



**ARTICLE NO: 1A**

**CORPORATE OVERVIEW  
AND SCRUTINY:**

**MEMBERS UPDATE 2015/16  
ISSUE: 2**

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**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](mailto:julia.brown@westlancs.gov.uk))

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**SUBJECT: MINUTES OF ONE WEST LANCASHIRE BOARD – THEMATIC  
GROUPS**

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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.

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## **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:

- Health & Wellbeing Partnership – 20 May 2015 and 15 July 2015
- Ageing Well Partnership – 22 June 2015
- Transport – 19 May 2015
- People and Communities – April and July 2015
- Community Safety Partnership – 29 April 2015 and 15 July 2015
- Children's and Young People's Board – 21 May 2015

- Skills Training and Employment – 24 February 2015 and 30 June 2015

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.

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### **Background Documents**

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

### **Equality Impact Assessment**

The 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 AND  
ENVIRONMENTAL OVERVIEW &  
SCRUTINY COMMITTEE**

**MEMBERS UPDATE 2015/16  
ISSUE:2**

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**Article of: Transformation Manager**

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

**Relevant Portfolio Holder: Councillor Gagen**

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

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**SUBJECT: COMMUNITY CHEST GRANTS**

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Wards affected: Borough wide

## **1.0 PURPOSE OF ARTICLE**

1.1 To inform Members of the mechanism for dealing with grant applications from the Community Chest and of the grants awarded in the second tranche of bids for the financial year 2015/16.

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## **2.0 BACKGROUND**

2.1 Applications for grants from the Community Chest are dealt with through the delegation procedures. The delegation is to the relevant Portfolio Holder.

2.2 In reaching the decisions on Community Chest Applications, the Portfolio Holder in consultation with Councillors and Directorate Service Heads have taken into consideration the details contained within the application form, membership of the organisation, how long the organisation has been in existence, their current balances and the amount of assistance requested.

2.3 Consideration of the above is applied in order to ensure the best and most efficient use of monies.

## **3.0 CURRENT POSITION**

3.1 Applications were considered on 25 June 2015 by Councillor Gagen, Portfolio Holder for Leisure.

3.2 The following grants were awarded from the General Fund.

Lathom and Burscough Military Heritage Society	£320
Ormskirk Basketball Club	£400
Evermoor Enterprises CIC	£480
Lathom Park Primary School PTFA	£500
Mere Brow Village Hall	£500
Holmeswood Village Hall	£500
PBC Foundation	£129.92
Sing4Fun!	£445

3.3 The following grants were awarded from the Arts Fund

Sally Ann Morgan	£500
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3.4 The current Community Chest balances are as follows:

General	£6,715.08
Play	£4,150.00
Arts	£900.00
Sports/Talented Athlete	£2,670.00

#### **4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

4.1 There are no significant sustainability implications associated with this update and in particular, no significant impact on crime and disorder. Applications involve proposals that will promote existing leisure and recreation facilities and provide information and training.

#### **5.0 RISK ASSESSMENT**

5.1 The actions referred to in this update are covered by the scheme of delegation to Members any necessary changes have been made in the relevant operational risk registers.

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### **Background Documents**

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

Application forms from:

Lathom and Burscough Military Heritage Society	05 May 2015
Ormskirk Basketball Club	27 May 2015
Evermoor Enterprise CIC	27 March 2015
Lathom Park Primary School PTFA	22 May 2015
Mere Brow Village Hall	24 March 2015
Holmeswood Village Hall	06 June 2015

### **Equality Impact Assessment**

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

### **Appendices**

1. Equality Impact Assessment.



Appendix 1

1.	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i>  <i>People with a disability;</i>  <i>People of different races/ethnicities/ nationalities;</i>  <i>Men; Women;</i>  <i>People of different religions/beliefs;</i>  <i>People of different sexual orientations;</i>  <i>People who are or have identified as transgender;</i>  <i>People who are married or in a civil partnership;</i>  <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i>  <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>No – from the equality information gathered, no negative effects have been identified. There are some positive effects, particularly for carers and people of different ages, people with disabilities.</p>
2.	<p>What sources of information have you used to come to this decision?</p>	<p>Application forms and supporting evidence including equalities information.</p>
3.	<p>How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>We engage with applicants to provide advice on form filling. Members are involved in the decision making process.</p>
4.	<p><i>Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:-</i>  <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>If grants are awarded these will assist in advancing equality of opportunity and foster good community relations.</p>
5.	<p>What actions will you take to address any issues raised in your answers above</p>	<p>Not Applicable.</p>







**AGENDA ITEM: 1C**

**CORPORATE AND  
ENVIRONMENTAL OVERVIEW &  
SCRUTINY COMMITTEE**

**MEMBERS UPDATE: 2015/16  
ISSUE. 2**

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**Article of: Assistant Director Community Services**

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

**Relevant Portfolio Holder: Councillor K Wright**

**Contact for further information: Mr A Hill (Extn. 5243)  
(E-mail: [a.hill@westlancs.gov.uk](mailto:a.hill@westlancs.gov.uk))**

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**SUBJECT: ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 – AN  
UPDATE**

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Wards affected: Borough wide

## **1.0 PURPOSE OF THE REPORT**

1.1 To update Members on the Anti-Social Behaviour, Crime and Policing Act 2014, almost twelve months after it was enacted, as per minute 27(c) from the Cabinet meeting of 16<sup>th</sup> September 2014.

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## **2.0 BACKGROUND**

2.1 In October 2014 new legislation to tackle Anti-Social Behaviour (ASB) was introduced and this was reported to Cabinet prior to this in September 2014. A detailed summary of the legislation was included with this report. At the time no additional resources were requested, but it was agreed that a further update report should be produced in 12 months' time to detail the use of the Act and any impacts that had been noticed.

2.2 The Act brought in several new or updated powers for Local Authorities which were detailed fully in the previous Cabinet report. These included:

- Anti-Social Behaviour Injunctions (ASBIs) - these effectively replaced Anti-Social Behaviour Orders (ASBOs).
- Criminal Behaviour Orders (CBOs) - these effectively replaced Criminal Anti-Social Behaviour Orders (CRASBOs).
- Community Protection Notices (CPNs) – these were a new way of tackling on-going ASB.

- Public Space Protection Orders (PSPOs) – these updated/replaced other powers and were a way of restricting behaviour/activities within any designated area.
- Closure Orders –the legislation that allows the Police or the Council to close a premises to reduce ASB was refreshed
- Absolute grounds for possession – this allowed Councils to remove a tenant from a property following certain convictions
- The Community Trigger – this was a new community remedy and provided residents the opportunity to have their ASB complaints reviewed (if certain criteria were met) by the Council’s Environmental Protection and Community Safety Manager.

2.3 Essentially, the main users of the legislation are the Environmental Protection and Community Safety team, which incorporates the Environmental Health Officers who deal with noise and the Council’s ASB team who deal with ASB tenancy enforcement work. It is worth noting that the ASB team, as it deals with tenancy enforcement work, is funded out of the Council’s HRA monies.

### **3.0 IMPACT OF THE LEGISLATION**

3.1 At the time of writing no requests have been received from any residents to invoke the Community Trigger. Additionally, WLBC have not needed to apply for any ASBIs, possessions following the relevant convictions, CBOs and not closed any premises. Officers have provided information to the Police to assist them with CBO applications. PSPOs have been tentatively discussed with the Police, but due to the high level of monitoring and enforcement needed, particularly by the Police, other measures were prioritised. Some of the powers are supposed to be the Council’s “last resort” after exhausting all other available options. Other existing legislation is still extensively used and the ASB team have been involved in a record 10 evictions since the start of 2014, with many of them associated with organised crime and drugs cases.

3.2 So far, for WLBC, the most used power from the new legislation is the CPN procedure. Prior to the service of a full CPN, a warning letter must be issued. Sixteen warning letters have been issued in relation to thirteen separate premises and so far these have proved successful as complaints have diminished following their service and full CPNs have not yet been necessary. The CPN procedure is to be used where other legislation (for example noise legislation) is not suitable. As such the legislation has allowed us to take action in relation to these 13 cases, and officers have therefore helped the people who made these ASB complaints, where previously we may not have been able to assist.

### **4.0 ISSUES ARISING**

4.1 Public Space Protection Orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community’s quality of life. As such they can clearly be used to restrict types of behaviour, but can also be used to place restrictions on, for example, dogs and their owners. The Council already has four Dog Control Orders in place which cover;

- The exclusion of dogs from 43 enclosed Council and Parish Council play areas.
- The requirement to keep a dog on a lead next to a road where the speed limit is 40mph or over.
- The requirement to walk no more than 6 dogs at any one time, and
- The requirement to put a dog on a lead if requested to do so by an authorised officer of the Council.

and full details of these are available on the Council's website.

- 4.2 From 3 years after the commencement of the Act (i.e. in October 2017) all existing orders, such as these, automatically transfer to PSPOs, which last for 3 years. They can be converted any time before this if a Local Authority wants to "simplify its enforcement landscape". However, given the automatic change and the existing satisfactory use of the current powers this is not thought to be necessary at this time.
- 4.3 One thing that Members could give thought to, is whether any new PSPOs should be considered in relation to dogs. Nationally, over the last 10 years, there has been an increase in Dangerous Dog incidents. During this time at least 8 adults and 13 children have been killed as a result of attacks. It has also been recorded that nationally in 2014 6740 people required hospital treatment following a dog attack. This was a rise of 6% when compared with the previous 12 months. In 2014 93 complaints were made to the Council about dog behaviour. One way of trying to keep some dogs under further control would be to increase the number of areas within the Borough where dogs have to be kept on a lead. Some of the parks and other open spaces that have a higher footfall could be either entirely or partially designated as areas where dogs must be kept on a lead. Care must be taken to ensure there are still sufficient areas where dogs can be exercised off their leads. Greater controls on dogs may increase the use of the areas in question and should lead to a reduction in fouling in these areas.
- 4.4 Since the initial 2009 orders, the Council and some local Parish Councils have introduced new enclosed play areas and enclosed other existing ones as part of any upgrading. As such it is estimated that there are around 10-15 enclosed play areas which could be designated as areas where dogs are prohibited. Dogs in these areas could injure and or scare young children and the potential impact of dog faeces and children is well documented. Enclosed areas make it much easier to categorically state that any dog was in a restricted area and it also aids signage.
- 4.5 When the original Dog Control Orders were put in place, as well as a comprehensive consultation exercise, external surveyors were used to map the areas and comprehensive metal signage was also necessary. In 2009 for the 43 areas this cost was around £5,000. I have received requests from some Parish Councils to include their areas on the list and it may be that some are prepared to contribute towards any capital costs. In addition to any financial outlay, clearly the Council would be generating a public expectation that any new PSPOs would be appropriately monitored and relevant enforcement action taken. The Council employs three Environmental Enforcement Officers and only part of their duties

relates to dogs. They also have a responsibility in relation to litter and fly-tipping. If they are required to monitor more areas in relation to dogs, there is a danger that other areas of either their work or the Borough will suffer. This issue will be raised through the budget setting process for 2016/17.

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

5.1 Reducing anti-social behaviour can have a clear positive impact on the quality of life of individuals, including reducing crime and disorder, and this therefore links to the Sustainable Community Strategy. There are also direct links to the Council's values and Corporate Priorities.

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

6.1 It was always envisaged that as the legislation can be applied to a wider range of circumstances and to some extent to a lesser legal standard, more cases could be taken. As a result, although not so far, this could impact on the resources of the Council's ASB and Legal teams. Additionally, the greater administrative requirements of the County Court may impact on the time that is available to commence and deal with cases. Consequently consideration may still need to be given to the resource requirements of the Act through future Housing Revenue Account Budget setting processes, alongside other bids. This can then ensure that the decision on whether to allocate additional resources to this area takes into account other HRA spending priorities as well as the views of tenants. Clearly, if it is decided to designate new PSPOs, there will be a cost associated with this and this may also impact on the available staffing resources.

## **7.0 RISK ASSESSMENT**

7.1 The Council must exercise its powers under the Act appropriately, and failure to do so may render it liable to challenge, and which may result in a finding of a breach of its responsibilities under the Act. This may result in ombudsman complaints, costs awards and damages claims as well as a detrimental reputational impact. By not responding appropriately to ASB the Council may be leaving residents in a vulnerable position and would not be acting in accordance with its Corporate Priorities.

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### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this 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 article, the results of which have been taken into account when undertaking actions detailed within this article.

## **Appendices**

1. Equality Impact Assessment.



Equality Impact Assessment Form	
Directorate: Community Services	Service: Environmental Protection and Community Safety
Completed by: Andrew Hill	Date: 24/8/15
Subject Title: ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 – AN UPDATE	
<b>1. DESCRIPTION</b>	
Is a policy or strategy being produced or revised:	No
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	No
Details of the matter under consideration:	Summary of the use of the Anti-Social Behaviour Crime and Policing Act 2014 in the first 12 months
<i>If you answered <b>Yes</b> to any of the above go straight to Section 3</i>	
<i>If you answered <b>No</b> to all the above please complete Section 2</i>	
<b>2. RELEVANCE</b>	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to Section 3</i>	
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
<b>3. EVIDENCE COLLECTION</b>	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Members of the public
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more	n/a

than others)?	
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	No No No No No No No No No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Victims of ASB
What will the impact of the work being carried out be on usage/the stakeholders?	Utilising the legislation will help to reduce harassment and reduce the number of victims of ASB
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	n/a
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	none
If any further data/consultation is needed and is to be gathered, please specify:	
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Utilising the legislation will help to reduce harassment and reduce the number of victims of ASB
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	n/a
What actions do you plan to take to address any other issues above?	No actions
<b>7. MONITORING AND REVIEWING</b>	
When will this assessment be reviewed and who will review it?	Andrew Hill 1/9/2018





**ARTICLE NO: 2A**

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

**MEMBERS UPDATE 2015/16  
ISSUE: 2**

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**Article of: Assistant Director Community Services**

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

**Contact for further information: Mr Paul Charlson (Ext 5246)**

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**SUBJECT: FOOD SAFETY SERVICE PLAN 2015 / 16**

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Wards affected: Borough wide

## **1.0 PURPOSE OF THE ARTICLE**

- 1.1 To provide Members with information about the Food Safety Service Plan operating during 2015/16.
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## **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 2014/15 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 2015/16 (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 and Community Safety and be submitted to the Corporate and Environmental Overview and Scrutiny Committee for information.
- 3.3 The Plan was approved by Portfolio Holder for Health and Community Safety on 9 September 2015.
- 3.4 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)

### **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 2015/16 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.

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### **Background Documents**

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

### **Equality Impact Assessment**

The Article is for information only and 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 2015/16



# **West Lancashire Borough Council**

## **Food Safety Service Plan**

**2015/16**

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## Introduction

Welcome to the West Lancashire Borough Council Food Safety Service Plan, which 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 on-going 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', with a large, stylized flourish underneath.

**D P Tilleray**

Assistant Director Community Services

Approved by the Portfolio Holder for Health & Community Safety on 9 September 2015.

## **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 & Community Safety on 9 September 2015 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.



## 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%
<b>All industries and services</b>	<b>100.0%</b>

### *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 £106,270 comprising of the following:

Staff and associated costs	£97,930
Equipment, materials, sampling etc.	£8,430

#### *Staffing allocation*

3.2 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*

3.3 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 and is complemented by in-house training on specific developments during meetings or workshops.

3.4 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. EHL is represented by each local authority in Lancashire and meets to coordinate environmental health services across the county.

#### 4.0 Service demands and performance during 2014/15

##### *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:

FSA food business type	Total
Producer	22
Slaughterhouses (seasonal)	2
Manufacturers / processors	17
Packers	13
Importer	3
Distributors	19
Supermarket / hypermarket	19
Small retailers	119
Retail other	34
Restaurant / café / canteen	137
Hotel / guest house	9
Pub / club	119
Take away	67
Caring establishment	58
School / college	120
Mobile food unit	37
Restaurant / caterer other	85
<b>TOTAL</b>	<b>918</b>

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)	5
Category B (intervention required every 12 months)	103
Category C (intervention required every 18 months)	306
Category D (intervention required every 2 years)	237
Category E (alternative enforcement strategy every 3 years)	226
Outside of programme (not inspected by WLBC)	5
Unrated as at 01/04/15	36
<b>TOTAL</b>	<b>918</b>

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	38
2	Improvement necessary	17
3	Generally satisfactory	128
4	Good	185
5	Very good	444
<b>TOTAL</b>		<b>801*</b>

\*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 as 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 2014/2015*

4.6 The number of interventions conducted in 2014/15 was:

Total Premises at 31 Mar 2015	919
Inspections and audits	376
Verification and surveillance	211
Sampling visits	85
Advice and education	28
Information/intelligence gathering	51
<b>Total premises subject to official control</b>	<b>449</b>

- 4.7 100% of the higher risk food businesses (Category A, B and non-complaint C) due for intervention during 2014/2015 received an appropriate intervention, against a target of 100%.
- 4.8 77% of low risk food businesses (compliant Category C, D and E) food businesses due for intervention during 2014/2015 received an appropriate intervention, against a target of 80%.
- 4.9 Accordingly, 61 food businesses did not receive a routine intervention during 2014/2015. These are low risk (compliant Category C, D and E) rated premises. The approach detailed in paragraph 5.1 is aims to address this backlog of interventions.
- 4.10 93% of relevant food premises in the Borough are broadly compliant with food safety requirements, which represents an increase of 1% on 2013/14.

## 5.0 Intervention Programme for 2015/16

### *Targets for 2015/2016*

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';
- Complaint 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 use the UKFSS system implemented in 2014/15 so as 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 01/04/15	No. of outstanding interventions at 01/04/15	No. of interventions due 01/04/15-31/03/16	Estimated no. of revisits 01/04/15-31/03/16
A	5	0	9	4
B	103	0	92	52
C	306	18	199	113
D	237	18	91	12
E	226	25	10	5
Outside	5	-	-	-
<b>Total</b>	<b>918</b>	<b>61</b>	<b>401</b>	<b>186</b>
Non-rated	36	-	-	-

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;
- Where feasible, 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
<b>TOTAL</b>	<b>10</b>

*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 2015/2016.
- 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 during 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 Council Scientific Services;
- 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;
- CIEH Level 1 Award in Nutrition;
- CIEH Level 2 Award in Food Allergen Awareness;
- Specific seminars / initiatives as appropriate;
- Promotion of the FSA's Safer Food Better Business Scheme.

#### *National Food Hygiene Rating System*

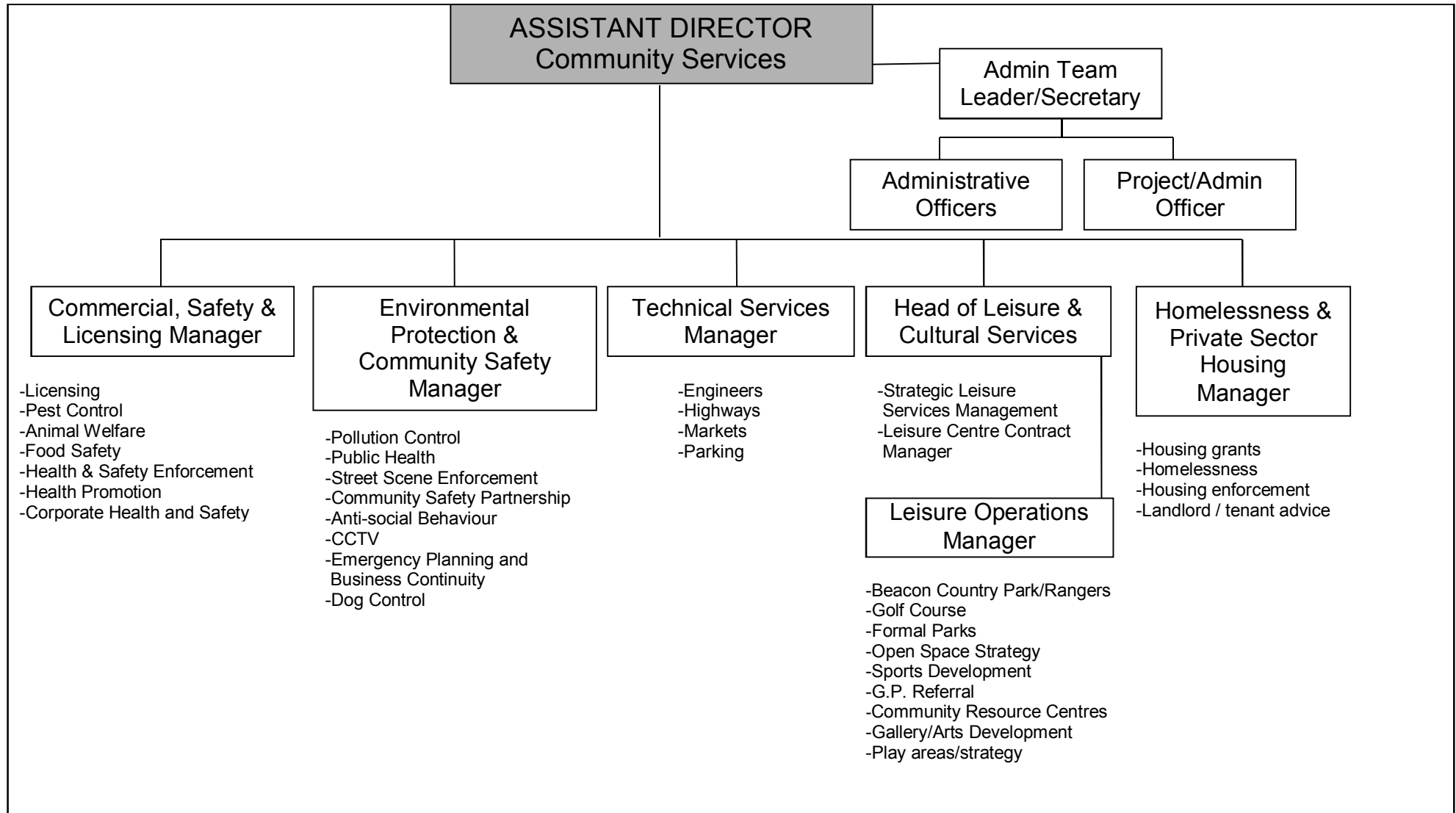
6.22 Introduced by the Council on 1<sup>st</sup> June 2011, the NFHRS provides a rating of 0 to 5 for each registered food business to which the public would normally have access. The rating for each premise is based on the risk rating that Council Officers have determined on the most

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](http://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**

### West Lancashire Borough Council Food Safety Service

Address: Robert Hodge Centre, Stanley Way, Skelmersdale, Lancashire WN8 8EE  
Telephone: 01695 577177  
Fax: 01695 585126  
Email: envhealth.admin@westlancls.gov.uk  
Web: www.westlancls.gov.uk

Opening Hours: 09:00 – 17.00 (Monday-Thursday)  
09:00 – 16.45 (Friday)

Out of Hours: 01695 577177

### Food Standards Agency

Address: Aviation House, 125 Kingsway, London WC2B 6NH  
Telephone: 020 7276 8829  
Email: helpline@foodstandards.gsi.gov.uk  
Web: www.food.gov.uk  
Out of hours incidents: 0345 051 8486

### Chartered Institute of Environmental Health

Address: Chadwick Court, 15 Hatfields, London SE1 8DJ  
Telephone: 020 7928 6006  
Web: www.cieh.org



**ARTICLE NO: 2B**

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

**MEMBERS UPDATE 2015/16  
ISSUE: 2**

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**Article of: Transformation Manager**

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

**Contact for further information: Ms A. Cleary (Extn. 5380)**

**Email: [alice.cleary@westlancs.gov.uk](mailto:alice.cleary@westlancs.gov.uk)**

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**SUBJECT: RESULTS OF CITIZEN SURVEY AND STAKEHOLDER SURVEY 2015**

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Wards affected: Borough wide

## **1.0 PURPOSE OF ARTICLE**

1.1 To bring to the attention of Members the results of the above surveys.

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## **2.0 BACKGROUND**

- 2.1 The Council agreed to carry out a postal survey of residents in order to gather views about priority areas for maintaining / reducing spending; data about use of certain services and facilities; and information about satisfaction with various Council services. In order to enable maximum participation from individuals, an online version was also published on the Council website.
- 2.2 The Citizen Survey was posted to 4,500 residents on 19<sup>th</sup> January 2015 and the fieldwork ended on 8<sup>th</sup> March 2015. In addition, an online version of the questionnaire was made available on the Council website to ensure that no resident was excluded from giving their views.
- 2.3 An annual survey for stakeholders was also agreed, however due to the low response rate to the Stakeholder Survey in 2014, it was agreed that this year the Stakeholder Survey would be sent out to local groups and organisations via an email with a link to the Council website where they could complete the survey on behalf of their organisation. Email invitations were sent out to approximately 1,000 stakeholders.
- 2.4 The Citizen and Stakeholder surveys have been carried out every year for the past few years.

### **3.0 CITIZEN SURVEY 2015**

- 3.1 In total 1,208 postal questionnaires were returned and 56 responses were received online. This is an overall response rate of 27% which is slightly higher than the 26% response to the 2014 survey. The report on the survey results can be found on the Council website [www.westlancs.gov.uk/yourviews](http://www.westlancs.gov.uk/yourviews).
- 3.2 Some key findings in relation to council spending are:
- The top five services where respondents most think spending could be reduced are: culture and heritage; dealing with planning applications; grants to external organisations; customer services and conservation and heritage.
  - The top five services where respondents most think spending reductions should not be made are: refuse and recycling; recreation and sport; leisure centres and swimming pools; community safety and funding for PCSOs.
- 3.3 Some of the main findings in relation to satisfaction are:
- 82% are satisfied with their local area as a place to live (81% in 2014)
  - 68% are satisfied with the way the Council runs things (same in 2014)
  - 43% feel that the Council provides value for money (same in 2014)
  - 49% definitely or tend to agree that people from different ethnic backgrounds get on well together (up from 45% in 2014)
  - 71% feel safe in their local area after dark (same in 2014)
  - 44% strongly or tend to agree that CCTV is reducing the fear of crime (48% in 2014)
- 3.4 In relation to community safety, 78% agree that West Lancashire is a safe and secure place to live (79% in 2014).
- 3.5 The survey also invited respondents to answer two open questions: whether they had any suggestions on how the Council could reduce its spending and if there were any services they would be willing to pay more for, or services where new charges should be introduced in order to minimise reductions to other services. A wide variety of comments were given and these have been analysed in categories within the report.
- 3.6 The postal survey was carried out in line with guidance from the LG Inform benchmarking project, which aims to establish a consistent methodology for local authorities carrying out resident satisfaction surveys. The results from the postal survey of residents will be uploaded to the LG Inform website for benchmarking purposes in due course.

### **4.0 STAKEHOLDER SURVEY**

- 4.1 Email invitations were sent out, mainly via CVS contact networks, to around 1,000 stakeholders (including local community groups, businesses and public sector organisations) on 19<sup>th</sup> January 2015 inviting them to complete an online survey, with a final closing date of 8<sup>th</sup> March 2015. Stakeholders could also request a paper version of the survey if they preferred. The online survey was



available via the Council website for any organisation to complete, whether or not they had received an invitation by email.

- 4.2 The survey was similar to the Citizen Survey undertaken, with respondents being invited to give views as a spokesperson for their particular organisation. Pre publicity for the survey was conducted via One West Lancs and CVS so that groups and organisations knew they were going to be invited to give their views. West Lancashire Borough Council representatives also attended a networking event held by the CVS to invite local organisations to take part.
- 4.3 The invitation sent to stakeholders stated that only one response from their organisation could be accepted and respondents were invited to reply as a spokesperson for their group or organisation. In total 95 questionnaires were returned, 79 via the online survey and 16 paper returns.
- 4.4 The main findings in relation to Council spending were:
- In relation to services where spending should be reduced, the top responses were: customer services; grass cutting & grounds maintenance and dealing with planning applications.
  - When asked to select services where spending should not be reduced, the top responses were: culture and heritage; recreation & sport and leisure centres & pools.
- 4.5 The 2015 Stakeholder Survey results can be found on the Council website [www.westlancs.gov.uk/yourviews](http://www.westlancs.gov.uk/yourviews).

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

- 5.1 There are no direct implications for sustainability or the community strategy. However the information gathered through the survey will help the council make plans and measure progress.

## **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 There are no direct implications for finance or resources

## **7.0 RISK ASSESSMENT**

- 7.1 There are no direct risks in relation to the surveys.

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### **Background Documents**

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

## **Equality Impact Assessment**

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

## **Appendices**

None



**ARTICLE NO: 2C**

**CORPORATE & ENVIRONMENTAL  
OVERVIEW & SCRUTINY  
COMMITTEE**

**MEMBERS UPDATE 2015/16  
ISSUE: 2**

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**Article of: Transformation Manager**

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

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

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**SUBJECT: MONITORING OF FORMAL COMPLAINTS (2014/15)**

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Wards affected: Borough wide

## **1.0 PURPOSE OF ARTICLE**

- 1.1 To present data on the number of formal complaints received by the Council from April 2014 to March 2015.
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## **2.0 BACKGROUND**

- 2.1 Types, numbers and trends in complaints provide a valuable insight into the quality of services and can make a valuable contribution to improving them. In this respect they should also be considered alongside other information such as performance indicators and securing value for money. The Customer Services team is responsible for managing the overall co-ordination of the corporate complaints process.
- 2.2 The Council defines a complaint as an expression of dissatisfaction about the standard of service, actions or lack of action taken by the Council, or a person or body acting on behalf of the Council, affecting an individual or group of customers. Therefore, the complaints procedure is not simply logging initial service requests e.g. for pest control, missed refuse collections, housing repairs etc. The Council's complaints procedure is attached at Appendix 1.
- 2.3 If a complainant wishes to pursue an issue further after the Council's own internal procedures have been exhausted, this can be raised with either the Local Government Ombudsman or the Housing Ombudsman, depending on the nature of the complaint.

### **3.0 CURRENT POSITION**

- 3.1 The principal purpose of monitoring and responding to complaints is always to improve service delivery. On the occasions where the Council acknowledged that the service was not up to the required standard, the focus is on putting the matter right AND preventing any re-occurrence.
- 3.2 This update provides Members with details of the number of formal complaints during 2014/15. Data on the number of formal complaints received by each section during this period is set out in Appendix 2 to this report. The numbers recorded are all written expressions of dissatisfaction and are not necessarily substantiated.
- 3.3 The figures for 2014/15 show a reduction of 22 in the number of complaints received, when compared with 2013/14, i.e. from 133 in 2013/14 to 111 in 2014/15. Following investigation, it was established that 76 of the 111 received were without merit i.e. the Council had complied with its own policies and procedures. In comparison, the total number of complaints for the previous year (2013/14) that were without merit totalled 75. Further details regarding the nature of the specific complaints are provided at Appendix 2.
- 3.4 The figures demonstrate that where there have been genuine complaints/issues these have been dealt with accordingly and wherever possible, improvements have been made to prevent re-occurrence. The Landlord Services Team works closely with tenants to raise standards and drive improvements. In addition to the role played by the Housing and Regeneration Management Team in scrutinising the sections complaints performance, the Tenant Scrutiny Group has responsibility to review Landlord Services complaints performance on a quarterly basis. The group scrutinise performance data, consider any trends and review lessons learned from complaints to ensure that we are benefiting as much as possible from the wealth of information received in the form of complaints and enabling us to make any necessary improvements. By taking complaints seriously, the Council is ensuring that all genuine grievances are recognised and action taken to address the issue, especially by listening to valuable customer feedback.

### **4.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 4.1 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.

### **5.0 FINANCIAL AND RESOURCE IMPLICATIONS**

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

## **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.
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### **Background Documents**

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

1. Complaints Procedure
2. Formal Complaints Received April 2014 to March 2015.





## West Lancashire Borough Council

### Comments, Compliments and Complaints

The Council is always looking to improve services and you can help us do this by contacting the relevant Service Manager with any comments, compliments or complaints.

#### Comments?

Comments on how services might be improved to better meet the needs of customers are always welcome. If you want to offer any comments on a Council service please contact the relevant Service Manager.

#### Compliments?

Everyone likes to receive compliments and Council officers are no exception. More importantly, compliments can help us to identify what our customers value and can highlight good practice. If you believe you have received good service from the Council our Service Managers will be pleased to hear from you.

#### Complaints?

We always try to get things right but there may be occasions when customers have cause for complaint. Such complaints can serve to highlight areas where services could be improved.

The Council defines a complaint as an expression of dissatisfaction about the standard of service, actions or lack of action taken by the Council, or a person or body acting on behalf of the Council, affecting an individual or group of customers.

The Council has procedures in place to ensure that complaints are thoroughly investigated and, where possible, resolved.

### The Complaints Procedure

#### Stage 1 - Speak or write to the Service Manager

If you have a complaint you should first speak to or write to the relevant Service Manager and explain your problem so that we can try to put this right for you.

Please note that the following will not usually be treated as complaints:

- Requests for a service e.g. reporting a housing repair
- Requests for information or an explanation of Council policy or practice
- Matters for which there is a right of appeal or a more appropriate or prescribed legal remedy

- Complaints about the conduct of Councillors, which should be reported to the Monitoring Officer - Managing Director (People and Places)
- Complaints about decisions, in respect of licences, permits, approvals, consents, permissions or registrations or any related enforcement actions.

### **Stage 2 – Submit a formal complaint**

If, after speaking or writing to the Service Manager, your complaint remains unresolved, you can either:

- Submit an online complaints form
- Send a letter, email or a downloaded paper complaints form (complaints forms are also available from Customer Services and Service Managers) to the relevant Complaints Co-ordinator setting out your complaint
- Contact Customer Services on 01695 577177 who will complete a complaints form with you over the phone

Your complaint will be investigated by the Head of Service who will aim to respond within 10 working days.

### **Stage 3 – Ask the Managing Directors for a review**

If you believe your complaint remains unresolved, then the final stage of the complaints procedure is a review by one of the Managing Directors. Please explain fully why you believe your complaint remains unresolved. The relevant Managing Director will aim to respond within 10 working days.

**Following the review by a Managing Director, if you still believe your complaint remains unresolved, you can refer the matter to the relevant Ombudsman. The Managing Director that reviewed your complaint will write to you advising how you can do this.**

For more information please contact Customer Services via email [customer.services@westlancs.gov.uk](mailto:customer.services@westlancs.gov.uk) or by calling 01695 577177



<b>SERVICE</b>	No. of Complaints 2011/12	No. of Complaints 2012/13	No. of Complaints 2013/14	No. of Complaints 2014/15	<b>Comments</b>
<b>Transformation</b>	4	5	4	<b>0</b>	
<b>Planning Services</b>	13	18	12	<b>2</b>	In 2014/15 Planning Services received 2 complaints. The number of planning applications determined was 865, enforcement breaches that were reported was 356 and 318 building regulations were determined during this period. In the two cases it was found that correct procedures were followed and there was no fault from the Council.
<b>Community Services</b>	6	3	6	<b>10</b>	<p>In relation to Community Services, 10 complaints in total have been received in 2014/15, 4 of these related to Environmental Protection, 3 to Leisure, Culture &amp; Arts, 2 to Technical Services and one to Private Sector Housing &amp; Homelessness.</p> <p>Out of the 10 complaints received it was established that correct procedures had been followed in 8 of these. Two apologies were made in respect of Leisure, Culture &amp; Arts. This equates to less than 1% of customer contacts.</p>
<b>Revenues and Benefits</b>	22	17	27	<b>44</b>	The Revenues and Benefits Service (RBS) has dealt with 6528 face to face customer interviews, received and processed in excess of 105,000 external documents, made over 66000 Benefit decisions and sent over 90,000 Council Tax Bills. The RBS Customer Contact

<b>Revenues and Benefits continued.</b>					<p>Centre also received over 74000 telephone calls. The increased customer contact has been directly influenced by the increased Council Tax recovery activity as part of the strategy to maximise collection performance.</p> <p>Out of the 44 complaints that were received, it was established that 34 were found to have complied with existing policies and procedures and 10 resulted in written apologies being issued to customers.</p>
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<b>Housing &amp; Regeneration</b>	50	60	61	<b>44</b>	The majority of complaints received in the service concern the timeliness of repairs (9), the conduct or attitude of members of staff (7) neighbour issues (6) or the condition of properties to let. Our performance data shows that 96.5% of repairs were carried out on time. Only 12 of the 44 complaints (27%) within the service area were upheld.
<b>Property Services</b>				29	In 2014/15 we processed approximately 29,000 repairs. This service received 29 complaints during the same period.
<b>Voids &amp; Allocations</b>				6	During 2014/15 we dealt with 2037 housing applications and let 713 properties. The complaints received for Voids and Allocations represent just 0.22% of these interactions.
<b>Rent &amp; Money Advice</b>				1	We have approximately 6052 tenancies. The one complaint received in the Rents and Money Advice section represents only 0.02% of the total tenancies, and the complaints received for the service overall represent only 0.73% of our tenancies.
<b>Estate Management &amp; Anti Social Behaviour</b>				8	There were 277 Anti-Social Behaviour cases reported to us in 2014/15, but only 8 complaints were received for this service.
<b>Sheltered Housing</b>				0	
<b>Right to Buy</b>				0	
<b>Regeneration</b>				0	

<b>Borough Solicitor</b>	0	1	0	<b>0</b>	
<b>Borough Treasurer (Accounts, Treasury Management, Audit, Insurance)</b>			1	<b>1</b>	The section received one complaint relating to the provider of Council's Building Insurance.
<b>Street Scene</b>	11	18	22	<b>10</b>	The number of complaints received should be viewed in relation to the extent of the services provided –
Refuse/Recycling Cleansing Grounds Maintenance Civic (Bulky Refuse) Collection Service Abandoned Vehicles Medical Collections Highways (LCC) Fly Tipping Bonfire Removal Trade Waste				6 4	Weekly collection service to approximately fifty thousand properties.  Manual and mechanical cleansing of 3 million metres of roadway and the 3.5 million square metres of hard landscaping  Provision, maintenance and emptying of over 800 litter bins and over 250 dog waste bins  Respond to, collect and dispose of fly tip incidents from public land across the Borough
<b>Total</b>	107	122	133	<b>111</b>	



**ARTICLE NO: 3A**

**CORPORATE & ENVIRONMENTAL  
OVERVIEW & SCRUTINY  
COMMITTEE**

**MEMBERS UPDATE 2015/16  
ISSUE: 2**

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**Article of: Transformation Manager**

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

**Contact for further information: Mr S Walsh (Extn. 5262)  
(E-mail: [shaun.walsh@westlancs.gov.uk](mailto:shaun.walsh@westlancs.gov.uk))**

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**SUBJECT: EXEMPTION FROM CONTRACT PROCEDURE RULES**

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Wards affected: Borough wide

## **1.0 PURPOSE OF ARTICLE**

1.1 To advise Members of a recent exemption from contract procedure rules.

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## **2.0 BACKGROUND**

2.1 The Council has in place robust rules and procedures, reflecting national and European regulations in relation to the procurement of goods and services.

2.2 There are however certain occasions where, with appropriate reasons, officers can procure goods or services in a different way. The Council's Managing Director (Transformation) signed an exemption from the Contract Procedure Rules in relation to the procurement of an Empty Homes Review Service on 26 June 2015.

## **3.0 SERVICE PROCURED**

3.1 This service is designed to identify 'Long Term Empty Properties' that are in fact occupied in order to maximise the New Homes Bonuses (and council Tax) which the Council is entitled to receive.

3.2 The supplier is provided with non-personal data from the Council Tax system to identify properties that have been empty for 5 months or more.

3.3 The supplier then undertakes an activity review (using, for example, credit checking agency data and other signifiers) to establish the level of activity at the addresses.

- 3.4 The service also includes the issue of incentive, review and reminder mailings, property inspections, telephone calling and the provision of contact centre support for inbound customer queries. The supplier provides reports which are used to update the Council's records.

#### **4.0 ISSUES**

- 4.1 The exemption relates to contract procedure rule 6 (the obtaining of not less than three written quotations where the proposed contract will exceed £10,000 but will not exceed £50,000).
- 4.2 This is not an issue that could be taken to Cabinet or another appropriate body of Members to request an exemption because of urgency and timescales involved. The deadline for submission of the 2015 New Homes Bonus application is mid-October, prior to which CapacityGrid will require sufficient time to conduct their activity review and follow-up activities. Clearly, the more time that is allowed for follow-up activity, the greater the potential income for the Council.
- 4.3 There are limited providers of this particular service in the market. The Council has made enquiries of the two leading providers, CapacityGrid being one of these. In addition, our local Revenues & Benefits Service confirmed that they would be unable to provide the same service that CapacityGrid were offering due to resource/capacity. Testing the market further will take more time and therefore directly impact upon the Council's potential to generate income from the New Homes Bonus scheme during 2015.
- 4.4 CapacityGrid offers an end-to-end wholly managed service (as outlined in s.3.3 and s.3.4) rather than just providing data which highlights empty properties possibly being occupied based on risk/likelihood following credit reference checks.
- 4.5 CapacityGrid are the leading firm in this market, with more than 70 local authority clients. Feedback on CapacityGrid's performance from councils contacted is favourable.
- 4.6 The likely value of the contract lies below the level at which the advertising of the opportunity is required by Contracts Procedure Rules. The costs will be met out of the income generated, similar to a risk/reward model. The proposed 'payment by results' arrangement with CapacityGrid is therefore low risk.

#### **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. The article has no significant links with the Sustainable Community Strategy.

#### **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 There are some financial/ resource implications arising from this article in respect of paying the contract, however these are met through the income generated, similar to a risk/reward model.

## **7.0 RISK ASSESSMENT**

7.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this article.

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### **Background Documents**

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

### **Equality Impact Assessment**

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.