



ARTICLE NO: 1A

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

**MEMBERS UPDATE 2014/15
ISSUE: 2**

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:

- Skills, Training and Employment Partnership (STEP) – 11 March 2014
- Community Safety Partnership – 30 April 2014 and 16 July 2014
- Health and Well Being Partnership – 12 March 2014, 7 May 2014, 23 July 2014 and 17 September 2014
- Ageing Well Partnership – 7 January 2014, 4 March 2014 and 24 June 2014
- People and Communities – March 2014 and June 2014
- Children's and Young People's Board – 20 May 2014 and 8 July 2014

They can be accessed on the One West Lancashire Board's web page at:
<http://www.onewestlancs.org/thematic-groups.html>

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: 1B

**CORPORATE OVERVIEW &
SCRUTINY COMMITTEE**

**MEMBERS UPDATE 2014/15
Issue: 2**

Article of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

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

SUBJECT: PETITIONS UPDATE

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To provide an update on the petitions received under the Council's Petition Scheme in 2013/14.

2.0 PETITIONS RECEIVED

2.1 Details of those petitions received and dealt with under the petitions scheme are contained in Appendix 1 to the report. A copy of the Scheme can be found at Section 18.2 of the Council's Constitution.

3.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

3.1 Petitions are another method to enable local people to raise concerns with the Council providing a feedback mechanism for the community and improving access for all.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 There are no financial or resource implications arising from the Article other than officer time in dealing with these matters.

5.0 RISK ASSESSMENT

5.1 The Council is no longer required to produce a Petition Scheme, however providing a formal mechanism for the public and interested parties to submit petitions could be considered as good practice.

Background Documents

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

Equality Impact Assessment

This 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

1. Petitions received - 2013/14

PETITIONS 2013/14 – UPDATE

No.	Lead Petitioner	Petitioners	Received	Petition Details	Steps Taken
1.	Ms H Scully Firbeck Skelmersdale	36	25 June 2013	To oppose the choice of street lamps erected by Lancashire County Council.	Written response sent to the Lead Petitioner on 8 August 2013 from the Assistant Director Housing and Regeneration.
2.	Mr Griffiths Lambourne Skelmersdale	31	9 July 2013	To request CCTV for Lambourne to be connected to the scheme.	Written response sent to the Lead Petitioner on 17 July 2013 from the Assistant Director Housing and Regeneration.
3.	Ms L Holland Moss Delph Lane Aughton on behalf of 'Keep Aughton Green'	2391	16 October 2013	To request the removal of Parrs Lane Sites from Plan B of the Local Plan	Written response sent to the Lead Petitioner on 20 November 2013 on behalf of the Assistant Director Planning.
4.	Marlborough Court Residents, Skelmersdale	35	July 2014	To request the installation of additional Laundry facilities at the Marlborough Court complex	Written response displayed on the Notice Board at Marlborough Court on 14 August 2014 from the Assistant Director Housing and Regeneration.
5.	Mrs Molyneux Marlborough Court, Skelmersdale	48	19 September 2014	To raise concern over the delay in the installation of the lift at Marlborough Court, Skelmersdale.	Written response sent to the Lead Petitioner on 23 September 2014 from the Assistant Director Housing and Regeneration.



ARTICLE NO: 2A

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2014/15
Issue: 2**

Article of: Assistant Director Housing & Regeneration

Relevant Managing Director: Managing Director (Transformation)

**Contact for further information: Mrs P Huber (Extn. 5359)
(E-mail: paula.huber@westlancs.gov.uk)**

**SUBJECT: EXEMPTION FROM CONTRACT PROCUREMENT RULES – WEST
LANCASHIRE CHALLENGE**

Wards affected: All Skelmersdale Wards

1.0 PURPOSE OF ARTICLE

1.1 To inform Members that an Exemption from Contract Procurement Rules has been granted by the Managing Director (Transformation) for activities relating to the West Lancashire Challenge Project.

2.0 BACKGROUND

2.1 The Council has secured external funding from the Department for Work and Pensions (DWP) to undertake activities that will support 50 unemployed individuals into training, work experience and/or employment via the West Lancashire Challenge project.

2.2 The Council has been one of the key partners in the delivery of the West Lancashire Challenge project over the past three years, with West Lancashire Council for Voluntary Services (WLCVS) delivering one-one support to help individuals back into training and/or volunteering. Unfortunately as funding reduced, this element of the project ceased in April 2014.

2.3 The funding secured by the Council from DWP is a continuation of the one-one support to individuals via the West Lancashire Challenge project and as stated in the funding application, is to be delivered by WLCVS.

3.0 CURRENT POSITION

3.1 The Council was notified of the outcome of the funding bid on the 4th September 2014, the project is time-limited with DWP indicating that the project will commence on the 1st October and will run until the 31st March 2015, a total of 6 months.

3.2 Given WLCVS have been delivering this activity through the West Lancashire Challenge project, and given the timescale available to deliver the project it was not practicable to approach Cabinet to request an exemption to the above Contracts Procedure Rule, therefore an Exemption from the Council's Contract Procurement Rules was granted by the Managing Director Transformation.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

4.1 The West Lancashire Challenge project is all about supporting individuals into employment, training, work experience and volunteering opportunities, which are key to creating good quality jobs as identified within the Community Strategy

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 There are some financial/ resource implications arising from this article in respect of delivering the activity outlined within this report however these have been met from external funding.

6.0 RISK ASSESSMENT

6.1 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 Article.

Equality Impact Assessment

This 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.



ARTICLE NO: 3A

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2014/15
ISSUE: 2**

Article of: Transformation Manager

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

SUBJECT: BUSINESS PLAN 2011-15: DELIVERY PLAN MONITORING (Q1 2014-15)

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To update Members on the progress made towards the implementation of the Business Plan Delivery Plan during April-June 2014.

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 to ensure the effective management of its implementation. Many of the actions are the subject of more detailed reports to committees. A quarterly summary of activity of the delivery plan is produced and a full Annual Report is submitted to Council.

2.3 The Business Plan was refreshed for 2014/15. Actions are aligned directly to the Council's priorities to provide a framework for their delivery. Several new actions were identified for 2014/15 and these are identified in the delivery plan.

2.4 The monitoring process has highlighted that good progress continues to be made on the delivery plan. Appendix A summarises the progress in the first

quarter of 2014-15. Explanations have been provided as appropriate in those areas where progress has not been as planned.

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 article 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

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


Appendices


Appendix A: Q1 2014-15 Business Plan Delivery Plan Monitoring Report


APPENDIX A: Business Plan Delivery Plan Q1 2014/15


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	MSR 2015-16	Milestones tbc			
Status		Note			

Service:	Transformation		Head of Service:	Shaun Walsh	
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_02a	OR in Housing (Voids & Allocations, Estate Management, Rents & Money Advice)	Start OR review of the Operational Services area within Landlord Services	01-Apr-2013	Yes	
		Complete review of Landlord Services	30-Jul-2014		
		Findings / recommendations report submitted to Cabinet	16-Sept-2014		
		Begin implementation of recommendations	01-Oct-2014		
Status		Note	Review being conducted in-house. Some original due dates extended following agreement from the project board.		


Service:	Transformation			Head of Service:	Shaun Walsh
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_02b	OR within Property Services (one service area)	Start OR review of the Operational Services area within Landlord Services	01-Sept-2014		
		Complete review	31-March-2015		This date is provisional
		Findings / recommendations report submitted to Cabinet	30-June-2015		This date is provisional
		Begin implementation of recommendations	01-Jul-2015		This date is provisional
Status		Note	Review being conducted in-house. Provisional dates to be agreed at scoping stage of the project.		

Service:	Transformation			Head of Service:	Shaun Walsh
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_02c	OR in Legal & Member Services	Bring forward area for review	26-Apr-2013	Yes	Legal & Member Services
		Identify organisation to conduct review	25-Oct-2013	Yes	Consultants engaged via mini-competition between OR Assessment Framework
		Begin OR review	20-Jan-2014	Yes	Revised date to accommodate appointment and timetabling of consultancy support.
		Complete review	16-Sep-2014		
		Findings / recommendations report submitted to Cabinet	16-Sep-2014		
		Begin implementation of recommendations	01-Oct-2014		
Status		Note	Review is on schedule. Review being conducted by consultants from the OR Assessment Framework.		


Service:	Transformation			Head of Service:	Shaun Walsh
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_02d	Planning for future OR Work	Consider bringing forward area for review	01-Jul-2014		TBC
		Identify organisation to conduct new area OR review	22-Sep-2014		Consultants to be engaged via mini-competition between the OR Assessment Framework.
		Decision by Members on whether to re-establish the OR Assessment Framework	01-Oct-2014		Framework comprises six organisations with expertise in conducting Lean Reviews. This framework is used to conduct additional OR work as and when required by Members. Framework is due to expire August 2014.
		Begin OR review	01-Dec-2014		This date is provisional and maybe updated in due course
		Complete review	17-Sep-2015		This date is provisional and maybe updated in due course
Status		Note	Review to be conducted by consultants from the OR Assessment Framework. Implementation of previous OR areas Planning and Sheltered Housing now largely being carried out within the services. OR contributes to the Council's equality objectives by obtaining the wants of customers accessing services under review and applying the information to help form process redesign and tailor services to help meet the specific needs of customers.		


Service:	Housing & Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_03	Strategic Asset Management Plan	Review SAMP process	30-Jun-2014	Yes	Officers have now reviewed the SAMP process. Report to Cabinet in September
		Implement revised SAMP process	31-Jul-2014		
Status		Note			


Service:	Housing & Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
B_05	HRA Self-financing Business Plan (New)	Agree budget for 2014/15	26-Feb-2014	Yes	
		Council Approval of 2014/15 Budget	26-Feb-2014	Yes	February Full Council
		Revenue bids allocated to specific officers to manage budget heads	28-Feb-2014	Yes	
		Capital Growth bids to be built into project plan of schemes	01-Apr-2014	Yes	


		Implement project plan for delivery of major capital schemes	01-Apr-2014	Yes	Work on the Capital programme have commenced and will continue during the financial year.
		Revise budgets and schemes in line with realistic outturning dependent on current performance and tender prices	30-Sep-2014		
		Mid-year review	15-Oct-2014		
Status		Note			


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

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
		Member/public consultation	27-Jul-2014		Ongoing June/July, including an exhibition of potential designs.
		Further milestones (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 (LCC). Funded by LCC, WLBC and from the High Street Innovation Fund.		


Service:	Street Scene		Head of Service:	Graham Concannon	
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-04	Public Realm	Apply spring/summer weed control	31-Oct-2014		Weed spraying applications start in April then continue throughout the growing year into October 2014
		Complete agreed grass cuts	31-Oct-2014		Grass cuts across LCC land between April and October 2014
		Complete agreed tree work	31-Mar-2015		Tree maintenance work as authorised by LCC between October and March 2015.
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: Housing		Head of Service:	Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-05	Housing Asset Management Programme	Start Consultation on preferred option for Beechtrees revival	01-Apr-2014	No	Consultation pack currently being developed for approval by senior management and wider stakeholder approval.
		Complete Consultation on preferred option for Beechtrees revival	01-Nov-2014		
		Update Asset Management Sustainability Model	30-Nov-2014		Ongoing
		Report to Cabinet and Council	28-Feb-2015		
		Deliver year 2 of the 5 year investment plan	01-Mar-2015		
Status		Note			


Service:	Community Services		Head of Service:	Dave Tilleray	
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-06	Expanding CCTV Coverage	Invite draft locations from Parish Councils	30-Jun-2014	Yes	
		Commence public consultation on proposed sites	15-Jul-2014	Yes	Consultation 03 - 31 July
		Final decision on sites (Managing Directors and Asst. Director of Community Services in conjunction with Portfolio Holder)	15-Sep-2014		
		Place order with ATEC Security Solutions	30-Sep-2014		
		Seven cameras operational	30-Jun-2015		
Status		Note	CCTV can directly contribute to the WLBC equality objectives in relation to addressing the effects of ASB since cameras can help reduce ASB and therefore improve the quality of life of residents.		


Service:	Housing & Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
C-07	Ormskirk Town Centre Strategy (New)	Draft Ormskirk Town Centre Strategy & Action Plan to Cabinet	11-Nov-2014		A cross-service working group is developing the strategy. Draft Strategy to go to Exec O&S Committee in October for pre-scrutiny.
		Cabinet approval of Strategy & Action Plan	17-Mar-2015		
Status		Note			


Focussing upon sustainable regeneration and growth within the borough


Service:	Housing & Regeneration			Head of Service:	Bob Livermore
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-01	Remodelling Industrial Estates	Appoint consultant within EPS Framework	30-Jun-2014	No	Two meetings with the selected consultant NPS have taken place and scoping papers being prepared.
		Appoint Design and Build Contractor within Framework	30-Sep-2014		
		Obtain detailed planning permission and building regulations	15-Apr-2015		
		Complete build	30-Sep-2015		
Status		Note			


Service:	Planning Services			Head of Service:	John Harrison
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-04	Infrastructure delivery: Transport (Skelmersdale Rail Link Feasibility Studies)	Draft GRIP 2 Report (Skelmersdale)	31-Oct-2014		
		Final GRIP 2 Report	31-Jan-2015		
		Report to Members	31-Mar-2015		
Status		Note			

Service:	Planning Services		Head of Service:	John Harrison	
Action	Description	Milestones	Due Date	Completed	Milestone Note
F-05	Skelmersdale Town Centre	Agree supplementary agreement relating to land at Findon, Delph Clough and Digmoor	30-Apr-2014	No	Draft Agreement has been agreed and in the processes of being finalised and signed off by all parties.
		Complete appraisal of alternative development options to deliver Town Centre regeneration	31-May-2014	No	Significant progress is being made on this piece of work and is nearing completion.
		Remarket residential sites at Findon, Delph Clough and Digmoor	31-May-2014	No	Delayed as a decision was taken to front load this action, i.e. carry out ground investigation works on Findon and prepare all necessary legal documentation required to facilitate a quick sale of the sites in the event of developer interest.
		Complete Public Realm and environmental improvements	31-Oct-2014		
		Subject to market interest complete sale of residential sites	31-Dec-2014		
Status		Note			

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	
		Complete Phase 2 work (decant and demolition)	30-Jun-2014	No	One owner occupier left to decant due to vacate by end of July 2014.
		Consult on Phase 3 (New housing and Street Scene improvements)	30-Sep-2014		Consultation on new build procurement and designs and existing street scene. Due date amended to reflect slippage in overall programme.
		Complete Phase 1 Improvements (energy efficiency)	31-Dec-2014		Pilot Scheme to 8 properties demonstrating works being offered is complete. Works to remaining properties to be completed by December.
		Commence Phase 3 (New housing and Street Scene improvements)	01-Apr-2015		
		Complete Phase 3 - new housing element	01-Apr-2016		
		Complete Phase 3 - Street Scene element	30-Sep-2016		
Status		Note			

Service:		Housing & 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	Produce expression of interest that complies with Delivery Partner Panel 2 (DPP2)	31-Mar-2014	Yes				
		Determine S.106	30-Apr-2014	Yes				
		Redraft of Memorandum of Understanding	30-Apr-2014	Yes				
		Procure site investigations for Whalleys 4	31-May-2014	No	HCA want to manage this process but deadline issued and WLBC will commence if HCA do not respond.			
		Produce and issue sifting document	31-May-2014	No	HCA wish to procure a third party to carry out this project. Deadline for third parties is 25.06.14.			
		Produce and issue mini completion	21-Jun-2014	No	As above.			
		Award contract	30-Sep-2014					
Status		Note						

Service:		Housing & Regeneration			Head of Service:		Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note			
F-08	Economic Development Strategy (New)	Final Consultant's Economic Development Study and Action Plan	31-Aug-2014		Draft study has been received and is being reviewed.			
		Draft Economic Development Strategy & Action Plan to Cabinet	11-Nov-2014		Draft Strategy to go to October Exec O&S for pre-scrutiny.			
		Cabinet approval of Strategy & Action Plan	17-Mar-2015					
Status		Note	The ED Study provides a robust evidence base that will inform the ED Strategy, information such as levels of deprivation, skills and qualifications, employee numbers. This information will help to shape new projects that will improve the life chances of residents, having a direct and positive impact on the equalities agenda..					

Service:		Transformation / Housing & Regeneration		Head of Service:		Shaun Walsh / Bob Livermore	
Action	Description	Milestones	Due Date	Completed	Milestone Note		
F-09	Preparing for Universal Credit (including Financial Inclusion) (New)	Complete draft FI strategy	01-May-2014	Yes	Work on the draft FI strategy within H&R has been completed.		
		Initial engagement with DWP	23-June 2014	Yes	Go-live date for West Lancs announced		
		FI Strategy consultation with customers and feedback	30-Jun-2014	No	This has been postponed pending further work on corporate strategy		
		Delivery Partnership Agreement (DPA) sign off	17-Sep-2014		This date is provisional		
		Mobilisation and transition activity	mid Sept 2014		Work commenced in June for the design and build of delivery model.		
		Scheduled go-live of UC in West Lancs (1st cohort only)	mid Sept 2014				
		Finalise FI strategy and present to Council	30-Sep-2014				
		On-going review of UC delivery model in West Lancs	31-March 2015		Review will commence following Go-live. Delivery options to be tested during this review period.		
Status		Note	The Council have an equality objective in relation to Financial inclusion. The development of a strategy will have to have regard to some of the most vulnerable in society and full regard will be had to equality impacts throughout this work. A Universal Credit Task Group involving the Council, the local JCP Team and BTLs has been set up to manage implementation within West Lancs.				



ARTICLE NO: 3B

**CORPORATE AND ENVIRONMENTAL
OVERVIEW AND SCRUTINY
COMMITTEE**

**MEMBERS UPDATE - 2014/15
ISSUE: 2**

Article of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

**Contact for further information: Mr M Jones(Extn. 5025)
(E-mail: mathew.jones@westlancs.gov.uk)**

SUBJECT: LOCAL GOVERNMENT OMBUDSMEN –STATISTICS 2013/14

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To inform Members of the Council's performance in respect of the Local Government Ombudsmen statistics 2013/14.

2.0 BACKGROUND

2.1 The Council is overseen by two ombudsmen following changes brought about by the Localism Act 2011.

2.2 From 1st April 2013 the Housing Ombudsman (HO) has dealt with complaints by Council housing tenants about matters such as estate management, repairs to Council house properties, rent and service charges, possession proceedings and mutual exchanges. The Local Government Ombudsman (LGO) continues to deal with all other complaints against the Council including complaints by Council housing tenants about matters such as housing improvement grants, homelessness and statutory noise nuisance. The Council's response to enquiries and complaints received from the LGO and the HO are co-ordinated by the Legal and Member Services Manager.

2.3 In July 2014 the LGO provided the Council with a summary of statistics on enquiries and complaints made in respect of the Council for the period 1st April 2013 to 31st March 2014. This summary can be found at Appendix 1. This is the first year that the LGO has recorded complaints under their new complaints system and so they advise it is not possible to directly compare this year's figures with previous years. However, the LGO has also produced a new yearly report on local government complaint handling containing a summary of complaint statistics for each local authority in England to enable Councils to compare their performance against their peers. This report can be downloaded at www.lgo.org.uk/publications/annual-reviews.

2.4 The HO does not currently provide local authorities with a yearly summary of complaints made by Council tenants. However, I have provided an overview of the Council's performance for the period 1st April 2013 to 31st March 2014 at paragraph 4.1 of this update.

3.0 LOCAL GOVERNMENT OMBUDSMAN PERFORMANCE - 2013/14

3.1 During 2013/14 the LGO made *decisions* on 19 enquiries and complaints about the Council. Of those 19 enquiries and complaints only 6 were the subject of a detailed investigation. It should be noted that the number of enquiries and complaints *received* by the LGO during 2013/14 was 18 as one matter received during 2012/13 was decided in 2013/14.

3.2 I am pleased to report that in each of the 6 matters that proceeded to an investigation the LGO concluded that the complaint should not be upheld as the Council had acted without fault. With regard to the remaining 13 matters the LGO gave advice to the complainant in 2 matters, closed their file after initial enquiries in 5 matters and referred 6 matters back to the Council to resolve as the complainants had not first been through the Council's complaint procedure.

3.3 Using information provided by the LGO I have prepared the table at Appendix 2 to allow a comparison of the Council's performance with the other district councils within Lancashire. Of the 12 district councils, 7 had at least one complaint upheld against them. Only West Lancashire, Burnley, Fylde, South Ribble and Hyndburn had no complaints upheld.

4.0 HOUSING OMBUDSMAN PERFORMANCE - 2013/14

4.1 During 2013/14 only 1 complaint was received from the HO. I am pleased to report that the complaint in question was subsequently satisfactorily resolved through the Council's complaint procedure.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 Investigating and co-ordinating responses to enquiries and complaints made to the Ombudsman takes up a significant amount of officer time both for the Legal and Member Services Manager and for the service area to which the complaint or enquiry is directed. Given the importance to the Council in satisfactorily resolving enquires and complaints made by service users this work steam will continue to receive a high priority.

7.1 RISK ASSESSMENT

7.1 This article 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 Article.

Equality Impact Assessment

This 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: Summary of enquiries and complaints – West Lancashire Borough Council – 2013/14

Appendix 2: Table of Detailed Investigations – Lancashire District Councils

Local authority report – West Lancashire Borough Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
West Lancs BC	0	3	3	0	0	0	3	9	18

Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
West Lancs BC	0	6	2	5	0	6	19

LGO – DETAILED INVESTIGATIONS – LANCASHIRE DISTRICT COUNCILS

	Detailed investigations		% of Complaints Upheld
	Upheld	Not upheld	
Wyre	3	0	100.0%
Ribble Valley	4	3	57.1%
Preston	1	1	50.0%
Lancaster	3	3	50.0%
Chorley	1	2	33.3%
Pendle	1	2	33.3%
Rossendale	1	4	20.0%
Burnley	0	2	0.0%
Fylde	0	2	0.0%
South Ribble	0	2	0.0%
Hyndburn	0	8	0.0%
West Lancs	0	6	0.0%



ARTICLE NO: 3C

**CORPORATE OVERVIEW &
SCRUTINY COMMITTEE**

MEMBERS UPDATE 2014/15:

Issue:2

**Article of: Assistant Director Housing and Regeneration
& Transformation Manager**

Relevant Managing Director: Managing Director (Transformation)

**Contact for further information: Mr B Livermore (Extn. 5200)
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SUBJECT: DISCRETIONARY HOUSING PAYMENTS (DHP)

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To advise Members of the action taken to deliver DHP's within budget.

2.0 Background

2.1 DHP is a payment that can be awarded to tenants, whether they are public or private, by the Council to protect vulnerable households from facing financial hardship albeit for a temporary period.

2.2 DHP was introduced initially by Government to help households who faced financial changes when benefit reductions were made for Private Sector Tenants. Since that time, the DHP budget is there to support all tenants, whether they are in the public or private sectors

3.0 Current Position

3.1 Last year the budget for DHP was increased substantially because over 1000 public sector tenants were facing changes to their benefits because of the changes introduced surrounding the spare bedroom subsidy. This was additional to the support necessary for other welfare reform changes which are on-going.

- 3.2 Take up of DHP in 2013/14 was slow but ultimately over 80% of the budget was committed to the benefit of residents of West Lancashire.
- 3.3 DHP has continued to be paid to claimants over the first two quarters of financial year 2014/15. The budget for the year is £174,368 and at the end of the second quarter, the budget committed is estimated to be £122,000. If payment was to continue at current levels, the budget would inevitably be overspent. Officers have been closely monitoring the position in respect of this budget and current recipients have been advised that their DHP claim will cease from 9th November 2014. This action is compliant with the principle that DHP is only temporary support and allows a relatively small budget to be maintained for new claimants who face changes in their housing benefit and need temporary support, or applicants who will be claiming Universal Credit and require financial assistance. I attach at Appendix A, the Council's Policy in regard to DHP. New claims will of course be assessed and awarded accordingly in line with need.
- 3.4 There is one exception to the arrangements in paragraph 3.3 above which is in regards to tenants who have had a major adaptation to their home. For these applicants, DHP will continue to be paid because the cost of providing alterations to a new home (that the tenant may have to move to due to paying additional rent in their current home) is estimated at £6000 on average per tenant and it is felt therefore that the revenue support is more appropriate and represents best use of resources and value for money.

4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 4.1 The DHP budget will only be sustainable if applicants are supported on a temporary basis. DHP is intended as temporary support to help tenants for a limited period whilst they either, gain employment, move to alternative accommodation or adjust their finances to meet the new financial arrangements.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 The DHP fund is a cash limited budget provided by Government to support vulnerable tenants for a temporary period. In financial year 2014/15, the budget is £174,368.
- 5.2 In order to maintain a budget estimated at £52,368, the action outlined in paragraph 3.3 and 3.4 is being taken.

6.0 RISK ASSESSMENT

- 6.1 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 Article.

Equality Impact Assessment

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

Appendices

Appendix A – DHP Policy

Appendix B – Equality Impact Assessment – *to follow*

Discretionary Housing Payments: General Guidance

1. Purpose

The purpose of this document is to provide general guidance on Discretionary Housing Payments and to highlight considerations that may apply when determining who may qualify.

2. Background

Discretionary Housing Payments (DHP) are administered by Councils and are paid to customers who are in receipt of, or may be entitled to, Housing Benefit and where there is a shortfall between the level of Housing Benefit and the amount of rent charged.

From April 2013 councils are no longer permitted to use DHP to meet the costs of Council Tax; this is consequential from the abolition of Council Tax Benefit and replacement with localised schemes.

Discretionary Housing Payments are typically provided on a temporary basis to help tenants over a difficult period or to find alternative accommodation.

The Government provides an annual Discretionary Housing Payment contribution to each Council. Councils can use local funds to top up this contribution up to a maximum of 250% of the Government allocation. Historically West Lancashire Borough Council has not added to the government funding.

To support Welfare Reform changes the Government has significantly increased its Discretionary Housing Payments contributions to Councils for 2013/2014. West Lancashire's Government contribution for 2013/2014 is £158,909 (rising from £67,649 in 2012/2013).

The government's additional contribution recognises that Councils may wish to provide additional help to some customers affected by welfare reform including the social sector size criteria which is effective from April 2013 and the 'benefit cap' which is effective from 15th July 2013.

3. The Under Occupation Penalty

Restrictions on housing benefit for claimants in social sector tenancies have taken effect from April 2013. These affect working age customers living in accommodation that is deemed to be too large for their needs. The following size criteria reductions in Housing Benefit apply:

- 14% where there is one bedroom more than required
- 25% where there are two or more bedrooms more than required.

Around 1,300 households are affected in West Lancashire. The bulk of these (circa 1,200) are Council tenants.

In applying the restrictions, Councils have to determine the number of bedrooms required by the claimant and their family. This is done using a fixed national formula known as 'size criteria'. The size criteria calculation allows one bedroom for each person or couple living as part of the household with the following exceptions:

- Children under 16 of the same gender are expected to share a bedroom;
- Children under 10 are expected to share a bedroom regardless of gender;
- A disabled tenant or partner who needs a non-resident overnight carer is allowed an extra room.

There are some exemptions including:

- 'Exempt' supported accommodation; this includes accommodation where a significant degree of care, support and supervision is provided by the landlord on a non-profit making basis;
- Shared ownership properties and sheltered housing;
- Mooring charges and mobile home or caravan site rents ;
- Temporary accommodation including Council homelessness hostels.

In March of 2013 the government introduced additional exemptions. These relate to customers who require a room for a child to be fostered. The second exemption relates to a room which is retained for an adult child who is member of armed forces personnel serving elsewhere.

The DWP has recently confirmed in an 'urgent information bulletin' that an additional bedroom may be allowed for children with a severe disability. This is not a change to the legislation but has been established through recent case law.

The DWP guidance states:

' When a claimant says that their children are unable to share a bedroom, it will be for LAs to satisfy themselves that this is the case, for example, a claim is likely to be supported by medical evidence and many children are likely to be in receipt of Disability Living Allowance (DLA) for their medical condition. In addition LAs must consider not only the nature and severity of the disability, but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the child who would normally be required to share the bedroom. In all cases this will come down to a matter of judgement on facts of each individual case.

It should be noted that the judgment does not provide for an extra bedroom in other circumstances, for example, where the claimant is one of a couple who is unable to share a bedroom or where an extra room is required for equipment connected with their disability.'

4. General Guidance

All Discretionary Housing Payment applications must be assessed on individual and household circumstances and take account of levels of income and benefit received.

Each application is considered on a range of criteria including:

- How much is the rental liability?
- What is the Housing Benefit entitlement?
- What is the shortfall between the liability and the award?
- Has the property been adapted?
- What is the household composition?
- Does the customer have any available income?
- Any relevant imminent changes of circumstance.
- Is the customer vulnerable?
- Does any member of the household have relevant medical issues?
- Are there any specific needs or expenses associated with disability?
- Are there any particular needs associated with children or other caring responsibilities?
- Is the customer in rent arrears?

5. Exclusions

There are a number of exclusions that are not covered by Discretionary Housing Payments including:

- Council Tax
- Ineligible service charges (these are charges which Housing Benefit cannot legally support)
- Increases in rent due to outstanding rent arrears
- Certain sanctions and reductions in benefit (this might relate, for example, to a sanction applied by the Department of Work Pensions in relation to seeking employment or a counter fraud punishment).

6. Factors for Consideration

It is clear that assistance cannot be provided for every customer who has had a reduction in benefit. Nor can any general guidance cover every set of circumstances.

It is also clear that as the fund is cash-limited that the priority for awards will be affected by the volume of demand.

In most instances a DHP would provide a temporary solution to enable customers to meet a particular need or overcome a difficult period. There may be longer-term DHPs but all awards must be awarded for a fixed period to be reviewed periodically, based upon prevailing demand and the available funding and remaining budget.

However, certain vulnerable groups can be prioritised for awards and factors that could be considered in determining need and priority would include:

- Whether anybody in the household has particular needs associated with disability or ill-health
- Whether the accommodation has been adapted because of a disability
- Whether anybody in the household has a caring responsibility and consequential accommodation needs
- Whether the household needs specific accommodation due to fostering
- Whether anybody in the household has a relevant medical need
- Whether there is a young child in the household attending school
- Whether it is possible or practical for the claimant to look for alternative accommodation.

<p>1. Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people: <i>People of different ages – including young and older people</i> <i>People with a disability;</i> <i>People of different races/ethnicities/ nationalities;</i> <i>Men; Women;</i> <i>People of different religions/beliefs;</i> <i>People of different sexual orientations;</i> <i>People who are or have identified as transgender;</i> <i>People who are married or in a civil partnership;</i> <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i> <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>The arrangements impact on people of working age and the decision to cease payments of DHP will apply to all applicants regardless of equality groups. It is likely to impact adversely on those who are financially disadvantaged.</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>DHP is a temporary payment to those facing financial vulnerability. This is a temporary payment but those receiving this do after a period become dependent on this.</p>
<p>3. How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>No</p>
<p>4. Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:- <i>Eliminate discrimination, harassment and victimisation;</i> <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i> <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>The withdrawal of DHP will, for some, create a crisis and make consideration of moving home, obtaining employment or adjusting their financial obligations a real issue.</p>
<p>5. What actions will you take to address any issues raised in your answers above</p>	<p>Support will be available to those losing DHP to discuss a move to alternative accommodation, to obtain employment or personal budgeting advice.</p>



ARTICLE NO: 3D

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2014/15
ISSUE: 2**

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 2014 / 15

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

- 1.1 To provide Members with information about the Food Safety Service Plan operating during 2014/15.
-

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 2013/14 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 2014/15 (the Plan), which is attached to this update at Appendix 1.
- 3.2 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 the Portfolio Holder for Health, Leisure and Community Safety on 10 August 2014.
- 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 2014/15 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

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

Appendices

Appendix 1 – Annual Food Safety Service Plan 2014/15

West Lancashire Borough Council

Food Safety Service Plan

2014/15

Contents

Introduction	2
1.0 Aims and Objectives	3
2.0 Background	5
3.0 Resources	6
4.0 Service demands and performance during 2013/14.....	7
5.0 Intervention Programme for 2014/15.....	9
6.0 Scope and responsibilities of the Service	11
Appendix 1: Structure of Community Services	17
Appendix 2: Useful contacts	18


Introduction

Welcome to West Lancashire Borough Council's Food Safety Service Plan. This Plan covers all elements of food safety and hygiene for which the Authority has enforcement responsibility. It 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 importance of its Food Safety Service.

I hope you find it helpful and interesting.

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

D P Tilleray

Assistant Director Community Services

Approved by the Portfolio Holder for Health, Leisure and Community Safety on 10 August 2014.

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;
- 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 10 August 2014 and was also presented as a Member's 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 has established three Corporate Priorities. The Service works towards two of these priorities, as follows:

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

The Service aims to be flexible, responsive, efficient and effective; and therefore represent excellent value for money. The Service is targeted and proportionate, only intervening 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, decisions will be consistent and open. The Service will try to convey the requirements of the law in a simple and user-friendly way - within the limitations of legislative requirements.

- *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 support businesses as an integral part of routine food safety interventions to promote food safety, better nutrition and healthy choices available to the public.

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.

Enforcement policy

2.4 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 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.

3.0 Resources

Financial allocation

3.1 The total cost of the Service is £117,440 comprising of the following:

Staff and associated costs	£102,040
Equipment, materials, sampling etc.	£13,840

Staffing allocation

3.2 In accordance with the Council's business plan decisions taken in 2013, the Major Service Review (MSR) process resulted in the following:

- Deletion of 0.4 FTE Senior Environmental Health Officers

3.3 Therefore, the resources allocated within the Section for food safety matters currently equate to 3.3 FTE. This is comprised of the following:

- Commercial, Safety and Licensing Manager (0.2 FTE);
- Senior Environmental Health Officers (2.1 FTE);
- Environmental Health Assistants (1.0 FTE).

Staff development plan

3.4 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 of on-going / 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.

3.5 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 Environmental Health Lancashire (EHL) Food Safety Annual Training and Inter Authority Auditing Programmes.

4.0 Service demands and performance during 2013/14

Demands on the service

4.1 There are a total of 920 registered food businesses in the Borough for which the Service has enforcement responsibility. These businesses can be divided into the following classifications:

WLBC code	FSA food business type	Total
A	Producer	24
B	Slaughterhouses (seasonal)	2
C	Manufacturers / processors	20
D	Packers	13
E	Importer	3
F	Distributors	24
G01	Supermarket / hypermarket	17
G02	Small retailers	125
G03	Retail other	42
H01	Restaurant / café / canteen	142
H02	Hotel / guest house	9
H03	Pub / club	120
H04	Take away	66
H05	Caring establishment	60
H06	School / college	119
H07	Mobile food unit	41
H08	Restaurant / caterer other	93
	TOTAL	920*

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

Food safety risk rating	Total
Category A (intervention required every 6 months)	3
Category B (intervention required every 12 months)	89
Category C (intervention required every 18 months)	393
Category D (intervention required every 2 years)	154
Category E (alternative enforcement strategy every 3 years)	225
Outside of programme (not inspected by WLBC)	5
Unrated as at 01/04/14	51
TOTAL	920*

4.3 The current National Food Hygiene Rating (NFHR) profile of the above food businesses is:

NFHR	Total	
0	Urgent improvement necessary	0
1	Major improvement necessary	48
2	Improvement necessary	21
3	Generally satisfactory	140
4	Good	178
5	Very good	362
TOTAL		860*

*The difference between total premises and total NFHR rated premises is due to those premises as yet unrated and/or are exempt from the NFHR.

- 4.4 Those premises identified as requiring improvement (i.e. allocated a NFHR 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.
- 4.5 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 NFHR issued to any business, this does not mean that a low NFHR relates to a high risk rated food businesses and vice versa.

Performance against the Service Plan 2013/2014

- 4.6 96% of the higher risk food businesses (Category A, B and non-compliant C) due for intervention during 2013/2014 received an appropriate intervention, against a target of 80%. Performance exceeded the target due to:
- Improved performance monitoring and feedback to Officers;
 - Full use of the range of interventions available to Officers in the FSA Code of Practice;
 - A change in the FSA food safety risk rating scheme, which resulted in several compliant Category C premises being re-rated as Category D and thereby not requiring an intervention as frequently.
- 4.7 107 food businesses did not receive a routine intervention during 2013/2014. These are predominantly low risk (compliant Category C, D and E) rated premises. The approach detailed in paragraph 5.1 aims to address this backlog of interventions.
- 4.8 Based on the above data, 92% of relevant food premises in the Borough are broadly compliant with food safety requirements.

5.0 Intervention Programme for 2014/15

Targets for 2014/2015

5.1 The Service will aim to carry out an intervention in:

- All Category A, B or non-compliant C food businesses;
- All new high risk food businesses;
- 80% of compliant Category C food businesses;
- 80% of Category D and E food businesses;
- 80% of all new low risk food businesses / unrated food businesses.

5.2 Interventions will be targeted in accordance with FSA guidance, as follows:

- Monthly performance monitoring of Food Safety Officer's work, 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's contact details;
 - (ii) provide a source of food safety advice and information;
 - (iii) 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 work with the Public Health England laboratory service and Lancashire Authorities 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).

5.3 The Service will respond to 95% of requests for service within 3 working days.

Food business interventions

5.4 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's and Community Services Enforcement Policies.

5.5 The Intervention Programme for 2014/2015 is as follows:

Food Business Risk Category	No. of Food Businesses at 01/04/14	No. of outstanding interventions at 01/04/14	No. of interventions due 01/04/14-31/03/15	Estimated no. of revisits 01/04/14-31/03/15
A	3	0	6	4
B	89	0	84	42
C	393	50	218	113
D	154	33	33	5
E	225	24	23	5
Total	864	107	364	169
Non-rated	51	-	-	-

5.6 Performance against the intervention programme will be monitored in the following ways:

- Monthly performance figures for the Food Safety Business Intervention Programme;
- Performance data provided to the FSA on an annual basis;
- Performance reviewed at regular Team Meetings.

6.0 Scope and responsibilities of the Service

Scope of the Service

6.1 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 the Community Services 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 NFHRS 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 for food to be exported to countries outside of the EU;
- 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.

Additional commitments

6.2 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;
- Commercial, Safety & Licensing Manager to undertake at least 8 accompanied interventions with Officers per year. This is to ensure Officers maintain a consistency of approach and compliance with relevant statute and codes of practice.

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.

Imported food controls

6.3 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

6.4 Allowance has been made in the Plan for the initial intervention in 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

6.5 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

6.6 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.

6.7 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.

6.8 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

6.9 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. The number of current approved premises are:

Fishery Products	4
Meat Products	1
Dairy Products	5
TOTAL	10

Primary Authority Scheme and Home Authority Principle

6.10 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.

6.11 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. Accordingly, Local Authorities are required to contact the relevant Primary Authority for a company covered by the PAS before taking any enforcement action.

- 6.12 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.

Advice to food businesses

- 6.13 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 80 such requests will be dealt with each year. The response time for such requests is 10 working days.

Food sampling

- 6.14 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 2014/2015.
- 6.15 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.
- 6.16 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.
- 6.17 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 these comply 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

- 6.18 This work is undertaken by the Service and involves contact with Consultants in Health Protection, Directors 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

6.19 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

6.20 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

6.21 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

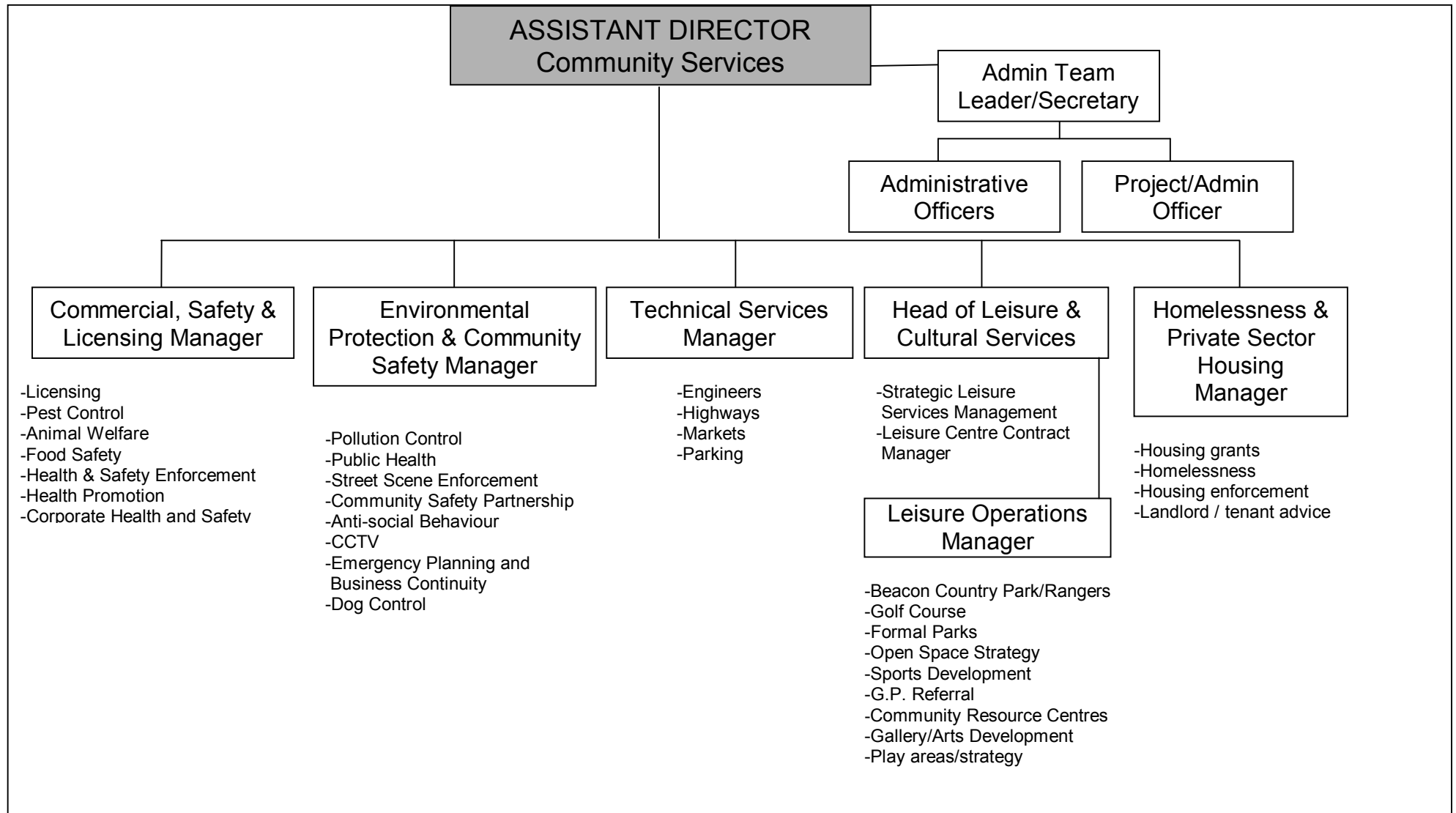
6.22 First introduced by the Council on 1st June 2011, the NFHRS provides a rating of 0 to 5 for each registered food business to which the public would normally have access. The rating for each premise is based on the risk rating that Council Officers have determined on the most recent relevant food 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.

Quality assessment

- 6.23 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.
- 6.24 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.

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.