action in progress	 Milestone overdue / tbc

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

Service:	Corporate			Head of Service:	Managing Directors	
Action	Description	Milestones	Due Date	Completed	Milestone Note	
B_01	Major Service Reviews	Revise methodology	31-Dec-2012	Yes		
		Heads of Service to provide any new or emerging Policy Options for Managing Directors	31-Mar-2013	Yes		
		MDs report to Council - policy options to be agreed for consultation	31-Jul-2013	Yes		
		Public consultation on options	30-Sep-2013	Yes	Consultation 23 July - 11 September	
		Council to adjust Policy Options as per consultation	31-Oct-2013			
		New structures operational / implement policy options - tbc	01-Apr-2014			
Status		Note				

Service:	Transformation			Head of Service:	Shaun Walsh	
Action	Description	Milestones	Due Date	Completed	Milestone Note	
B_02	Organisational Re-engineering	Bring forward 'area' for review	26-Apr-2013	Yes	Legal & Member Services	
		Identify organisation to conduct OR review for L&MS	25-Oct-2013		Via mini-competition started 09.09 between the OR (efficiency review) Framework.	
		Begin L&MS OR review	25-Nov-2013			
Status		Note	Implementation of previous OR areas Planning and Sheltered Housing now largely being carried out within the services.			


Service:	Transformation			Head of Service:	Shaun Walsh
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_02i	OR in Housing	Start OR review of the Operational Services area within Landlord Services	01-Apr-2013	Yes	
		Identify second area for review within Landlord Services	29-Nov-2013		
		Operational Services: findings / recommendations report submitted to Cabinet	18-Mar-2014		
		Operational Services: begin implementation of recommendations	24-Mar-2014		
Status		Note			


Service:	Housing & Regeneration: Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_03	Strategic Asset Management Plan	10 year draft business plan	30-Apr-2013	N/A	No longer considered appropriate and will be replaced by the Economic Regeneration Strategy
		Develop a new Economic Regeneration Strategy for the Borough	30-Oct-2014		Economic Development Strategy now likely to be adopted in Summer/Autumn 2014
		Increase commercial property income and reduce Empty Property Rates liabilities by £150,000	31-Mar-2015		
Status		Note			


Service:	Community Services			Head of Service:	Dave Tilleray
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_04	Community Transfer of Facilities	Identification of preferred partners organisations for Civic Hall and Ashurst Meeting Rooms	30-Jun-2013	Yes	Engine Rooms will take responsibility for the Civic Hall from the 1 October 2013. British Taekwondo Association has been identified as the preferred partner for Ashurst Meeting Room, working towards a transfer date of 1 November.
		Agreement on CRC future management arrangements and commencement of shadow operation	30-Sep-2013	No	Work is ongoing with the existing management committees (and their proposed partners) for the transfer of responsibility of Digmaor and West Skelmersdale CRCs. Support arrangements in place for transfer by the 31st March 2014.


					Expressions of Interest for Birch Green and Tanhouse CRCs have been received, organisations to be interviewed and preferred partners appointed by the end of October 2013.
		Transfer of facilities to community organisations	31-Mar-2014		Civic Hall complete. Ashurst meeting room to be completed in November 2013. Identified two existing CRC committees to be taken forward for self management. Identification of preferred partners for remaining sites to be concluded by end of October 2013.
Status		Note			


Caring for our borough by delivering the small improvements that can make a big difference


Service:	Housing & Regeneration: Housing		Head of Service:	Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-01	Tenant environment improvement programme	2013/14 scheme promoted via WLBC website, through Tenants & Residents Associations, Tenants & Residents Forums and advertised in Community Centres, libraries, health centres, local notice boards etc	30-Apr-2013	Yes	New publicity and re-launch of bid funding planned to encourage more bids.
		Bids assessed and successful/unsuccessful bidders notified.			Ongoing. Only 8 Bids have been received during the first half of the year. A cut off date has not therefore been implemented.
		Progress reports			Bid Applicants are updated throughout the process. Ward Councillors are kept informed on bid progress in their area. Two update reports made to the Tenants & Residents Forum.
Status		Note	A project for small environmental improvements for example improvements to communal gardens and green spaces.		

Service:	Community Services		Head of Service:	Dave Tilleray	
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-02	Moor Street	Engage consultants for design work	28-Feb-2013	Yes	Initial scoping design work underway to options appraisal
		Further milestones (Member/public consultation, option selection, scheme design, contract works commence) to be confirmed during current project development exercise.			
Status		Note	A joint scheme in partnership with Lancashire County Council. Part-funded from the High Street Innovation Fund.		


Service:	Street Scene			Head of Service:	Graham Concannon
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-03	Local environmental improvements	Agree Funding Allocation	30-Apr-2013	Yes	Funding agreed at full Council
		Works to be carried out during financial year	31-Mar-2014		Project on track. Number of work actions complete with more to be completed during the year
Status		Note	Concentrating small amounts of funding to deliver local environmental improvement projects that are visible and useable by large groups of residents.		

Service:	Street Scene			Head of Service:	Graham Concannon
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-04	Public Realm	Agree funding with LCC	30-Apr-2013	Yes	While agreement has been made, LCC have indicated that a 25% reduction in this funding will be made over the coming three years.
		Complete required works	31-Mar-2014		Project on track. Manage Works and Spend via Regular Public Realm Meetings
Status		Note	Following a number of successful years of partnership working, WLBC will continue to manage the Public Realm across the Borough delivering services such as grass cutting of verges and hedge trimming on behalf of Lancashire County Council.		


Service:	Housing & Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-05	Housing Asset Management Programme	Complete tender process and select contractors	30-Jun-2013	Yes	Completed for Kitchen and Bathroom projects.
		Complete the first option appraisal of poorly performing stock	25-Oct-2013		Revised date due to consultation / workload issues.
		Progress the Firbeck/Findon revival scheme - complete the demonstration terrace	27-Dec-2013		Revised date due to Electricity North West lead times.
		Agree the second revival scheme with Council	28-Feb-2014		
		Deliver year 1 of the 5 year investment plan	31-Mar-2014		
Status		Note			

Service:	Community Services			Head of Service:	Dave Tilleray
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-06	CCTV: expanding coverage	Produce and publish OJEU notice	30-Nov-2012	Yes	
		Invite tenders	28-Feb-2013	Yes	
		Appoint contractor	30-May-2013	Yes	
		Works completed	30-Nov-2013	No	Awaiting electrical works from ENW. Completion date will be deferred beyond due date of 30 Nov.
Status		Note			


Focussing upon sustainable regeneration and growth within the borough


Service:	Housing & Regeneration: Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-01	Remodelling Industrial Estates	Explore external funding opportunities	30-Apr-2013	Yes	External funding sources considered but are not appropriate at this time.
		Make necessary appointment to take project forward		No	
		Market site in accordance with Cabinet wishes		Yes	Marketing commenced and report on out turn to go to Cabinet in November.
Status		Note	A staged progression will utilise reserves for the initial improvement works.		


Service:	Transformation / Housing & Regeneration: Regeneration			Head of Service:	Shaun Walsh / Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-02	Apprenticeships Scheme	Promotion and marketing	30-Jun-2013	Yes	Activity ongoing promoting the activities of the West Lancashire Challenge project, including attending employment-related events, press releases and updating the website.
		Explore adoption of an Apprenticeship Scheme within WLBC, and work start scheme linked to West Lancs Challenge	31-Dec-2013		Work is underway considering the scope for work placements and apprenticeship opportunities.
		Work with partners to develop projects to encourage businesses to take on apprentices, through the WL Challenge project (subject to growth bid)	31-Mar-2014		Ongoing work with all WLC partners to achieve this. Business Engagement Officer appointed and now working with businesses and partners to achieve this objective.
Status		Note			


Service:	Community Services		Head of Service:	Dave Tilleray	
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-03	Introduction of an empty homes lease and repair scheme	Develop empty homes lease and repair scheme in conjunction with Helena Partnerships	31-May-2013	No	Helena Partnerships withdrew from the project. Initial talks held with another provider that already operates a similar scheme and is interested in expanding into West Lancashire. Original due dates are therefore no longer appropriate.
		Assess the viability of properties for the scheme			
		Identify suitable properties			
		Undertake preliminary survey work			
Status		Note	£100,000 is assigned to tackle the issue of empty homes within the Borough.		

Service:	Planning / Housing & Regeneration: Regeneration		Head of Service:	John Harrison / Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-04	Infrastructure Delivery – Transport & Super Fast Broadband	ERDF & State Aid Approval Received from Commission	31-Jan-2013	Yes	
		Local Management Committee (LMC) Endorsement and DCLG Approval to Lancashire bid	31-Jan-2013	Yes	
		ERDF contract detail finalised with LCC	31-Mar-2013	No	The 2014-2020 programme is being led by Lancashire Enterprise Partnership with support from LCC and the Lancashire European Network. The Lancashire Structural Investment Framework is currently being developed with partners across Lancashire and will be sent to Government for approval.
		Delivery Plan in place for Roll Out across Lancashire	31-Aug-2013	Yes	SFB currently being rolled out across Lancashire with completion anticipated in 2015. Information about specific areas and exchanges being available via www.superfastlancashire.com .
		Receipt of Merseytravel report on Burscough Electrification costs (rail)	01-Nov-2013		This milestone is unlikely to be met as Merseytravel are focussing their resources at this moment in time on the Skelmersdale Rail project. We will continue to press for this report and seek to agree a revised target date
		Receipt of first draft GRIP 2 Report (Skelmersdale rail link)	01-Mar-2014		Work is on-going with partner organisations to agree the brief with Network Rail to undertake the GRIP2/3 study in 2014.

		Final GRIP 2 Report presented to Members (Skelmersdale rail link)	31-Jul-2014		
Status		Note	LCC lead organisation on SuperFast Broadband. UK anticipated to have minimum 90% access to SFB by 2015.		

Service:	Planning / Housing & Regeneration: Regeneration			Head of Service:	John Harrison / Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-05	Skelmersdale Vision	Complete marketing exercise for Findon/Digmoor Sports Centre/Delf Clough sites	30-Apr-2013	Yes	Initial marketing completed. Tendering exercise now underway.
		Complete marketing exercise to supermarkets and meetings held with interested parties	30-Apr-2013	Yes	Initial marketing exercise complete. Work is ongoing.
		Initial identification of changes required to Development Agreement	30-Apr-2013	Yes	The review of the Development Agreement has been completed. Further work on hold pending market interest in development scheme.
		Amend Development Agreement (if required)	30-Jun-2013	No	Draft supplementary agreement being drafted to facilitate early release of land for residential regeneration proposals.
		Subject to market interest Reserved Matters application submitted for retail and leisure development	31-Dec-2013	No	
Status		Note	<i>Project Board Meetings</i> are held regularly and involve representation from HCA, WLBC, St Modwen and LCC. <i>Skelmersdale Town Centre District / County Liaison Group</i> meetings involving Members from WLBC and LCC are held to ensure full political engagement.		

Service:	Housing & Regeneration		Head of Service:	Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-06	Firbeck Revival	Agree energy efficiency scheme for houses and Firbeck Court	30-Jun-2012	Yes	
		Agree revival scheme	30-Sep-2012	Yes	
		Commence Phase 2 works (improvements) and start to decant tenants to flats	31-Dec-2012	No	One tenant and one owner occupier left to decant.
		Complete Phase 1 Improvements (energy efficiency)	31-Dec-2012	No	Work in progress to secure energy company funding.
		Consult on Phase 3 (Street Scene improvements)	31-Mar-2014		Milestone date amended to reflect slippage in overall programme.
		Complete Phase 2 work	31-Dec-2014		
		Commence Phase 3	31-Mar-2015		
Complete Phase 3	31-Dec-2015				
Status		Note			

Service:	Housing & Regeneration: Regeneration		Head of Service:	Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-07	Participate in the Land Auctions Pilot with Homes & Communities Agency	Sign Memorandum of Understanding	30-Sep-2012	Yes	
		Agree sites and terms	31-Dec-2012	Yes	Procurement exercise to secure planning consultants has commenced.
		Prepare proposals for sites	31-May-2013	N/A	Choice of sites not required as whole of Whalleys to be included in pilot.
		Submit planning applications	30-Sep-2013	Yes	Planning application submitted and being validated.
		Market & dispose of site	31-Mar-2014		
Status		Note			



ARTICLE NO:2B

CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE:

**MEMBERS UPDATE 2013/14
ISSUE: 4**

Article of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Contact for further information: Paul Charlson (Ext 5246)

Email: (paul.charlson@westlancs.gov.uk)

SUBJECT: FOOD SAFETY SERVICE PLAN 2013 / 14

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To provide Members with information about the Food Safety Service Plan operating during 2013/14.
-

2.0 BACKGROUND

- 2.1 Members will be aware that the Food Standards Agency (FSA) is an independent Government department responsible for food safety and hygiene across the UK. The FSA works with businesses to help them produce safe food and with Local Authorities to enforce food safety regulations.
- 2.2 Food safety enforcement is primarily the responsibility of Local Authorities. Accordingly, this Council fulfils these duties through its Food Safety Service (the Service) which aims to ensure all commercial food production in the Borough is carried out safely and is fit for human consumption - thereby protecting the health of West Lancashire residents and the wider community.
- 2.3 One of the key roles of the FSA is to set and monitor enforcement standards within Local Authorities and to audit against these standards to ensure an effective and consistent approach. The FSA 'Framework Agreement on Local Authority Food Law Enforcement' (the Framework Agreement) specifies the arrangements that should be established and maintained by a Local Authority to enforce food hygiene legislation. It is this document that requires the Council to formulate and implement a service delivery plan in accordance with FSA guidance.

- 2.4 Accordingly, the FSA places significant emphasis Food Safety Service Plans as a means to:
- Ensure Local Authorities address national priorities and standards, so these can be delivered locally;
 - Focus debate on key delivery issues;
 - Provide an essential link with financial planning;
 - Set objectives for the future and identify major issues that cross service boundaries; and
 - Provide a method of managing performance and making performance comparisons.
- 2.5 FSA guidance also states that Service Plans should have a common format. This enables the FSA to assess service delivery nationwide and allows Local Authorities to compare performance. Service Plans are also seen by the FSA as an expression of a Local Authority's own commitment to the development of its Food Safety Service.

3.0 CURRENT POSITION

- 3.1 The Food Safety Service Plan for 2012/13 has been implemented. Performance against that Service Plan has been reviewed and the conclusions of the review are contained in the Food Safety Service Plan for 2013/14 (the Plan), which is attached to this update at Appendix 1.
- 3.2 The distribution of the Plan for 2013/14 has been delayed for this year only as officers had invited representatives from the Food Standards Agency to the Council to review its approach to food safety management. The result of these meetings is that the format of future service plans will be amended to provide clearer and more succinct information. Accordingly, the service plan for 2014/15 (and future plans) will be distributed to Members at the beginning of the relevant year.
- 3.3 It is a requirement of the Framework Agreement that the Plan is submitted for appropriate Member approval. Accordingly, the Constitution requires the Plan to be approved by the Portfolio Holder for Health, Leisure and Community Safety and be submitted to the Corporate and Environmental Overview and Scrutiny Committee for information.
- 3.4 The Plan was approved by Portfolio Holder for Health, Leisure and Community Safety on 30 October 2013.
- 3.5 In order to provide local transparency and accountability, a copy of the Plan will be placed on the Council's website and sent to:
- (i) The Consultant in Health Protection for the West Lancashire area
 - (ii) The PHE Food, Water & Environmental Microbiology Network (Preston laboratory)
 - (iii) Lancashire County Analyst.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

4.1 The Plan provides an expression of the Council's commitment to the development of the Service, which contributes significantly toward improving the health of the local communities within West Lancashire.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 The costs associated with production of the Plan and the work detailed in the Plan for 2013/14 can be met within existing resources.

6.0 RISK ASSESSMENT

6.1 The Plan describes the financial and resource implications for the Service. If adequate resources are not made available to deliver an effective food safety service as required by the FSA, the Council may be open to criticism and/or potential audit by the FSA.

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 Article is for information only and 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 – Annual Food Safety Service Plan 2013/14

West Lancashire Borough Council

Food Safety Service Plan

2013/14

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Introduction

This is West Lancashire Borough Council's Food Safety Service Plan. It covers all elements of food safety and hygiene for which the Authority has enforcement responsibility. This Plan also covers those objectives relating to non-enforcement activity, including food hygiene education/health promotion and partnership working.

This Food Safety Service Plan is a requirement of the Food Standards Agency and has been drawn up in accordance with the Food Standards Agency's Framework Agreement (Amendment 5, April 2010). This ensures a consistent approach across England and Wales, which enables the Food Standards Agency to assess how we are doing and allows other Local Authorities to compare and contrast performance and service delivery.

This Plan is also an expression of the Council's ongoing commitment to food safety in the Borough and the development of its Food Safety Service.

A handwritten signature in black ink, appearing to read 'D P Tilleray', written over a large, stylized, looped signature line.

D P Tilleray
Assistant Director Community Services

Approved by the Portfolio Holder for Health, Leisure and Community Safety on 30 October 2013.

1.0 Aims and Objectives

Service aims and objectives

- 1.1 West Lancashire Borough Council (the Council) is responsible for food safety enforcement of relevant food businesses under the Food Safety 1990 (the Act), associated legislation and guidance. These duties are discharged by the Food Safety Service (the Service), which is part of the Commercial, Safety and Licensing Section (the Section).
- 1.2 The aim of the Service is to protect the health of residents and the wider community by ensuring that all commercial production of food in the Borough is carried out safely and is fit for human consumption. The work of the Service is supplemented by the Health Promotion unit, which provides a range of promotional and educational roles in respect of food safety matters.
- 1.3 In order to achieve these aims, the objectives of the Service are to:
- Ensure that it acts in accordance with the relevant Food Standards Agency (FSA) Code of Practice and other official guidance;
 - Encourage food businesses to comply with the law by offering advice;
 - Apply the principle of continuous improvement by comparing and measuring its performance and rectifying any shortcomings;
 - Responding to local need and ensuring the Service is accessible to everyone;
 - Ensure that the delivery of the Service is undertaken in a manner so as not to be discriminatory towards equality target groups and accessible to all who request or receive the Service.
- 1.4 This Food Safety Service Plan (the Plan) is produced annually by the Assistant Director Community Services and the Commercial, Safety and Licensing Manager. The Plan was approved by the Portfolio Holder for Health, Leisure and Community Safety on 30 October 2013 and was also presented as an update to the Council's Corporate and Environmental Overview and Scrutiny Committee. Performance reviews are undertaken on a monthly basis and related performance indicators are reported to Cabinet.

Links to Corporate Priorities

- 1.5 The Council's vision is "to be a Council to be proud of – delivering services that are lean, local and fair". Several values have been established to deliver this vision by continuing to be an innovative organisation which:
- Prioritises customers and the services that are most important to quality of life;
 - Work as 'one council' to provide a joined up approach;
 - Is open and accountable in the way that it makes decisions;
 - Develops and values employees;
 - Promotes equality and diversity; and
 - Works in partnership to benefit the Borough.

1.6 The Council has established several Corporate Priorities, which are detailed below. The Service works toward these priorities in the following areas:

- *Balancing the budget and providing the best possible services within the resources available;*

By continuing to employ new and modern ways of working, the Service is flexible, responsive, efficient and effective representing excellent value for money.

The Service is targeted and proportionate in activity, intervening only when necessary and using remedies that are appropriate to the risk posed, so that costs are identified and minimised.

The Service is accountable and will be able to justify decisions that are subject to public scrutiny. Accordingly, the Service will be consistent and open and will try to convey the requirements of the law in a simple and user-friendly way - within the limitations of legislative requirements.

- *Focussing upon sustainable regeneration and growth within the Borough;*
- *Caring for our Borough – delivering the small improvements that can make a big difference;*

Recognising that food is a key marker of social inclusion, food safety issues can impact on reducing health inequalities and incidences of food poisoning, the reduction of which has a positive impact on the community's health. The Service will continue to carry out educational and promotional activities as an integral part of their routine food safety interventions, as well as specialist activities targeting both consumers and businesses to promote food safety, better nutrition and healthy choices.

By assisting food businesses through support, education and enforcement to improve and comply with hygiene standards, so improving quality of life now and for future generations for the people of West Lancashire making the Borough a better place to live, work, invest in and visit.

2.0 Background

Profile of the Borough

2.1 West Lancashire is the most southerly of the Local Authorities within Lancashire. It has a population of 110,700 (National Census 2011) and covers an area of over 34,000 hectares, a large proportion of which is good and versatile agricultural land. The Borough has two market towns: Ormskirk and Burscough, with mainly rural parishes and villages to the north and the former New Town of Skelmersdale to the east.

2.2 Based on current available data, the breakdown of businesses within West Lancashire is as follows:

Agriculture and fishing	13.6%
Mining, energy and water	0.1%
Manufacturing	8.6%
Construction	12.5%
Wholesale and retail	21.4%
Hotels and catering	6.2%
Transport and communications	6.7%
Financial intermediation	0.7%
Business services	23.2%
Public administration and other services	5.7%
Education and health	1.2%
All industries and services	100.0%

Organisational and team structure

2.3 A structural chart of Community Services is provided at Appendix 1.

3.0 Service Delivery

Scope of the Service

3.1 In respect of food safety matters, the Service will:

- Carry out a programme of food hygiene interventions in accordance with the Food Safety Act 1990 Code of Practice;
- Investigate and resolve complaints about food and food hygiene, practices and procedures;
- Take informal or statutory action including the service of notices, food seizure, premises closure or prosecution (amongst other available actions) in accordance with our Enforcement Policy to secure compliance with food safety legislation;
- Identify and assess businesses requiring approval in respect of specific food products or processes and to ensure that they are granted conditional or full approval as necessary;
- Ensure that all food businesses located or trading within the Borough are registered, and to maintain an accurate database of food businesses in the Borough;
- Record intervention information and enable performance data to be provided to the FSA;
- Receive and investigate all relevant FSA Food Alerts for action and their updates as appropriate, and to communicate with food business to disseminate relevant information concerning relevant food risks;
- Provide advice and assistance to food businesses and consumers on food related issues;
- Investigate incidences of food borne disease and take action, including liaison with other bodies to identify the source and prevent further infection;
- Implement the Food Sampling Programme for survey and monitoring purposes;
- Provide guidance and advice on food law requirements and compliance to meet local needs;
- Provide and review systems and procedures in line with FSA Framework Agreement;
- Act as Primary Authority and implement Service Level Agreements where appropriate;
- Maintain the FSA National Food Hygiene Rating System to publish the hygiene ratings for those food businesses within the Borough;
- Comment on proposed food legislation codes of practice and other official documents as necessary and as requested;
- Issue Health Certificates;
- Monitor the shellfish beds within the Borough;
- Operate imported food controls;
- Promote food safety through education and promotional events;
- Notify the FSA of any serious local food problem;
- Provide input to various licensing processes on food safety matters;
- Maintain an internal Quality System relating to food safety matters.

Demands on the Service

3.2 There are a total of 857 registered food businesses in the Borough for which the Service has enforcement responsibility. These businesses can be divided into the following classifications:

FSA food business type	Total
Caring establishments	60
Distributors	19
Hotel / guest house	9
Importer	1
Manufacturers / processors	20
Mobile food unit	36
Packers	10
Producer	21
Pub / club	125
Restaurant / café / canteen	140
Restaurant / caterer other	59
Retail other	36
School / college	125
Slaughterhouses (seasonal)	2
Small retailers	116
Supermarket / hypermarket	15
Take away	63
TOTAL	857

3.3 The current food safety risk rating profile of the above food businesses is:

Food safety risk rating	Total
Category A	4
Category B	71
Category C	449
Category D	125
Category E	208
TOTAL	857

3.4 The current National Food Hygiene Rating profile of the above food businesses is:

National Food Hygiene Rating		Total
0	Urgent improvement necessary	4
1	Major improvement necessary	34
2	Improvement necessary	28
3	Generally satisfactory	197
4	Good	247
5	Very good	345
TOTAL		857

- 3.5 Those premises identified as requiring improvement (i.e. allocated a National Food Hygiene Rating of 0 to 2) have received appropriate enforcement action. Any food hygiene rating remains in place until the next routine intervention or the food businesses operator formally requests that their business be re-assessed.
- 3.6 The food safety risk rating issued to any food businesses depends upon the nature and type of the business, as well how well it controls the risks to food hygiene. Whilst there will be some correlation between the food safety risk rating and the National Food Hygiene Rating issued to any business, this does not mean that a low National Food Hygiene Rating relates to a high risk rated food businesses and vice versa.

Enforcement policy

- 3.7 A Corporate Enforcement Policy was agreed by Council in October 2009. The aim of this Policy is to promote consistency across the Council and it provides the principles of the Council's approaches to enforcement. The Community Services Enforcement Policy, also agreed by Council in October 2009, is positioned below the Corporate Policy and contains more service specific information relating to legislation, approach etc. Both Policies are published on the Council's website and include aspects of the FSA Service Plan requirement, which is implemented by the Plan. Accordingly, all recipients of letters and notices relating to food safety issues are advised of the Enforcement Policy.

Food business interventions

- 3.8 Programmed interventions in food businesses will be carried out in accordance with:
- The minimum intervention frequencies and requirements detailed in the current version of the FSA Food Law Code of Practice;
 - The Council and Community Services Enforcement Policies.

Intervention Programme

- 3.9 The Intervention Programme for 2013/2014 is as follows:

Food Business Risk Category	No. of Food Businesses at 01/04/13	No. of outstanding interventions at 01/04/13	No. of interventions due 01/04/13-31/03/14	Estimated no. of revisits 01/04/13-31/03/14
A	4	1	5	2
B	71	14	50	16
C	449	173	150	60
D	125	78	18	5
E	208	136	20	5
Total	857	404	243	87
Non-rated	38	-	-	-

3.10 This Plan also provides commitment for the following:

General

- Ensure the food business database is an accurate reflection of the businesses in the West Lancashire area;
- Maintain a quality management system for the Service as part of the Council's Environmental Health Service Quality System;
- Further develop service information on the Council's website.

Training

- Undertake annual training needs analysis. Ensure adequate resources are available to meet training needs;
- Maintain competency of all Officers involved in food safety enforcement work;
- Implement food safety training programme;
- Undertake at least 8 accompanied interventions per year.

Food safety education/promotion

- Continue to provide the CIEH Level 2 Award in Food Safety in Catering Course;
- Continue to make available a full range of food safety leaflets;
- Provide at least one seminar for local businesses, annually;
- Participate in at least one food safety campaign, annually during National Food safety Week.

Communication with stakeholders

- Maintain and improve consultation with both businesses and the wider public;
- Distribute at least one Commercial Safety Newsletter to businesses, annually.

Imported food controls

3.11 The Service also enforces the legislation relating to imported foods. Documented procedures are in place for the enforcement of the legislation relating to imported Products of Animal Origin (POAO) and imported Food Not of Animal Origin (FNOA). This includes the following legislation:

- Food Safety Act 1990;
- European Communities Act 1972;
- The General Food Regulations 2004;
- The Official Feed and Food Controls (England) Regulations 2006 (as amended);
- Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (as amended);
- Products of Animal Origin (Import and Export) Regulations 1996 as amended;
- EU Regulation 882/2004, 178/2002 and 852/2004;
- Contaminants in Food (England) Regulations 2007;
- The organic products (Imports from Third countries) Regulations 2003;
- The Food Hygiene (England) Regulations 2006 (as amended).

Visits to new food businesses / non programmed interventions

3.12 Allowance has been made in the Plan for the initial intervention of new food businesses. Once such businesses have been visited and risk rated, they will be included in the overall general Intervention Programme.

Revisits to check compliance

3.13 Revisits are undertaken if a further visit is needed to assess compliance with an enforcement notice or if contraventions found during an intervention are of such a risk that enforcement action may be required before the next programmed intervention.

Food and food business complaints

3.14 Food complaints (for example where the food contains a foreign body, is contaminated or is not cooked properly) are investigated in line with procedures laid down in the Environmental Health Quality System. Action is determined by the nature of the complaint and the potential threat posed to public health.

3.15 Similarly, complaints about food hygiene practices or the condition of food businesses are also investigated according to the potential to cause harm. Follow up action may be immediate or delayed to the next programmed intervention provided the time period is not excessive.

3.16 Based on previous data, the Service receives approximately 25 food complaints and 50 complaints about food businesses each year. Whilst the Service aims to give a first response to all such complaints within 3 working days, the length of time taken to resolve a complaint can vary considerably.

EC Approved Premises

3.17 Regulation EC 853/2004 requires wholesale businesses that handle, store or produce products of animal origin to be approved by the Local Authority and be issued with an EC approval number. With the exception of catering butchers, responsibility for the approval and inspection of such premises rests with the Local Authority. The list of approved premises is published on the FSA website. The EC Commission annually arranges audits of selected approved premises in member states of the EC to ensure that the controls are being applied and implemented by local authorities to a satisfactory standard. There are 9 premises currently approved and are listed below:

Fishery Products	4
Meat Products	1
Dairy Products	4
TOTAL	9

Primary Authority Scheme and Home Authority Principle

3.18 The Service subscribes to the current LGR Home Authority Principle (HAP). At present, the Service has not been approached by, nor is aware of, any local company who wish to enter into a formal agreement within the remit of the HAP. However, the Service does take on the role of "Originating" Authority for several businesses that operate on a regional and/or national basis and gives advice on food safety matters. Accordingly, much of the input from the Service is generated by requests for service from other enforcement authorities. Based

on previous data, the Service receives approximately 4 originating authority referrals and 4 enquiries each year.

- 3.19 The Primary Authority Scheme (PAS) has been in operation since 2009, when the Regulatory Enforcement and Sanctions Act 2008, came into force. This scheme ensures a consistent approach between local authorities and companies having a number of outlets throughout the country.
- 3.20 The operation of the PAS is the statutory responsibility of the LBRO whose role is to register partnerships, issue guidance and resolve disputes. The PAS enables companies to form a statutory partnership with a single Local Authority, which then provides robust and reliable advice for other Local Authorities to take account of when carrying out interventions or dealing with non-compliance.
- 3.21 Accordingly, Local Authorities are required to contact the relevant Primary Authority for a company covered by the PAS before taking any enforcement action.

Advice to food businesses

- 3.22 The Service is committed to providing advice to any food business within the Borough or to members of the public. Based on previous data, it is anticipated that approximately 50 such requests will be dealt with verbally and 30 requests will result in a visit and a written response each year. The response time required by performance indicators is 10 days.

Food sampling

- 3.23 The food and drink supplied, produced and sold within the Borough is sampled to assess its safety and quality. The Service carries out this responsibility in accordance with a planned sampling programme and where necessary, in response to food complaints/investigations. The Service also participates in regional, national and European sampling programmes. Further details can be found in the Council's Food Sampling Policy for 2013/2014.
- 3.24 Samples are analysed by the Public Health England Food, Water and Environmental Microbiology Network (Preston Laboratory) for microbiological content and the Public Analyst Laboratory in Preston for chemical and/or other content.
- 3.25 Additional sampling is required for the cockle and mussel production beds, which are located in the Ribble to the North of the Borough. Routine microbiological and algal toxin samples are taken and monitored through the Centre for Environment and Aquamarine Culture and Science (CEFAS). The beds are officially classified according to the quality and safety standards for potential harvesting. The national classification Scheme ensures shellfish used for food is fit for human consumption.
- 3.26 There are a small number of private water supplies monitored by the Service. These are routinely sampled and any complaints are investigated. The Service is working to ensure it complies with the Private Water Supplies Regulations 2009, which requires full compliance by 2015.

Control and investigation of outbreak and incidents of food related infectious disease

3.27 This work is undertaken by the Service and involves contact with Consultants in Health Protection, Director of Public Health and Control of Infection Teams. Investigations and outbreak controls are undertaken in line with agreed written procedures and documentation between these organisations.

Food safety incidents and requests

3.28 The Service will comply with the FSA Code of Practice in relation to the handling of food alerts. Accordingly, documented procedures are in place as part of the Environmental Health Quality system. The number of notifications has increased since the commencement of the FSA, and based on previous data, that the Service will respond to approximately 70 such alerts each year.

Liaison with other organisations

3.29 In order to implement the Plan, the Service works closely with a number of other agencies and organisations to ensure a consistent approach to enforcement action. Accordingly, the Service will disseminate information to other regulators where there is a wider regulatory interest. These organisations include:

- The FSA;
- Local Government Regulation (LGR);
- Local Better Regulation Office (LBRO);
- Public Health England including, Food, Water and Environmental Microbiology Network (based at Preston laboratory);
- Environmental Health Lancashire (EHL);
- EHL Food Officers Group;
- Lancashire County Analyst;
- United Utilities Plc;
- Lancashire County Council Trading Standards;
- Other Local Authorities to ensure a comprehensive and consistent approach to food law enforcement.

Food safety promotion

3.30 The Service recognises the importance of food safety promotional work to improve hygiene standards. The Health Promotion Unit provides this function and routinely engages in the following activities:

- Food Safety Week;
- CIEH Level 2 Award in Food Safety in Catering Courses;
- CIEH Level 2 Award in Healthier Food and Special Diets Courses;
- Specific seminars / initiatives as appropriate;
- Promotion of the FSA's Safer Food Better Business Scheme.

National Food Hygiene Rating System

3.31 First introduced by the Council on 1st June 2011, the National Food Hygiene Rating Scheme provides a rating of 0 to 5 for each registered food business to which the public would normally have access. The rating for each premise is based on the risk rating that Council Officers have determined on the most recent relevant food hygiene intervention. The Scheme aims to help consumers make informed choices about where to eat or buy food by

allowing them to easily compare one food business with another within their own area or more widely. The Scheme also aims to benefit food businesses by providing an incentive for them to improve standards and do better than their competitors - i.e. a good food hygiene rating will be good for business, whilst a poor food hygiene rating may make their customers decide to purchase food elsewhere. Food Hygiene Ratings for all relevant food businesses in West Lancashire is published on the FSA website (www.food.gov.uk) or via the Council's website – see Appendix 2: Useful Contacts.

4.0 Resources

Financial allocation

4.1 The total cost of the Service is £142,830 comprising of the following:

Staff and associated costs	£127,390
Equipment, materials, sampling etc.	£13,890

Staffing allocation

4.2 The resources allocated within the Section for food safety matters equate to 3.0 FTE. This is comprised of the following:

- Commercial, Safety and Licensing Manager (0.25 FTE);
- Senior Environmental Health Officers (1.75 FTE);
- Environmental Health Assistants (1.0 FTE).

4.3 In accordance with the Council's business plan, the Major Service Review (MSR) process is on-going. In 2012/13, the MSR process resulted in the following:

- Deletion of the Commercial Safety Manager and Public Protection & Licensing Manager posts;
- Creation of the Commercial, Safety & Licensing Manager post, which amalgamated the duties of the above posts;
- Discontinuation of the accreditation of Environmental Health Service Quality System.

4.4 Although accreditation has been discontinued, the documented procedures for all work activities remain and are being updated. Therefore, the principle impact of the above changes is that less management time can be spent on food safety matters.

4.5 Proposals for further savings have been identified for 2014 onwards that will impact on the delivery of the food safety service. However, these proposals have yet to be ratified by full Council.

Staff development plan

4.6 The Service, in accordance with the most recent version of the FSA Food Law Code of Practice, is committed to providing each member of the Food Safety Service with a minimum of 10 hours ongoing/updating training each year. Records of training needs and competency levels are kept as part of the Environmental Health Service Quality System. Attendance on appropriate training courses is undertaken is complemented by in-house training on specific developments during meetings or workshops.

4.7 The qualifications, experience and training of staff is sufficient to ensure that the Authority has the expertise to ensure competent intervention in the food businesses and processes in the Borough. Staff development is primarily assessed through the Employee Development Appraisal Interview, which is undertaken annually. The Service also participates in the EHL Food Safety Annual Training Programme.

5.0 Quality assessment

- 5.1 It is our policy to undertake all functions of the Service in accordance with the procedures laid down in the Environmental Health Service Quality System.

- 5.2 The Service is an active member of EHL and the Food Officers Group (FOG) and is committed to developing FOG's liaison, training, peer review, inter-authority auditing, benchmarking and consistency processes. Through FOG, the Authority participates in inter-authority auditing of the Food Safety Services in Lancashire against the standard laid down by the FSA.

6.0 Review

Review against the Service Plan 2012/2013

6.1 Performance was monitored in the following way:

- Monthly performance figures for the Food Safety Business Intervention Programme;
- Submission of performance figures against target figures to elected members on a quarterly basis;
- Performance data provided to the FSA on an annual basis;
- Performance was reviewed at regular Team meetings.

6.2 96% of the higher risk food businesses (category A, B and C (higher rated)) due for intervention during 2012/2013 received such an intervention, against a target of 90% (category A to C). 35 new food businesses also received an intervention during 2012/2013 that were not part of the Intervention Programme.

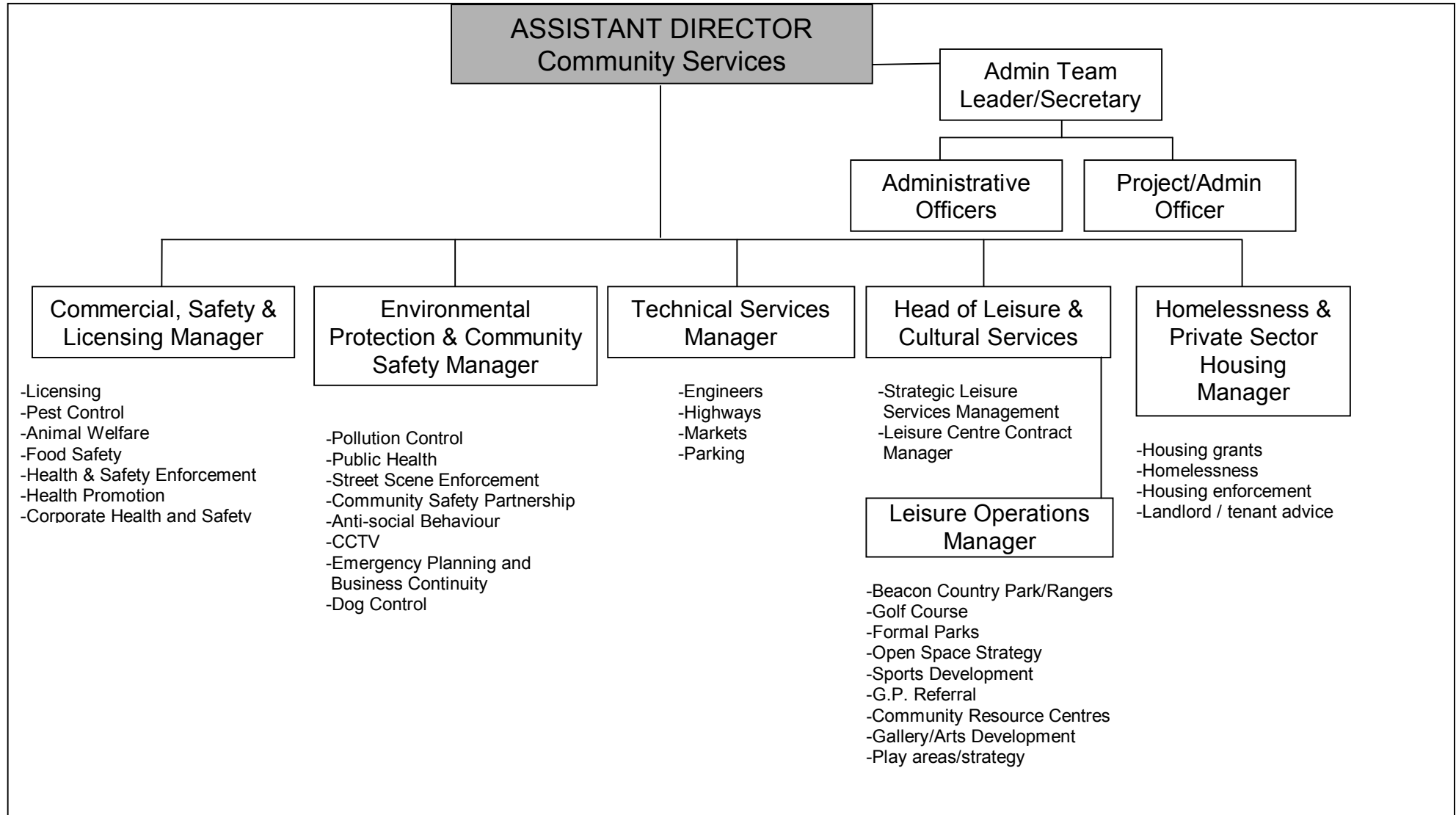
6.3 However, the food businesses that have not received a routine intervention during 2012/2013 are mainly low risk (category C (lower rated) D and E), which is in addition to a backlog from previous programmes. The method to address this backlog of interventions is detailed below.

Areas for improvement in 2013/2014

- The target intervention rate for the 2013/2014 Intervention Programme is 80% for all high risk food businesses (category A to C). Lower risk food businesses (category D and E) will receive an alternative intervention. The Service aims to respond to 95% of requests for service within 3 working days during 2013/2014;
- An alternative enforcement strategy will be implemented to ensure targeted interventions in accordance with FSA guidance - as follows:
 - Improved mechanism of reporting performance to Food Safety Officers, including targeting of those food businesses that are not deemed to be 'broadly compliant'.
 - Category C food businesses will receive a partial intervention focusing on hazard analysis, temperature control, cross contamination and training. A full intervention will only be carried out where Officers find evidence of an additional risk to food safety.
 - Category D food businesses will receive a surveillance visit to determine that the food business operator remains unchanged and there have been no material changes in the food business that would impact on the risk rating allocated to that business. (Where a potential risk to food safety is evident, a more targeted intervention will take place).
 - Category E food businesses will receive a written intervention to:
 - (i) confirm the food business operator contact details
 - (ii) provide a source of food safety advice and information
 - (iii) to ascertain that there have been no material changes in the food business that would impact on the risk rating allocated to that business (where a potential risk to food safety is evident, a more targeted intervention will take place).
- To further develop the M3PP software system used for the recording, programming and monitoring of food businesses and the Intervention Programme. Including direct inputting of information by Food Safety Officers;

- To work with the Public Health England laboratory service to implement the UKFSS system to provide a more efficient method of sharing of sampling information;
- To maintain the FSA Local Authority Enforcement Monitoring System (LAEMS).

Appendix 1: Structure of Community Services



Appendix 2: Useful contacts

Further information on West Lancashire Borough Council's Food Safety Service can be obtained from:

West Lancashire Borough Council, Food safety Service, Robert Hodge Centre, Stanley Way, Skelmersdale, Lancashire WN8 8EE

Telephone: 01695 577177
Fax: 01695 585126
Email: envhealth.admin@westlancs.gov.uk
Webpage: www.westlancs.gov.uk

Opening Hours: 08.45 – 17.00 (Monday-Thursday)
08.45 – 16.45 (Friday)

Out of Hours: Emergency Service is available by contacting 01695 577177.

The 'out of hours' emergency service is available 24 hours a day, 7 days a week. An appropriate Officer from the Environmental Health Service can be contacted through this number in an emergency e.g. food poisoning outbreak.



ARTICLE NO: 2C

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2013/14
ISSUE: 4**

Article of: Assistant Director Housing and Regeneration

Relevant Managing Director: Managing Director (Transformation)

Contact for further information: Rachel Kneale (Extn 2611)

(E-mail: rachel.kneale@westlancs.gov.uk)

SUBJECT: THE COMMERCIAL PROPERTY PORTFOLIO

Wards affected: Borough Wide

1.0 PURPOSE OF ARTICLE

- 1.1 To provide Members with a commentary on the Council's Commercial Property Portfolio advising of the performance of property assets and determining future trends and demand.
-

2.0 BACKGROUND

- 2.1 Council has a significant portfolio of commercial properties that are held for investment purposes. These properties are occupied by third parties and provide rental income of circa £1.7 million per annum. The budgeted costs associated with these properties are on average £1.1 million per annum resulting in a £600,000 surplus, over the last three years (2010/11, 2011/12, 2012/13).
- 2.2 Surpluses generated from the commercial portfolio are used to supplement other Council funds in supporting service delivery. As with any investment, the ownership of commercial properties carries with it various risks and obligations. Any number of factors including the economy, market demand and stock condition will play an important role in the level of return that the Council will receive from its property assets. The purpose of this report is to appraise Members of the portfolio held by the Council and its performance over recent years. The report outlines anticipated future trends and actions planned to both maximise the return to the Council and minimise any risk associated with holding these assets.

3.0 THE HISTORY AND BENEFITS OF ACQUISITION

3.1 The Council has, over a number of years, acquired an array of commercial premises that now forms its commercial investment portfolio. The first of these holdings were the CRA portfolio – the Community Related Assets Balancing Package. These income generating assets transferred to the Council from the Commission for New Towns to balance the cost of maintaining the liabilities also transferred to the Council. Primarily the properties are held as income generating assets and the surpluses generated can be used to support Council service areas. Local shopping centres such as those at Sandy Lane and Digmaor provide a focal point for the local community and provide a range of valuable services not only in the retail sector but voluntary agencies as well. Prudent estate management and development of services on offer have ensured that the Council has an effective mix within these centres, which contributes to the well being of the local community.

3.2 In the case of the Langtree Portfolio and Investment Centre, these aspects were added to the Council's Portfolio in 2003 and 2004 respectively. The surpluses are ring fenced, by the terms of the funding arrangements, so that these resources can only be used to fund specific areas of activity. However, aside from the income generation aspect of the portfolio the premises also contribute to the Council's key objectives in terms of sustainable regeneration and growth and caring for our Borough. For example the small industrial premises are important in that they provide space for new business ventures. Flexible terms can enable business development, create new jobs and boost the local economy.

3.3 In 2012 the Council commissioned an independent report by DTZ to examine how its assets were managed and their performance. This report commented on the performance and benefits of these Centres as follows: -

“At the time Council housing estates similar to those in Skelmersdale were built, local residents were far more dependent on shops within walking distance..... More recently such premises have had to adapt to serve as convenience stores and other local support services. Demand has fallen considerably in comparable centres and many are now obsolete or struggling to trade profitably.

This problem is been exacerbated in the current economic climate which has reduced consumer spending..... In this context, the vacancy rates within the Digmaor and Sandy Lane centres are extremely low. The centres are clearly performing an important function in providing amenity to the respective local communities and the Council's continued intervention is seen as an important factor in sustaining a local retail offer in the absence of private sector interest. This is particularly relevant in areas where there are high levels of deprivation in terms of unemployment, health problems, income levels and low car ownership.”

34 The economic and social benefits the portfolio of properties provide, run parallel to income generation and officers ensure that all lettings reflect market terms and conditions and that rental income is maximised wherever possible. This does not preclude a flexible approach to lettings: rent free periods and break

clauses can be agreed where premises are difficult to let or require expenditure by an incoming tenant to bring into a lettable condition.

3.5 Maximising income not only increases revenue available to the Council, but also enhances the capital value of the asset. Aside from market conditions, rental and consequently capital growth will only be achieved by investing in the properties both in terms of planned maintenance and capital investment.

3.6 There has been a noticeable increase in the uptake of industrial units below 3000 sq ft and, subject to the usual churn, it should be noted that there are no vacant units of this size.

4.0 ISSUES

4.1 A review of the portfolio has recently been undertaken and, a number of issues have been identified which are detailed in the following paragraphs.

4.2 Delf House has historically provided a significant proportion of the total income from the commercial portfolio, and negotiations for a new lease have been taking place.

4.3 The Langtree portfolio provides significant rental income of around £250k which is ring fenced to spending on the redevelopment of business/employment sites. The surpluses generated have helped fund several major capital projects including the re-roofing of units at Gorseley Place and the CCTV scheme at Burscough and is being utilised to partially fund the Greenshoots project. Use of Langtree money across the Council's commercial portfolio releases other revenue and capital streams that would otherwise be used to fund repairs and maintenance.

4.4 Overall, the Council's Commercial Property portfolio is currently performing steadily. DTZ reported that the portfolio was performing extremely well, compared to similar properties, however also recommended that an upgrading of the tired units be commenced with the possible acquisition of more long term leases to further balance the portfolio. Where appropriate, consideration has been given to the disposal of individual assets especially when management and maintenance costs increase and hence reduce net income. However the poor returns achievable on cash deposits together with the low capital receipts being achieved by secondary property in the market mean that a sale is not a prudent option at the present.

5.0 ACTION

5.1 In order to continue to manage the portfolio to the benefit of the Council the current priorities are:

- A programme of marketing the vacant units at Gorseley Place to secure new tenants.
- Negotiations with the tenant of Delf House to complete the new lease.

- Remodelling of projects (particularly Greenshoots) to increase desirability and increase income.
- Investment on our retail parades.

6.0 SUSTAINABILITY IMPLICATIONS/ COMMUNITY STRATEGY

- 6.1 Income received from the Council's commercial property portfolio contributes to a number of service areas, assisting the long term sustainability of Council services.
- 6.2 Effective management and a programme of planned maintenance and capital investment will ensure the most effective and sustainable use of the Council's non operational commercial property.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The historic vacation of the units by Vivalis (formerly Constance Carroll) occurred at an unfortunate period of the economic cycle. Whilst some units attracted tenants the majority remain vacant. Three new manufacturing enterprises have just taken up occupation and it is hoped that these businesses will grow and expand. Greenshoots has seen the most unattractive and obsolete terrace of four units (18 – 24 Gorsey Place) being demolished and proposals for the site to be remodelled to provide accommodation which will meet modern day requirements. External funding options will be explored to reduce the investment required by the Council whilst the project is being progressed.
- 7.2 The Council's commercial property investments have, historically, shown steady rental growth and provide a significant contribution to the Council's revenue streams which could not be matched in the present money markets.
- 7.3 Effective use of the Langtree reserves will continue to maintain and enhance the revenue generating potential of the portfolio and contribute to other Council projects and provide the opportunity to lever in external match funding. Use of these reserves will also enable Council budgets otherwise used to support the commercial property portfolio to be diverted elsewhere.
- 7.4 The commercial portfolio is presently producing gross returns of between 2.52% and 26.49%.
- 7.5 Opportunities to secure external funding where possible are pursued.

8.0 RISK ASSESSMENT

- 8.1 The Council's property portfolio is presently performing extremely well considering the general poor state of the UK economy, as confirmed by the independent report.

8.2 There have been several incidences where businesses operating from Council owned premises have failed and this has had a detrimental effect on the financial return of the investment portfolio as the number of bad debts has increased. Estate Management on these cases and other businesses judged to be vulnerable in the down turn has been, and continues to be intensive and where appropriate the Council's bailiffs have been instructed to act. This always acts as a deterrent to other business who may be considering defaulting on their rental payment. In addition the Estates team has a number of cases with Legal Services which have court dates in the near future.

9.0 CONCLUSIONS

9.1 The commercial property portfolio continues to provide a significant source of revenue for the Council and offers the potential for releasing considerable capital resources should market conditions become favourable.

9.2 The properties also contribute to other Council objectives such as economic and community development support.

9.3 Continued effective estate management and implementation of the recommendations contained within this report should ensure the future effectiveness and performance of the Councils commercial property portfolio.

9.4 After a period of some vacancies the smaller (less than 3,000 sq ft) units have attracted occupiers indicating growing commercial confidence in the area and now are fully let, revealing an unmet demand for properties in this size band.

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 Article is for information only and 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.