

DECLARATION OF INTEREST - CHECKLIST FOR ASSISTANCE OF MEMBERS – 2007 OVERVIEW AND SCRUTINY

Name: Councillor

Overview and Scrutiny Committee:

Date:

Item No:           Item Title:

Nature of Interest:

**A Member with a personal interest in any business of the Council must disclose the existence and nature of that interest at commencement or when interest apparent except:**

- Where it relates to or is likely to affect a person described in 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose the existence and nature when you address the meeting on that business.
- Where it is a personal interest of the type mentioned in 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- Where sensitive information relating to it is not registered in the register, you must indicate that you have a personal interest, but need not disclose the sensitive information.

A Member with a prejudicial interest must withdraw, **either** immediately after making representations, answering questions or giving evidence where 4 or 6 below applies **or** when business is considered and must not exercise executive functions in relation to that business and must not seek to improperly influence a decision.

Please tick relevant boxes

Notes

	Overview and Scrutiny only		Notes
1.	I have a personal interest* but it is not prejudicial.	<input type="checkbox"/>	<i>You may speak and vote</i>
2.	I have a personal interest* but do <u>not</u> have a prejudicial interest in the business as it relates to the functions of my Council in respect of:		
(i)	Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.	<input type="checkbox"/>	<i>You may speak and vote</i>
(ii)	school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iii)	Statutory sick pay where I am in receipt or entitled to receipt of such pay.	<input type="checkbox"/>	<i>You may speak and vote</i>
(iv)	An allowance, payment or indemnity given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(v)	Any ceremonial honour given to Members	<input type="checkbox"/>	<i>You may speak and vote</i>
(vi)	Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a personal interest* and it is prejudicial <b>because</b> it affects my financial position or the financial position of a person or body described in 8 overleaf <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest <b>or</b> it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 8 overleaf <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 4 or 7 below</i>
4.	I have a personal and prejudicial interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>
5.	I must regard myself as having a personal and prejudicial interest in the business because it relates to a decision made (whether implemented or not) or action taken by the Cabinet or another of the Council's committees or sub-committees and, at the time the decision was made or action was taken, I was a member of the Cabinet, committee or sub-committee and I was present when that decision was made or action was taken	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you are a Cabinet member attending under section 21(13) of the LGA 2000 when you may speak to answer questions</i>

6.	I must regard myself as having a personal and prejudicial interest in the business because it relates to a decision made (whether implemented or not) or action taken by the Cabinet or another of the Council's committees or sub-committees and, at the time the decision was made or action was taken, I was a member of the Cabinet, committee or sub-committee and I was present when that decision was made or action was taken, <b>however</b> I am attending the meeting for the purpose of making representations, answering questions or giving evidence relating to the business as the public are also allowed to attend the meeting for this purpose, whether under a statutory right or otherwise	<input type="checkbox"/>	<i>You may make representations, answer questions or give evidence but must leave the room once you have finished and cannot vote</i>
7.	A Standards Committee dispensation applies.	<input type="checkbox"/>	<i>See the terms of the dispensation</i>

\* **“Personal Interest”** in the business of the Council means either it relates to or is likely to affect:

- 8(1)(a)(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body -
- (aa) exercising functions of a public nature;
  - (bb) directed to charitable purposes; or
  - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
- of which you are a member or in a position of general control or management;
- (iii) any employment or business carried on by you;
- (iv) any person or body who employs or has appointed you;
- (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
- (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
- (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
- (ix) any land in your authority's area in which you have a beneficial interest;
- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer.

**or**

A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

**“a relevant person”** means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 8(1)(a)(i) or (ii).

**“body exercising functions of a public nature”** means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13)(b) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

## EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

**AGENDA ITEM: 6**  
**HELD: 8 APRIL 2009**  
Start: 7.30pm  
Finish: 9.10pm

### PRESENT:

Councillor	Bailey (Chairman) Hammond (Vice Chairman)	
Councillors	Cotterill Cropper Mrs. Evans Furey Gartside Griffiths Mawdsley	Ms Melling O'Toole R A Pendleton Pope Pratt G.M. Roberts Vickers
In Attendance Councillor:	Forshaw	Portfolio Holder- Planning and Transportation
Officers	Executive Director Housing and Property Maintenance Services LDF Project Manager Group Accountant Principal Solicitor Strategic Manager (Homelessness) Member Services Manager	

### 76. APOLOGIES

Apologies for absence were submitted on behalf of Councillor Nolan.

### 77. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillors Baldock, Mrs Blake and Rice and the appointment of Councillors Pratt, Ms Melling and R A Pendleton for this meeting only, thereby giving effect to the wishes of the Political Groups.

### 78. URGENT BUSINESS

There were no items of urgent business.

### 79. DECLARATIONS OF INTEREST

It is noted that the Code of Conduct in relation to personal and prejudicial interests of Cabinet Members when they have taken a decision is overridden by Section 21(13) of the Local Government Act 2000.

There were no declarations of interest.

**80. DECLARATIONS OF PARTY WHIP**

There were no declarations of Party Whip

**81. MINUTES**

RESOLVED: That the minutes of the meeting of the Committee held on 5 February 2009 be received as a correct record and signed by the Chairman.

**82. CALLED IN ITEMS**

Consideration was given to the following called in item, as circulated and contained on pages 1021 – 1084 of the Book of Reports.

**83. OPEN SPACE AND RECREATIONAL PROVISION WITHIN NEW RESIDENTIAL DEVELOPMENTS SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

Consideration was given to the report of the Council Secretary and Solicitor advising that a decision of the Cabinet in relation to the above item (minute 138 refers) had been called in by 5 five members of this Committee. The report set out the reasons given for the call in, together with an alternative decision put forward by the 5 members concerned.

RESOLVED: That this Committee does not wish to ask for a different decision in relation to this item

**84. MINUTES OF CABINET**

Consideration was given to the minutes of the meeting of the Cabinet held on 24 March 2009.

RESOLVED: That the minutes of the meeting of the Cabinet held on 24 March 2009 be noted.

**85. KEY DECISION FORWARD PLANS - 1 MARCH - 30 JUNE 2009 & 1 APRIL - 31 JULY 2009**

Members noted that no items had been placed on the agenda from the Key Decision Forward Plan for the abovementioned periods.

**86. FORMAT OF COUNCIL MINUTES**

Consideration was given to the report of the Council Secretary and Solicitor, as contained on pages 903 to 907 of the Book of Reports, prepared following the request at the previous meeting of the Committee that the names of officers attending meetings, rather than the job titles, be recorded in the minutes.

The report gave a brief outline of the purpose and style of minutes prepared at meetings of the Council, its Cabinet and its Committees, together with details of the practice at other authorities in Lancashire, and advised that changes to the arrangements for the minuting of meetings was outside the remit of the Committee.

RESOLVED: That the Council be recommended to agree that the names and telephone contact details of officers attending meetings be recorded in addition to their job titles.

**87. WEST LANCASHIRE HERITAGE STRATEGY - UPDATE**

Consideration was given to the report of the Council Secretary and Solicitor, as contained on pages 909 to 1084 of the Book of Reports, advising that the Cabinet, at its meeting on 24 March 2009, had considered arrangements for consulting on a proposal to update the Council's Heritage Strategy. In this respect the Committee was invited to submit comments to the Interim Policy Services Manager for consideration prior to the draft Strategy being prepared for public consultation.

During the discussion on this item, members referred to the following issues:

- possible damage to the structure of listed buildings, buildings in Conservation Areas and other "heritage" buildings arising from the use of heavy machinery in the close vicinity of such buildings;
- the use of materials inappropriate to Conservation Areas etc to reinstate the highway following works by utility companies, such as the use of tarmac within areas of stone setts or flags;
- the provision of a glossary of the terms used within the draft strategy, to widen the reader's understanding of the subject area;
- the provision of detailed costs involved in the preparation of promotional materials related to the Heritage Strategy.

In relation to the issue of a glossary of terms, the LDF Project Manager undertook to draw this to the attention of the Heritage and Conservation Manager with a view to such a glossary being provided as part of the draft Strategy when it is distributed for consultation.

RESOLVED: That comments be forwarded to the Interim Policy Services Manager for his consideration in the preparation of the revised Heritage Strategy in relation to the following areas:

- damage caused to structures; and
- inappropriate use of materials used as part of reinstatement works by utility companies within Conservation Areas etc.

**88. HOUSING ALLOCATIONS POLICY**

Consideration was given to the report of the Executive Manager Housing and Property Maintenance Services, as contained on pages 949 to 1004 of the Book of Reports, in which he advised the Committee of a review of the Council's Housing Allocations Policy to ensure it takes account of recent changes in case law and revised Government guidance. He reported that it was his intention to bring the matter before Cabinet in June 2009 and in this respect sought comments from the Committee on the draft policy.

The Executive Manager also circulated an addendum to his report (contained on pages 1085 to 1092), advising of a recent Court ruling and commenting on its implications for the Council's policy.

RESOLVED: That the Cabinet be informed that this Committee has no comments to make in relation to the draft Policy.

**89. CAPITAL MONITORING 2008/2009**

Consideration was given to the report of the Council Secretary and Solicitor, as contained on pages 1005 to 1012 of the Book of Reports giving details of Capital Programme expenditure for the first three quarters of 2008/09 and reminded members that the Cabinet had considered the report at its meeting on 24 March 2009.

Officers undertook to examine the possibility of including additional information relating to items of capital expenditure that had been committed but not yet incorporated in the information in the monitoring report.

RESOLVED: That the position set out in the report be noted.

**90. REVENUE MONITORING 2008-09**

Consideration was given to the report of the Council Secretary and Solicitor, as contained on pages 1013 to 1020 of the Book of Reports giving details of projected expenditure at the end of the 2008/09 financial year on the General and Housing Revenue Accounts.

The report noted that general revenue expenditure was forecast to be approximately 0.9% below the revised budget figure and that in relation to the Housing Revenue Account it was likely that, due to the reductions in interest rates, reserves of £151,000 would be required to prevent the account showing a deficit.

RESOLVED: That the financial position on the Revenue Accounts be noted.

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- CHAIRMAN -



**AGENDA ITEM: 7(1)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
2 July 2009**

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**Report of: Council Secretary and Solicitor**

**Portfolio Holder: Councillor Fowler**

**Contact for further information: Mrs S Griffiths (Extn. 5017)  
(E-mail: [susan.griffiths@westlancs.gov.uk](mailto:susan.griffiths@westlancs.gov.uk))**

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**SUBJECT: CALLED IN ITEM: LITTLE DIGMOOR PLAY AREA**

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The following ward is affected:- Digmoor

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview and Scrutiny Committee of the reasons for the call in of the decision on the above item, as set out in Minute No. 11 of the meeting of Cabinet held on 16 June 2009.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 4.1 below, it wishes to pursue.

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**3.0 DETAILS RELATING TO THE CALL IN**

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 16 June 2009.

3.2 The following decision of Cabinet is contained at minute no. 11:-

## **“11. LITTLE DIGMOOR PLAY AREA**

Councillor A Fowler introduced the report of the Executive Manager Community Services which outlined issues of anti-social behaviour linked to teenage play equipment at Abbeystead, Little Digmoor and sought guidance as to the preferred way forward to deal with these issues.

Councillor Fowler referred to a petition received and circulated to all Cabinet Members from Abbeystead residents.

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

RESOLVED:A. That the petition received from Abbeystead residents be noted and referred to the Executive Manager Community Services.

B. That the equipment at the multi use games area (MUGA), teenage shelter and children’s play area at Abbeystead, Little Digmoor remain in situ, and the Executive Manager Community Services be asked to request further police action regarding drug and anti social behaviour at the site, involving the MAPS team as appropriate with this to be reviewed in 12 months time.”

3.3 Two call in requisitions have been received on this item as follows:-

### **Call in A**

3.4 The following reason for call in was given in the requisition:

*“Resolution B – 12 month timeframe too long and a more robust approach required.”*

3.4 The requisition also provided an alternative decision which was:-

*“Resolution B – That equipment remain in situ. That Cabinet should consider the installation of CCTV which has been proven to reduce anti-social behaviour in other play areas of district.”*

3.5 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor Bailey  
Councillor Griffiths  
Councillor Grice  
Councillor Gartside  
Councillor Mrs. Blake

### **Call in B**



3.6 The following reason for call in was given in the requisition:

*“Insufficient account taken of urgent need to resolve situation”*

3.7 The requisition also provided an alternative decision which was:-

*“That Council officers produce an active management plan providing for a satisfactory solution to current problem, including provision for removal of ‘sitter’ as necessary, for review by Cabinet on 15 July.”*

3.8 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor W.G. Roberts  
Councillor R. Pendleton  
Councillor J. Roberts  
Councillor McKay  
Councillor Carson

#### **4.0 CONCLUSION**

4.1 Following consideration of the decision of Cabinet and the requisitions for call in, the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision; or
- b. refer the matter to Council. If the matter is referred to Council and Council does not object then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

4.2 The Secretary of State in his Guidance recommends that Overview and Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

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#### **Background Documents**

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

## **Equality Impact Assessment**

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

## **Appendices**

Report of the Executive Manager Community Services



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**Report of: Executive Manager Community Services**

**Relevant Portfolio Holder: Councillor A Fowler**

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

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**SUBJECT: LITTLE DIGMOOR PLAY AREA**

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CAB36/CAL

The following ward is affected:- Digmaor

**1.0 PURPOSE OF THE REPORT**

1.1 To outline issues of anti-social behaviour linked to teenage play equipment at Abbeystead, Little Digmaor, and seek guidance as to the preferred way forward to deal with these issues.

**2.0 RECOMMENDATION**

2.1 That Members consider the information set out in this report and advise as to the preferred actions to be undertaken, as detailed in paragraph 6.

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**3.0 BACKGROUND**

3.1 In 2004, as a result of public demand, verified by a public consultation exercise, funding was successfully sought from Sport England - New Opportunities Fund to develop a multi use games area ( MUGA ), teenage shelter, and childrens play area at Abbeystead, Little Digmaor.

3.2 The scheme was implemented and no problems were reported for two years from its construction. In 2006 instances of anti-social behaviour ( ASB ), were reported and a meeting was held between local residents, police and the council. At this meeting instances of drug related issues were raised and it was agreed to monitor the situation for the following 3 months, and as no further reports came forward no further action was taken.

- 3.3 During the last 12 months, however, more reports of ASB have been passed to the council. Several further meetings have been held with the community, council officers, and police where some residents blamed the teenage equipment ( i.e. teenage shelter and MUGA ), for attracting undesirable characters to the site and creating the drug related ASB. As a result of this claim surveys were undertaken in the area to establish whether local residents wished the teenage facilities to be removed.
- 3.4 The council surveyed 25 properties adjacent to the site and whilst we only received 7 response, all asked for the equipment to be removed. This was followed with a press release asking for views and received 2 positive and 2 negatives views of the teenage equipment. A wider survey of 400 properties undertaken by the police on a range of neighbourhood issues received 40 replies, none of which highlighted these teenage facilities as a particular problem.

#### **4.0 CURRENT POSITION**

- 4.1 Despite receiving some strong views from a small number of residents the research by the council has been inconclusive, and the lack of police reports do not substantiate these claims. However, this does not necessarily mean that a problem does not exist as it is claimed that some residents do not have the confidence to report issues to the police.
- 4.2 It is still being reported to the council that issues of ASB, drug use, and disturbance late into the evening are causing great distress to some residents, particularly those that live close to the site.

#### **5.0 ISSUES**

- 5.1 In a situation where play equipment is the direct cause of ASB and consequently great disturbance to local residents it can be justified that it is removed. However, this is usually backed up by undertaking a survey of local residents to ensure that this course of action is supported. In this case general public support for removal has not been substantiated.
- 5.2 It is also not clear whether the equipment is directly to blame for problems that are occurring or whether it is a wider issue that is endemic to the area, in which case more direct policing may be the preferred course of action.
- 5.3 The locking and unlocking of the MUGA had been undertaken by a local volunteer, however, they can no longer undertake this function and the facility is permanently open. This is causing some of the issues of late night nuisance and the local police have now offered to undertake the locking of this facility to prevent late night ASB.
- 5.4 The provision of all of this play equipment was initially requested by local residents as a need for their community. Assuming this need still exists the removal of this equipment at Abbeystead would reduce the leisure provision for young people in the area, unless an alternative site could be found.
- 5.5 There will obviously be a cost associated with any removal/re-location of play equipment which would have to come from the play budget, reducing availability elsewhere.

## **6.0 PROPOSALS**

- 6.1 In taking decisions as to the way forward in solving the problems outlined in this report Members may want to consider the following options.
  - 6.1.1 Remove teenage shelter but retain MUGA, subject to police undertaking the locking of the MUGA to prevent late night ASB
  - 6.1.2 Remove both teenage shelter and MUGA, and investigate sites for re-location in the local area
  - 6.1.3 Leave all equipment in situ, and request further police action regarding drug and ASB, possibly involving the MAPS team
- 6.2 It would appear that some of the actions outlined in this report are criminal activities and the role of the police cannot be underestimated in solving this problem. Further liaison, perhaps involving the MAPS team, and monitoring of the situation would also be strongly recommended.

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

- 7.1 It would appear that the problems currently associated with the teenage equipment at Abbeystead are creating a reduction in the quality of life for some members of the local community.
- 7.2 The equipment in question was installed by public demand and justified by a need for teenage provision in the area. To remove this equipment without providing an alternative would create a reduction in leisure provision in the community.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 Should the Council decide to remove any of the equipment there would be a cost associated with this removal, ground reparation and storage. Some of this cost may be mitigated should an alternative site be found which would be suitable to satisfy the need in the Little Digmoor area, however, further installations costs would then also be required.
- 8.2 To remove the teenage shelter would cost in the region of £1,000, and to remove the MUGA would cost in the region of £4,000

## **9.0 RISK ASSESSMENT**

- 9.1 The Council needs to work with partners to try to achieve a solution to the problems outlined in this report. Failure to do so would leave us open to criticism for not dealing with an issue that is reducing the quality of life of local residents
- 9.2 Moving the equipment in question may not solve the ASB issues as they may possibly be endemic to the area. The enclosed MUGA in itself reduces problems by confining ball games to a confined area. There was an identified need for this type of teenage activity equipment in the Little Digmoor area, and this would remain should the equipment be removed.

## **10.0 CONCLUSIONS**

- 10.1 Some residents in the Abbeystead area have a strong belief that the teenage shelter and MUGA installed in 2004 are now attracting significant ASB and drug related nuisance to the detriment of the local community.
  - 10.2 Although reports and surveys by the Council and police have not conclusively confirmed these views it is felt that there is a lack of confidence in some local residents to report issues due to the fear of possible reprisals.
  - 10.3 The teenage equipment in question was installed at the request of the local community with a consultation at the time showing overwhelming support for the scheme, confirming local need.
  - 10.4 It needs to be recognised that simply removing the equipment may not resolve the problems and that the ASB, and in particular the drug related issues, need more sustained input from the police to reduce this criminal activity.
  - 10.5 Whatever course of action the Council decides upon it is clear that there needs to be a partner approach to solving these problems with on-going monitoring and review of the situation.
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### **Background Documents**

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

### **Equality Impact Assessment**

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

### **Appendices**

None



**AGENDA ITEM: 7(2)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
2 July 2009**

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**Report of: Council Secretary and Solicitor**

**Portfolio Holder: Councillor Owens**

**Contact for further information: Mrs S Griffiths (Extn. 5017)  
(E-mail: [susan.griffiths@westlancs.gov.uk](mailto:susan.griffiths@westlancs.gov.uk))**

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**SUBJECT: CALLED IN ITEM: SALE OF SMALL PLOTS OF LAND OWNED BY  
THE  
COUNCIL**

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Borough Wide Interest

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview and Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 7 of the meeting of Cabinet held on 16 June 2009.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 4.1 below, it wishes to pursue.

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**3.0 DETAILS RELATING TO THE CALL IN**

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 16 June 2009.

3.2 The following decision of Cabinet is contained at minute no. 7:-

## “7. SALE OF SMALL PLOTS OF LAND OWNED BY THE COUNCIL

Councillor A Owens introduced the report of the Executive Manager Regeneration and Estates which detailed the proposed method of dealing with the sale of small plots of land owned by the Council and sought approval for the methodology of such sales.

Councillor Owens advised Members that the report would also be submitted to Council on 15 July 2009.

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

- RESOLVED: A. That the methodology for the sale of small parcels of land as set out in Appendices A and B attached to the report be approved.
- B. That receipts up to a ceiling limit of £5,000 from the sale of small plots of land be “ring fenced” for regeneration schemes in the Borough.”

3.3 The following reason for call in was given in the requisition:

*“Insufficient robust methodology leading to potential problems and unintended consequences”*

3.4 The requisition also provided an alternative decision which was:-

*“That the methodology as set out in Appendices A and B have added to it further appendices as necessary to cover the following issues:*

*Ward member involvement in sales decisions*

*Planning conditions to ensure adequate maintenance and appearance*

*Future land use and development in context of covenant case law*

*Relationship between location of land for sales and location/type of regeneration scheme benefiting*

*Sales of land to people living in rented accommodation”*

3.5 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor W.G. Roberts

Councillor Carson

Councillor Mckay

Councillor J. Roberts

Councillor R. Pendleton



## **4.0 CONCLUSION**

- 4.1 Following consideration of the decision of Cabinet and the requisition for call in, the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:
- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision; or
  - b. refer the matter to Council. If the matter is referred to Council and Council does not object then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.
- 4.2 The Secretary of State in his Guidance recommends that Overview and Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

### **Appendices**

Report of the Executive Manager Regeneration and Estates





**AGENDA ITEM: 5/2**

**CABINET:**  
**16 June 2009**

**COUNCIL:**  
**15 July 2009**

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**Report of: Executive Manager Regeneration and Estates**

**Relevant Portfolio Holder: Councillor A Owens**

**Contact for further information: Mrs R Kneale (Extn. 2611)**  
**(E-mail: [rachel.kneale@westlancs.gov.uk](mailto:rachel.kneale@westlancs.gov.uk))**

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**SUBJECT: SALE OF SMALL PLOTS OF LAND OWNED BY THE COUNCIL**

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Borough wide interest

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To advise Cabinet of the proposed method of dealing with the sale of small plots of land owned by the Council.
- 1.2 To seek approval for the methodology of such sales.

### **2.0 RECOMMENDATIONS**

- 2.1 That the methodology for the sale of small parcels of land as set out in Appendices A and B attached to the report be approved.
- 2.2 That receipts up to a ceiling limit of £5,000 from the sale of small plots of land be "ring fenced" for regeneration schemes in the Borough.

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### **3.0 BACKGROUND**

- 3.1 The Council holds a significant amount of land which it has acquired over a number of years by a variety of different methods. These are held by different Divisions of the Council. These land holdings range from large areas of Public Open Space such as Beacon Country Park and Golf Course to areas of landscaping within the urban environment. The latter includes large tracts of structured planting, grassed areas and small parcels of amenity shrub planting. Most, if not all, were planted as an integral part of the design of residential estates to enhance their visual amenity.
- 3.2 The majority of the land in Skelmersdale was conveyed to the Council by the Skelmersdale Development Corporation in 1984 whilst the remainder across the

Borough was already in the Council's ownership or has been acquired subsequently. The situation which presently operates is that when an application to purchase land is received the views of the relevant Executive Manager are sought and if he/she has no objections to the subject land being conveyed the opinions of other Council officers such as those from the Planning and Grounds Maintenance Divisions are sought. If the consensus is that the land should be conveyed, a short report is prepared for the relevant Portfolio Holder and the Leader of the Council detailing the case and the price agreed.

- 3.3 The Regeneration and Estates Division is receiving an increasing volume of enquiries, mainly from residents in Skelmersdale, who wish to acquire land from the Council to incorporate into their housing plot, or to provide private parking and improved security. In addition there are cases in which householders have illegally taken possession of land which is owned by the Council and the Council takes the necessary steps to reclaim the land. There are also cases where householders require vehicular access to their property across land which is in the Council's ownership.
- 3.4 Previously officers have dealt with each request on a case-by-case basis as and when resources permit.
- 3.5 Applications from companies wishing to purchase land for commercial purposes differ to those received from domestic applicants and are subject to an accepted protocol and as such will not form part of this report.

#### **4.0 CURRENT POSITION**

- 4.1 There is a backlog of requests from local residents seeking to enlarge their current land holding, all of whom have been issued with letters advising them that their application will be dealt with subject to the outcome of a Cabinet report.
- 4.2 The Estates and Valuation Manager believes that the various land holdings which adjoin the residential properties cumulatively have a significant financial value to the Council and should be regarded as capital receipt producing assets. It is likely that the extension of the curtilage of a domestic property by even a modest amount generally results in an increase in the value of that property which may be significant. It is equitable, therefore, that the Council shares in that appreciation.
- 4.3 In addition, the granting of a legal easement which permits vehicular access across Council owned land, subject to the other necessary consents, usually results in an uplift in value for the occupier and the Council should share in this uplift.
- 4.4 The authority to grant easements has been delegated to the Executive Manager Regeneration and Estates, however the refusal of a request or the levying of a charge for granting this access can lead to a significant amount of lobbying of elected Members and it was thought appropriate to detail the issues in this report.

#### **5.0 ISSUES**

- 5.1 While the sale of open space and landscaped amenity areas inevitably benefit the purchaser, they can also have undesirable environmental, community and land management consequences. The undesirable environmental consequences include adverse affects on the character and appearance of any area; individual and/or cumulative loss of visual amenity and/or wildlife habitat provision; and adverse affects on services (drainage systems, energy supplies etc) and increased grounds maintenance costs. The undesirable community consequences include an increased fear of crime e.g. reduced visibility in the street from fencing off land. Finally, the severing of parcels of Council owned land could create land management problems, including more difficult grounds maintenance and other maintenance operations.
- 5.2 Conversely, some sales may produce environmental benefits e.g. the removal of unsightly shrub beds of poor quality. Similarly, the enclosure of land which was previously the focus of anti social activities can bring about community benefits.
- 5.3 It cannot be guaranteed that the sale of landscaped areas will reduce the Council's liabilities in terms of grounds maintenance costs. Although, some sales may have neutral effects, in that they have no discernable environmental, community or land management effects e.g. the removal of a small shrub bed in a well landscaped setting.
- 5.4 Planning permission is normally required for the change of use of land. The responsibility of obtaining planning permission lies with the prospective purchaser. If planning permission cannot be obtained, there is no point in the applicant proceeding with a sale.

## **6.0 PROPOSALS**

- 6.1 The Council needs to consider whether to adopt a structured and consistent approach for dealing with these requests and consider what is involved in terms of the increased workload.
- 6.2 To ensure that all applications are considered in a consistent and structured way, all enquiries (to include those received by other Sections of the Council such as Housing and Leisure) will, in the first instance, be referred to the Councils Estates and Valuation Manager, together with confirmation of whether the land is declared surplus by the operational occupier. Upon receipt of this information the Estates and Valuation Manager will send a holding letter to the applicant.
- 6.3 In terms of determining the applications it is proposed that the following criteria be used to assess if the land should be sold:
- Consider the existing function of the land e.g. Leisure use, Public Open Space/Structure tree planting/open grassed area capable of recreational use/Amenity shrub planting
  - Size of site
  - Physical condition of land
  - Service implications
  - Contribution of the land to the character, amenity and wildlife habitat provision of the area

- Effects on local or wider regeneration objectives/initiatives
- Crime and disorder issues
- Maintenance and other legal liabilities

Details of the methodology of assessing and processing sales are set out in Appendices A and B.

- 6.4 The approach set out above has been circulated to the Housing, Street Scene, Community Services and Planning Divisions and no adverse comments have been received. The MAPS team has noted that the notification of a proposed sale would enable consultation with the Police under the Crime and Disorder Act.
- 6.5 As a pre-requisite for a sale, planning permission must be obtained (if required).
- 6.6 All applicants should initially be made aware of the costs which will be incurred if the matter proceeds to completion including surveying, legal and any potential planning or other relevant fees. In addition a non-refundable contribution of £100 towards the costs incurred in producing a valuation must be paid before an inspection is carried out.
- 6.7 There will continue to be a standard fee for the Council's costs for granting an easement together with a premium payable to reflect the uplift in value for the property owner.

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

- 7.1 Some purchases will involve the loss or reduction of existing vegetation. This will marginally reduce wildlife habitats and biodiversity. However, the amount of land involved in the sale of plots is generally small and the conveyancing document will contain a covenant restricting the use to garden space.
- 7.2 There is concern that an increase in the use of hardstanding is leading to an increased run-off of surface water. The standard easement document will require that this problem be mitigated by the use of cellular re-enforcement. This has the added benefit of retaining the visual amenity of grassed verges and enabling the use of plant by the Street Scene Manager to maintain the area.
- 7.3 With regard to the Community Strategy the sale of land will in many cases improve safety for householders and increase the enjoyment of their properties.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 The sale of small plots of land, involves a considerable amount of staff resources. Details of the disposal procedures are shown in Appendix B. The method by which the Council acquired the land determines primarily the financial return, due the potential clawback. If the land has been acquired with a restrictive covenant in place the matter is significantly complicated and there is generally a payment required by the beneficiary of the covenant for its release. This usually renders the sale not financially viable. This is the case when an estate has been privately developed and the landscaped areas have been conveyed to the Council once the properties have been sold.

- 8.2 Even land which is relatively unfettered still requires input on the proposed sale from a number of divisions within the Council together with a site visit by the valuer to determine whether or not there are circumstances which would render a sale inadvisable. These may include matters such as sight lines or amenity value and may require consultation with the Highway Authority (Lancashire County Council).
- 8.3 Whilst there is the potential to raise receipts through these disposals there are not sufficient staff resources available to carry out the work at present. It is proposed that the current applications are passed to a third party such as an external firm of surveyors and Consortium Solicitors, who will carry out the process. The costs of these services will be borne by purchasers. Once the number of outstanding cases has been dealt with and the number of applications is more manageable the process will revert back to the in house surveyors and lawyers, subject to adequate staff resources at that time. To ensure consistency, the fees charged will remain the same whether relating to outsourced or in house work.
- 8.4 The Council also receives applications from owner-occupiers who require vehicular access across Council owned land. This is usually to allow them to park within the curtilage of their property. This seemingly small requirement has significant financial implications for the applicant which is not always initially appreciated. These costs include obtaining consent from the Council as the Planning Authority, the costs required by Lancashire County Council for the installation of a dropped kerb and finally the legal fees and premium payable to the Council as the landholder. The applicant will be advised of the costs (if known) at the early stages of their request and these should be measured against the benefit to the householder of having an off road car parking space.
- 8.5 The granting of a legal easement which permits a resident to cross Council owned land has two advantages. Firstly, it allows the Council to impose a measure of control over the usage and treatment of the land e.g. where the access is across a grassed area the resident can be required to install green cellular reinforcement within the verge which allows access whilst retaining the grassed amenity. Secondly, it preserves the Council's rights of achieving unfettered ownership of the land should it wish to carry out future development works. The existence of any underground drainage and or utility apparatus would also have to be considered and suitable construction methods adopted that protect and allow access.
- 8.6 I believe that it is possible to deal with the current number of easement requests that it receives within existing staff resource levels.
- 8.7 In respect of land held for housing purposes statute determines that if the sum received from the sale of a small plot of housing land is less than £10,000 it is regarded as de minimus and the Council is able to retain 100% of the receipt. It is anticipated that the vast majority of sales would fall into this category.

8.8 Members may wish to ring fence the receipts to undertake small regeneration schemes in the Borough. Although Members will be aware that income from larger disposals is ring fenced for the Abbotsford regeneration project as previously agreed by Members. A ceiling limit of £5,000 is therefore recommended with regards to these small receipts.

## **9.0 RISK ASSESSMENT**

9.1 The risk of not processing requests for such land purchases may lead to residents incorporating areas into their gardens which will require a greater amount of officer input in dealing with illegal trespass.

9.2 There is a risk of inconsistency in the way requests are determined if the policy for dealing with the sale of small plots of land owned by the Council is not in place.

9.3 If requests to purchase small plots of Council owned land are not dealt with in a timely and transparent manner there is a risk of increased complaints from applicants.

9.4 A further risk is that of a potential loss of capital receipts due to not having the staff resources to progress applications. This could also potentially stifle some small scale regeneration opportunities.

9.5 It is envisaged that control on the use of the land once sold to garden use will be by way of restrictive covenants contained in the conveyancing document. It should be noted that recent caselaw has stated that if an Authority grants planning permission then this may override any covenants the Council, under its land owning function, have imposed on the land.

## **10.0 CONCLUSIONS**

10.1 The sale of small parcels of land can be beneficial to the Council and prospective purchasers.

10.2 Requests for such sales should be assessed against the criteria in Appendices A and B of the report, and should be subject to the grant of planning permission for the proposed use.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

### **Appendices**



Appendix A – Land disposal criteria

Appendix B – Disposal procedures



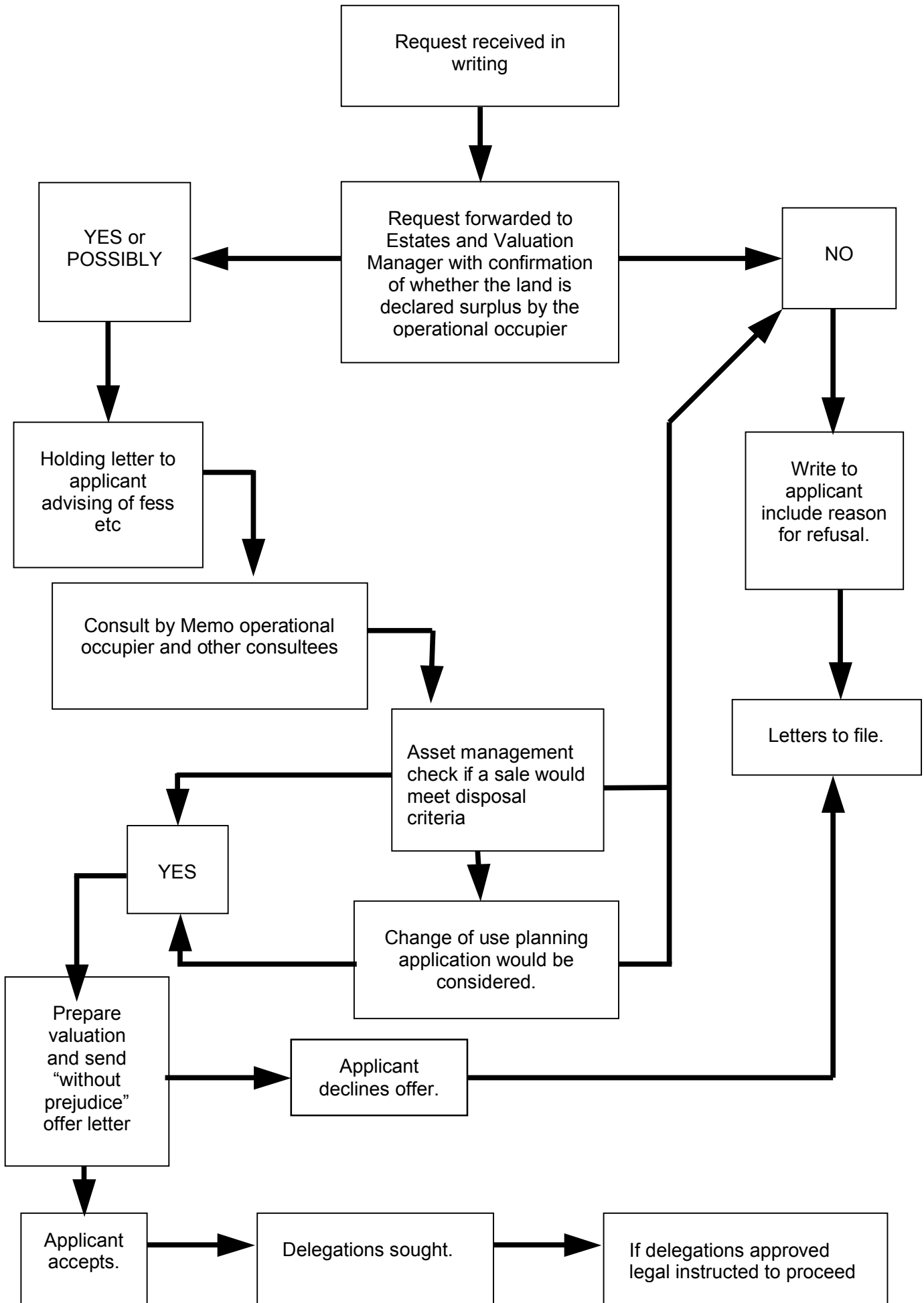
## Appendix A

### Land disposal criteria

CRITERIA	SITE CHARACTERISTICS	COMMENTS (INCLUDING CONSULTATION RESPONSES)
FUNCTION	Public Open Space Informal play area Structural landscaping Amenity planting Car parking Other	
SIZE	0.0 ha – 0.025 ha 0.025 ha – 0.05 ha 0.05 ha – 0.1 ha > 0.1 ha	
PHYSICAL CONDITION	Used/unused Vacant/occupied Structures Vegetation Watercourse Flooding issues Other	

SERVICES	Gas Electricity Water Telecommunications Drains Other	
ENVIRONMENTAL IMPORTANCE	Character value Amenity value Wildlife/habitat value	
CRIME AND DISORDER ISSUES	Recorded crime Anti social behaviour issues	
MAINTENANCE	Part of larger area Self contained site Financial gain/burden	
LEGAL ISSUES	Restrictive covenants Need to refer to GONW	
REGENERATION ISSUES	Effects on local or wider initiatives	

**DISPOSAL PROCEDURES**







**AGENDA ITEM: 7(3)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
2 July 2009**

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**Report of: Council Secretary and Solicitor**

**Portfolio Holder: Councillor Fowler**

**Contact for further information: Mrs S Griffiths (Extn. 5017)  
(E-mail: susan.griffiths@westlancs.gov.uk)**

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**SUBJECT: CALLED IN ITEM: FOOD SAFETY SERVICE PLAN 2009/2010**

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Borough Wide Interest

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview and Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 12 of the meeting of Cabinet held on 16 June 2009.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 4.1 below, it wishes to pursue.

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**3.0 DETAILS RELATING TO THE CALL IN**

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 16 June 2009.

3.2 The following decision of Cabinet is contained at minute no. 12:-

## **“12. FOOD SAFETY SERVICE PLAN 2009/2010**

Councillor A Fowler introduced the report of the Executive Manager Community Services which sought agreement to the proposed Food Safety Service Plan for 2009/2010.

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

RESOLVED: A. That the proposed Food Safety Service Plan for 2009/2010, attached as an Appendix to the report, be approved.

B. That in future years, delegated authority be given to the Executive Manager Community Services, in consultation with the Portfolio Holder for Community Services and Health, to approve the Food Safety Service Plan.”

3.3 The following reason for call in was given in the requisition:

*“Inappropriate delegation for policy.”*

3.4 The requisition also provided an alternative decision which was:-

*“That recommendation B be amended to read:-*

*That in future years, delegated authority be given to the Executive Manager Community Services, in consultation with the Portfolio Holder for Community Services and Health and the Corporate Overview and Scrutiny Committee, to approve the Food Safety Service Plan.”*

3.5 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor Pendleton  
Councillor J. Roberts  
Councillor Mckay  
Councillor Carson  
Councillor W.G. Roberts

## **4.0 CONCLUSION**

4.1 Following consideration of the decision of Cabinet and the requisition for call in, the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision; or



- b. refer the matter to Council. If the matter is referred to Council and Council does not object then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

4.2 The Secretary of State in his Guidance recommends that Overview and Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

### **Appendices**

Report of the Executive Manager Community Services





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**Report of: Executive Manager Community Services**

**Relevant Portfolio Holder: Councillor A Fowler**

**Contact for further information: Mr M S Tasker (Extn. 5242)  
(E-mail: michael.tasker@westlancs.gov.uk)**

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**SUBJECT: FOOD SAFETY SERVICE PLAN 2009 / 10**

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CAB35/CAL

Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To seek agreement to the proposed Food Safety Service Plan for 2009/2010.

**2.0 RECOMMENDATIONS**

2.1 That the proposed Food Safety Service Plan for 2009/2010, attached as an Appendix to this Report, be approved.

2.2 That in future years, the approval of the Food Safety Service Plans be delegated to the Executive Manager Community Services in consultation with the Portfolio Holder for Community Services and Health.

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**3.0 BACKGROUND**

3.1 The Food Standards Agency (FSA) is an independent food safety watchdog set up by an Act of Parliament in 2000 to protect the public's health and consumer interests in relation to food.

3.2 The FSA provides advice and information to the public and Government on food safety from farm to fork, nutrition and diet. It also protects consumers through effective food enforcement and monitoring.

3.3 Food safety enforcement work is primarily the responsibility of Local Authorities and this Council works to fulfil these duties and 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.

3.4 The Food Standards Agency has, as one of its key roles, responsibility for setting

and monitoring standards and auditing Local Authorities' enforcement activities in order to ensure this activity is effective and undertaken on a consistent basis.

3.5 The FSA sees Food Safety Service Plans as an important part of the process to ensure local authorities address national priorities and standards and deliver them locally. It sees the Food Safety Service Plans will also:

- 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 means of managing performance and making performance comparisons.

3.6 In their guidance, the FSA has requested such plans have a common format. This enables it to assess local authorities' delivery of service but also enables local authorities to analyse and compare their performance with each other as part of the Best Value agenda. Service Plans are also seen by the FSA as an expression of a local authority's own commitment to the development of the food service.

3.7 Past Food Safety Service Plans have been submitted to and agreed by Members each year since 2002.

#### **4.0 CURRENT POSITION**

4.1 The Food Safety Service Plan for 2008/2009, as agreed by Members last year, has been implemented. Performance against that Service Plan has now been reviewed and the conclusions of the review are contained in the draft Service Plan for 2009/2010.

4.2 Once again, the Service achieved 100% of all food premises inspections that were due in 2008/2009 for both high and low risk premises. This compares with a Performance Target of 100%.

4.3 This is the sixth consecutive year where the Service has undertaken 100% of all food premises inspections which have been required. This level of consistency over the six years is the best in Lancashire.

4.4 The draft Food Safety Service Plan for 2009/2010 has been developed and is attached to this report as an Appendix and consists of the following details:

- |           |   |                             |
|-----------|---|-----------------------------|
| Section 1 | - | Service Aims and objectives |
| Section 2 | - | Background                  |
| Section 3 | - | Service Delivery            |
| Section 4 | - | Resources                   |
| Section 5 | - | Quality Assessment          |

- 4.5 The draft Food Safety Service Plan provides a detailed view of the work of the Food Safety Service. It shows how the Service's aims and objectives are linked into the Council's corporate priorities and values. It details the services provided and used, along with the demands that are made on the Service.
- 4.6 The Plan highlights the fact that additional intervention visits to premises were required during 2008-2009. These were required, to undertake final verifications following 'Safer Food Better Business' mentoring which took place following a successful joint bid to the Food Standards Agency by this Authority, three other local councils and Food North West. Finance from the bid allowed approximately 100 businesses in West Lancashire to receive the mentoring which enabled those businesses to implement food safety management systems using the 'Safer Food Better Business' model. .
- 4.7 A full breakdown is then provided of the proposed Premises Inspection and Intervention Programme for 2009/2010, the Food Sampling Programme and the proposed responses to a range of requests for service.
- 4.8 As well as reviewing performance for 2008/2009, the Service Plan also details proposed areas for improvement and changes for 2009/2010.
- 4.9 The FSA is currently looking to introduce fundamental changes to the whole approach to food law enforcement by Local Authorities. The aim is to provide Local Authorities with a suite of flexible interventions for improving business compliance.
- 4.10 To develop, this work, the FSA's Enforcement Division is leading a major policy review called the Changes to Local Authority Enforcement (CLAE) project.
- 4.11 The CLAE project is overseeing four policy reviews which have been set up to implement ideas from the Hampton Review, and from a paper which identifies the top 5 priorities for enforcement in the Agency. These reviews relate to:
- the review of Enforcement Policy, to introduce the Policy of interventions
  - the review of monitoring
  - the review of audit arrangements
  - the review of the Framework Agreement
- 4.12 By completing these reviews, the FSA aims to provide Local Authorities with a sweeping revision of the approach to food law enforcement in food premises – described by the FSA as the "New Vision".
- 4.13 The FSA published its new Code of Practice in June 2008 and this has been implemented by the Council. However, the supporting Guidance has not yet been published and circulated to Local Authorities.
- 4.14 The Code of Practice is seen by the FSA as enabling Local Authorities to focus their resources on the areas and premises which pose the greatest risk, thereby using those resources more effectively. A key feature of this approach will be

working with businesses to achieve compliance, very much in line with this Council's existing approach.

- 4.15 In order to provide local transparency and accountability, in addition to the draft Food Safety Service Plan being submitted to Members, copies will also be sent for comment to the Consultant in Health Protection for the West Lancashire area, to the HPA Food, Water & Environmental Microbiology Network (Preston laboratory) and to the Lancashire County Analyst.
- 4.16 Once the Service Plan has been finalised a copy will again be put onto the Council's Web-site for public information and with an opportunity for comments to be made on the content of the Service Plan. Existing Customer Surveys involving the Food Safety Service will again continue and give members of the public a further opportunity to comment on the work of the Service.

## **5.0 ISSUES**

- 5.1 The FSA 'Framework Agreement on Local Authority Food Law Enforcement' specifies the arrangement to be put in place and operated by a local authority for the enforcement of food hygiene legislation.
- 5.2 One of the requirements of the Framework Agreement document is that a local authority shall draw up, document and implement a service delivery plan in accordance with the FSA guidance. There is also a requirement that the service delivery plan is submitted for appropriate Member approval.
- 5.3 By submitting the draft Food Safety Service Plan to Members it is hoped to provide local transparency and accountability, as well as fulfilling the requirements of the FSA Framework Agreement.

## **6.0 PROPOSALS**

The draft Food Safety Service Plan for 2009/2010 is being submitted to Members to seek agreement for the Service Plan to be implemented for 2009/2010.

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

- 7.1 The Food Safety Service Plan provides an expression of the Council's commitment to the development of the food safety service. This Service contributes significantly towards improving the health of the local communities within West Lancashire.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 The costs associated with production of the Food Safety Service Plan have been met from existing budgets.
- 8.2 The Plan describes what work will be carried out by the Service. The costs of this work will be met from existing budgets.

## **9.0 RISK ASSESSMENT**

- 9.1 The Food Safety Service Plan describes the financial and resource implications for the Food Safety Service, which will be met from existing budgets. If adequate staffing resources were not available, the Council may not be able to deliver an effective food safety service as required by the FSA.

## **10.0 CONCLUSIONS**

- 10.1 Agreement to the Food Service Plan for 2009/2010 will confirm the Council's commitment to fulfilling its responsibilities for food enforcement work.

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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.

<u>Date</u>	<u>Document</u>
12.03.2001	Food Standards Agency 'Framework Agreement on Local Authority Food Law Enforcement'
June 2008	Food Standards Agency "Food Law" Code of Practice
March 2006	Food Standards Agency "Food Law" "Guidance"
	The Council's Corporate Performance Plan for 2008 – 09
	Food Safety Service – Food Sampling Policy
	Food Safety Service – Food Sampling Programme for 2009/10
	The West Lancashire Profile

### **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 – DRAFT ANNUAL FOOD SAFETY SERVICE PLAN 2009-10





**DRAFT**

**ANNUAL  
FOOD SAFETY  
SERVICE PLAN**

**2009/2010**

**WEST LANCASHIRE BOROUGH COUNCIL**

**Community Services**

**FOOD SAFETY SERVICE PLAN  
2009-2010**

**1 Service aims and objectives**

- 1.0 Service aims and objectives
- 1.2 Links to Corporate objectives

**2 Background**

- 2.1 Profile of the local authority
- 2.2 Organisational structure
- 2.3 Scope of the Food Service
- 2.4 Demands on the Food Service
- 2.5 Service delivery
- 2.6 Enforcement Policy

**3 Service delivery**

- 3.1 Food premises inspections and interventions
- 3.2 Food complaints
- 3.3 Home authority principle
- 3.4 Advice to businesses
- 3.5 Food sampling and inspection
- 3.6 Food safety incidents
- 3.7 Control and investigation of outbreaks and incidents of food related infectious disease
- 3.8 Liaison with other organisations
- 3.9 Food safety promotion
- 3.10 Food safety training for officers

### 3.11 Imported Food Controls

4 **Resources**

4.1 Financial allocation

4.2 Staffing allocation

4.3 Staff development plan

5 **Quality**

5.1 Quality assessment

6 **Review**

6.1 Review against The Service Plan 2008/2009

6.2 Identification of any variations from the Service Plan 2008/2009

6.3 Areas for improvement (2009/2010)

**COMMUNITY SERVICES**

**FOOD SAFETY SERVICE PLAN 2009/2010**

<p><b>1</b></p>	<p><b>Service Aims and Objectives</b></p>
<p><b>1.0 Service Aims and Objectives</b></p>	<p>The aim of the Food 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.</p> <p>In order to achieve these aims the service will:</p> <ul style="list-style-type: none"> <li>• Ensure that it acts in accordance with the relevant Food Standards Agency Code of Practice and other official guidance.</li> <li>• Encourage businesses to comply with the law by offering advice.</li> <li>• Apply the principle of continuous improvement by comparing and measuring its performance and rectifying any shortcomings.</li> <li>• Responding to local need and ensuring the service is accessible to everyone.</li> </ul>
	<ul style="list-style-type: none"> <li>• Ensure that the delivery of the Service is undertaken in a manner so as not to be discriminatory towards equality target groups and accessible to all who request or receive the Service.</li> </ul>
<p><b>1.2 Links to Corporate Objectives</b></p>	<p>The Food Safety Service Plan (formerly produced in a much abbreviated form) is produced annually by the Executive Manager Community Services and the Commercial Safety Manager. Performance reviews are undertaken on a quarterly basis. The results of the annual performance review are also reported to Cabinet.</p> <p>The Council has a number of key corporate priorities and values. The work detailed in the Service Plan specifically contributes to two of these priorities &amp; values by delivering cost-effective services that delight the Customer and are accessible to all and by ensuring local services offer the best possible value.</p> <p>The service works closely with a number of other agencies and organisations eg. Food Standards Agency, LACORS (Local Authorities Coordinators of Regulatory Services), LBRO (Local Better Regulation</p>

	Office), Cumbria & Lancashire Health Protection Agency, NHS Central Lancashire, HPA Food, Water & Environmental Microbiology Network (Preston laboratory) and other local authorities to ensure a comprehensive and consistent approach to food law enforcement.
<b>2.0 BACKGROUND</b>	
<b>2.1 Profile of the Local Authority</b>	<p>West Lancashire is located in the South West corner of Lancashire in the North West of England. It has a population of 109,800 and covers an area of 347 square kilometres. The area is characterised by a mainly flat intensively farmed agricultural landscape, which rises to the east to form low hills. The area is mainly rural, with the main exceptions being the former New Town of Skelmersdale and the market town of Ormskirk.</p> <p>In 2008 13% of enterprises in West Lancashire were involved in the agricultural sector with a similar percentage involved in the retail/wholesale sector.</p> <p>Property and business services account for 28% of enterprises in the area, with a further 6% of businesses involved in hotels and Catering Services.</p> <p>Public administration, education and health accounted for approximately 10% of the organisations in West Lancashire.</p> <p>Over recent years, West Lancashire recorded an employment growth rate that was above the Country and National averages.</p> <p>The majority of manufacturing is located in Skelmersdale where there is a large industrial estate.</p>
<b>2.2 Organisational Structure</b>	<p>The organisational structure of the Community Services Division is shown in Appendix 1.</p> <p>Food law enforcement duties are undertaken by the Commercial Safety Section, who deal with both food safety and health and safety enforcement matters.</p> <p>Administrative support is provided by members of a general Administration Team.</p> <p>The Health Promotion Unit also assists in a range of promotional and educational roles in respect of food safety matters.</p> <p>The service uses a range of Specialist Services</p>

	<p>including:</p> <ul style="list-style-type: none"> <li>• Food Analytical Services <ul style="list-style-type: none"> <li>- Lancashire County Council Public Analyst, plus specialist service providers as necessary.</li> </ul> </li> <li>• Food Examiner <ul style="list-style-type: none"> <li>- HPA Food, Water &amp; Environmental Microbiology Network (Preston laboratory).</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• Cumbria &amp; Lancashire Health Protection Agency <ul style="list-style-type: none"> <li>- Consultant in Health Protection</li> </ul> </li> <li>• NHS Central Lancashire <ul style="list-style-type: none"> <li>- Director of Public Health</li> </ul> </li> </ul> <p>The Council is operating under a political structure involving an executive style Cabinet and a series of Overview &amp; Scrutiny and Review Committees.</p>
2.3 <b>Scope of the Food Service</b>	<p>In respect of food safety matters the Commercial Safety Section is responsible for providing the following services:</p> <ul style="list-style-type: none"> <li>• Maintenance of the food premises register</li> <li>• Programmed and reactive inspection of all food premises</li> <li>• Investigation of food complaints and complaints relating to unsatisfactory premises/practices</li> <li>• Advisory visits and provision of information</li> <li>• Food sampling for survey and monitoring purposes</li> <li>• Investigation and control of infectious disease cases and outbreaks relating to food</li> <li>• Responding to food alerts from the Food Standards Agency</li> <li>• Maintaining an ISO9001:2008 Quality System relating to food safety matters</li> <li>• Promotion of food safety through education and promotional events</li> <li>• Notification to the Food Standards Agency of any serious local food problem</li> <li>• Inspection of food premises for hygiene and safety</li> <li>• Input to various licensing services on food safety matters</li> <li>• Issue of Health Certificates</li> <li>• Monitoring of Shellfish beds</li> <li>• Approval of product specific premises.</li> <li>• Operating imported food controls</li> </ul>
2.4 <b>Demands on the Food Service</b>	<p>There are in total 823 registered food premises in the Borough. A breakdown of the premises types and their</p>

	<p>risk rating category is provided in Section 3.1</p> <p>The Borough has a cross-section of food businesses which include primary producers, manufacturers, retail and catering premises. Most of these premises are small to medium enterprise businesses. Caterers and retail form the major part of these premises.</p>																		
	<p>These businesses can be divided into the following classifications:</p> <table data-bbox="592 600 1404 974"> <tr> <td>Producers</td> <td>20</td> </tr> <tr> <td>Slaughterhouses (seasonal)</td> <td>2</td> </tr> <tr> <td>Manufacturers/Processors</td> <td>22</td> </tr> <tr> <td>Packers</td> <td>10</td> </tr> <tr> <td>Importers/Exporters</td> <td>1</td> </tr> <tr> <td>Distributors/Transporters</td> <td>19</td> </tr> <tr> <td>Retailers</td> <td>188</td> </tr> <tr> <td>Restaurants/Caterers</td> <td>551</td> </tr> <tr> <td>Materials &amp; articles/ manufacturers &amp; suppliers</td> <td>10</td> </tr> </table> <p>Of these, 8 are approved under product specific regulations.</p> <p>The Borough has a diversity of premises with product specific approval needed under EC Regulation 853/200. These relate to:</p> <ul data-bbox="592 1265 1404 1456" style="list-style-type: none"> <li>• Fishery Products (3 premises)</li> <li>• Meat Products (3 Premises)</li> <li>• Dairy Product (2 Premises)</li> </ul> <p>The Authority has adopted a street trading consent scheme for mobile retail and catering vehicles. This places additional demands on the service with 31 vehicles requiring compliance inspections per year on average.</p>	Producers	20	Slaughterhouses (seasonal)	2	Manufacturers/Processors	22	Packers	10	Importers/Exporters	1	Distributors/Transporters	19	Retailers	188	Restaurants/Caterers	551	Materials & articles/ manufacturers & suppliers	10
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<p><b>2.5 Service Delivery</b></p>	<p>Commercial Safety Section Community Services West Lancashire Borough Council Westec House 52 Derby Street Ormskirk Lancashire L39 2DQ</p> <p>Telephone: 01695 577177 (switchboard)</p>																		



	<p style="text-align: center;">01695 585235/585242 (direct)</p> <p>Fax:           01695 585126</p> <p>Opening Hours:   08.45 – 17.00 (Monday-Thursday)                           08.45 – 16.45 (Friday)</p> <p>Out of Hours:     Emergency Service is available by                           contacting 01695 577177</p>
	<p>The out of hours emergency service is available 24 hours 7 days a week. An appropriate officer of the Environmental Health Service can be contacted through this number in an emergency eg. food poisoning outbreak.</p>
<p>2.6   <b>Enforcement Policy</b></p>	<p>A generic Enforcement Policy for the then Environmental Services was produced and approved by Members during 2002/2003, after wide consultation with interested parties. This Policy covers all environmental health regulatory functions, including the Food Safety Service.</p> <p>The Policy includes aspects of the Food Standards Agency Service Plan requirement and is in line with Best Value and The Enforcement Concordat Principles.</p> <p>The Council has adopted the Enforcement Concordat and intends to act within its principles of:</p> <ul style="list-style-type: none"> <li>• Setting out Standards for the level of service and performance</li> <li>• Openness in providing clear information about the service provided</li> <li>• Helpfulness</li> <li>• Dealing effectively with complaints</li> <li>• Proportionality</li> <li>• Consistency</li> </ul> <p>The existing generic Enforcement Policy for the then Environmental Services is currently being reviewed to take account of changes in legislation and national guidance. When a new Enforcement Policy has been developed and agreed by Members, support documentation for officers will also be developed for the new Enforcement Policy.</p>

3.0	<b>SERVICE DELIVERY</b>																																					
3.1	<b>Food Premises Inspections &amp; Interventions</b>																																					
3.1.1		<p>It is West Lancashire Borough Council's Policy to carry out programmed inspections and interventions of premises in accordance with:</p> <p>(a) the minimum inspection frequencies and requirements detailed in the Food Standards Agency Food Law Code of Practice (June 2008)</p> <p>(b) the Council's Enforcement Policy</p>																																				
3.1.2		The proposed Inspection and Intervention Programme for 2009/2010 is as follows:																																				
	<table border="1"> <thead> <tr> <th>Premises Risk Category</th> <th>No of Premises as at 1.4.09</th> <th>No of Programmed inspections &amp; interventions due (1.4.09- 31.3.10)</th> <th>Estimated Number of Revisits</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>7</td> <td>14</td> <td>4</td> </tr> <tr> <td>B</td> <td>94</td> <td>94</td> <td>10</td> </tr> <tr> <td>C</td> <td>406</td> <td>284</td> <td>29</td> </tr> <tr> <td>D</td> <td>113</td> <td>50</td> <td>5</td> </tr> <tr> <td>E</td> <td>184</td> <td>55</td> <td>6</td> </tr> <tr> <td>F</td> <td>8</td> <td>8</td> <td>1</td> </tr> <tr> <td><b>Total</b></td> <td><b>812</b></td> <td><b>505</b></td> <td><b>55</b></td> </tr> <tr> <td>Non-rate</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Premises Risk Category	No of Premises as at 1.4.09	No of Programmed inspections & interventions due (1.4.09- 31.3.10)	Estimated Number of Revisits	A	7	14	4	B	94	94	10	C	406	284	29	D	113	50	5	E	184	55	6	F	8	8	1	<b>Total</b>	<b>812</b>	<b>505</b>	<b>55</b>	Non-rate	-	-	-	
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3.1.3		The revised Code of Practice, published June 2008, introduces the term "broadly compliant". This term originates from NPI 184 and is based on the specific risk ratings given for compliance using the new statutory code of practice. It shows how well a food business operator is complying with food safety standards at the time of the inspection. The Code of Practice also allows authorities some limited flexibility in dealing with businesses' compliance with food safety legislation, so as to try to achieve an improvement in the number of businesses who are "broadly compliant".																																				
3.1.4		Revisits are undertaken if a further visit is needed to assess compliance with an enforcement notice or if contraventions found during an inspection are of such a risk that enforcement action may be required before the next programmed inspection.																																				
3.1.5		The qualifications, experience and training of staff is sufficient to ensure that the Authority has the expertise to ensure competent inspection of the premises and processes in our area.																																				
3.2	<b>Food</b>	Food complaints are investigated in line with procedures																																				

<p><b>Complaints</b></p>	<p>laid down in the Quality System. Action is determined by the nature of the complaint and the potential threat posed to public health.</p> <p>Complaints about food hygiene practices or the condition of a food premises are also actioned according to the potential to cause harm. Follow up action may be immediate or delayed to the next programmed inspection provided the time period is not excessive.</p> <p>On average the section receives 25 food complaints per year and 60 complaints about food premises.</p> <p>The length of time taken to resolve a complaint can vary considerably.</p> <p>It is the policy of West Lancashire Borough Council to give a first response within 3 working days to <b>all</b> food premises complaints/service requests.</p>
<p>3.3 <b>Home Authority Principle</b></p>	<p>West Lancashire Borough Council subscribes to the current Local Authorities Co-ordinators of Regulatory Services (LACORS) Home Authority Principle (HAP). The authority 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.</p>
	<p>West Lancashire Borough Council, however, 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.</p> <p>Much of the input from the service is generated by requests for service from other enforcement authorities.</p> <p>It is anticipated in the annual work programme that 4 originating authority referrals will be made and 4 received per year.</p>
<p>3.4 <b>Primary Authority Scheme</b></p>	<p>On 6 April 2009, under the Regulatory Enforcement and Sanctions Act 2008, the Primary Authority Scheme (PAS) came into force to ensure a consistent approach between local authorities and companies having a number of outlets throughout the country.</p> <p>The operation of the PAS will be the statutory responsibility of the Local Better Regulation Office (LBRO) whose role will be to register partnerships, issue guidance and resolve disputes. The scheme enables companies the right to form a statutory partnership with a single local authority. That authority then provides robust and reliable advice for other councils to take account of when carrying</p>

	<p>out inspections or dealing with non-compliance.</p> <p>Councils are now required to contact the Primary Authority for a company covered by the scheme before taking enforcement action.</p> <p>The scheme is in its very early stages and will be monitored closely.</p>
<p>3.5 <b>Advice to Businesses</b></p>	<p>West Lancashire Borough Council is committed to providing advice to any business within its Borough or to members of the public.</p> <p>It is anticipated in the work programme that on average 50 requests will be dealt with verbally and 30 requests will result in a visit and written response. The response time required by performance indicators is 10 days.</p> <p>The enforcement policy has been published on the Council's website and all recipients of letters and notices relating to food safety issues are advised of this.</p>
<p>3.5 <b>Food Sampling and Inspection</b></p>	<p>West Lancashire Borough Council's policy is to sample food and drink supplied, produced and sold within the district, in accordance with a planned sampling programme to assess its safety and quality and where necessary, in response to food complaints/investigations. Further details can be found in the Council's Food Sampling Policy for 2009/2010.</p> <p>The Council will participate in Lancashire-wide, national and European sampling programmes. Further details can be found in the Council's Food Sampling Programme for 2009/2010.</p> <p>Samples are analysed by the HPA Food, Water &amp; Environmental Microbiology Network (Preston laboratory) (Microbiological) and the Public Analyst Laboratory in Preston (chemical and content).</p> <p>West Lancashire Borough Council participates in the radioactivity monitoring in Lancashire (RADMIL) sampling scheme which surveys radioactive contamination of food grown in Lancashire. Samples are analysed at Lancashire County Council's Public Analyst Laboratory in Preston and at Lancaster University.</p>
	<p>West Lancashire Borough Council has cockle &amp; mussel production beds in the Ribble to the North of the district. Routine microbiological and algal toxin samples are taken and monitored through the Centre for Environment and Aquamarine Culture and Science (CEFAS).</p>

	There are a small number of private water supplies monitored by West Lancashire Borough Council and water complaints are investigated.
3.6 <b>Food Safety Incidents</b>	<p>It is the policy of West Lancashire Borough Council to comply with the Food Standards Agency Code of Practice in relation to the handling of food alerts. Procedures are documented as part of our ISO 9001:2008 quality system.</p> <p>The number of notifications have increased since the commencement of the Food Standards Agency. It is estimated that the Service will respond to approximately 70 alerts per year.</p>
3.7 <b>Control &amp; Investigation Of Outbreak &amp; Incidents Of Food Related Infectious Disease</b>	<p>This work will be undertaken through contact between Environmental Health Officers, Consultants in Health Protection, Director of Public Health and Control of Infection Teams.</p> <p>Investigation procedures &amp; outbreak control will be undertaken in line with agreed written procedures &amp; documentation.</p>
3.8 <b>Liaison With Other Organisations</b>	<p>Liaison arrangements exist with a number of organisations to ensure a consistent approach to enforcement action. Such arrangements include liaison with the following organisations:</p> <ul style="list-style-type: none"> <li>• LACORS</li> <li>• Environmental Health Lancashire (EHL)</li> <li>• Lancashire Food Officers Group</li> <li>• Cumbria &amp; Lancashire Health Protection Agency</li> <li>• HPA Food, Water &amp; Environmental Microbiology Network (Preston laboratory)</li> <li>• Lancashire County Analyst</li> <li>• NHS Central Lancashire</li> <li>• United Utilities Plc</li> <li>• Lancashire County Council Trading Standards</li> </ul> <p>The Service intends to refer information to other regulators where there is a wider regulatory interest.</p>
3.9 <b>Food Safety Promotion</b>	<p>The service recognises the importance of food safety promotional work and as a result undertakes the following activities:</p> <ul style="list-style-type: none"> <li>• Food Safety Week</li> </ul>
	<ul style="list-style-type: none"> <li>• CIEH Level 2 Award in Food Safety in Catering Courses</li> <li>• Specific Seminars/Initiatives as appropriate</li> <li>• Promotion of the FSA's Safer Food Better Business</li> </ul>

	Scheme												
	Such work is undertaken in conjunction with the Authority's Health Promotion Unit.												
3.10 <b>Food Safety Training For Officers</b>	<p>Staff development is primarily assessed through the Employee Development Appraisal Interview undertaken annually.</p> <p>The Authority also participates in the Environmental Health Lancashire (EHL) Food Safety Annual Training Programme.</p>												
3.11 <b>Imported Food Controls</b>	<p>The Food Safety Service will undertake work necessary for the enforcement of the legislation relating to imported foods, through the following:</p> <ul style="list-style-type: none"> <li>• Food Safety Act 1990</li> <li>• European Communities Act 1972</li> <li>• The General Food Regulations 2004</li> <li>• The Official Feed &amp; Food Controls (England) Regulations 2006 (as amended)</li> <li>• Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (as amended)</li>   <li>• Products of Animal Origin (Import &amp; Export) Regulations 1996 as amended</li> <li>• EU Regulation 882/2004, 178/2002 &amp; 852/2004</li> <li>• Contaminants in Food (England) Regulations 2007</li> <li>• The organic products (Imports from Third countries) Regulations 2003</li> <li>• The Food Hygiene (England) Regulations 2006 (as amended)</li> </ul> <p>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).</p>												
4.0 <b>RESOURCES</b>													
4.1 <b>Financial Allocation</b>	<p>The Food Safety Service financial costs are contained within the main "Health Services" budget.</p> <p>The total cost of the Food Safety Service is £215,314 which comprises of the following:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Staff &amp; associated costs</td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 15%; text-align: right;">£158,260</td> </tr> <tr> <td>Equipment, materials, sampling</td> <td></td> <td></td> </tr> <tr> <td>Specialist fees etc.</td> <td style="text-align: center;">-</td> <td style="text-align: right;">£13,660</td> </tr> <tr> <td>Health Management/Administration</td> <td style="text-align: center;">-</td> <td style="text-align: right;">£43,394</td> </tr> </table>	Staff & associated costs	-	£158,260	Equipment, materials, sampling			Specialist fees etc.	-	£13,660	Health Management/Administration	-	£43,394
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4.2 **Staffing Allocation**

Staff resources for food safety matters are provided from the Commercial Safety Section which consists of:

- Commercial Safety Manager (1FTE)
- 4 Senior Environmental Health Officers (3 FTE)
- 3 Environmental Health Assistants (1½ FTE)
- 1 Health & Safety Officer (1FTE)

The Commercial Safety Section is responsible for food safety, health and safety, infectious disease control and some public health matters.

The resources allocated from the Commercial Safety Section solely for food safety matters equate to 3.65 FTE. This is comprised of the following:  
 Commercial Safety Manager (0.5 FTE)  
 Senior Environmental Health Officers (2.1 FTE)  
 Environmental Health Assistants (1.05 FTE)

In view of the organisational downsizing project being undertaken in the early part of 2009-2010, the level of resources allocated to the Food Safety Service may be reduced.

Inevitably, this would then impact on the level of service which could be provided. For example, if the staffing of the Commercial Safety Section was reduced by 0.5 FTE, the effect on the Food Safety Service would lead to a reduction of approximately 10% in the level of service available for the key areas of work which are detailed below.

The staffing allocation to key areas of the Food Safety Service is currently as follows:

**STAFFING ALLOCATION - FOOD SAFETY SERVICE**  
 3.65 FTE  
 785 Officer Days

	%	FTE	Officer Days
Food Hygiene Inspections	63	2.2995	494.55
Food complaints	6	0.219	47.1
Advice	3	0.1095	23.55
Sampling	5	0.1825	39.25
Food poisoning investigations	5	0.1825	39.25
Food Alerts	3	0.1095	23.55
Liaison with other organisations	4	0.146	31.4
Food safety promotion	2	0.073	15.7
Officer training	1	0.0365	7.85

		Imported Food	1	0.0365	7.85
		Food safety management inc Safer Food Better Business	7	0.2555	54.95
		<b>TOTAL</b>	100	3.65	785
4.3	<b>Staff Development Plan</b>	<p>The Authority, in accordance with the Food Standards Agency Food Law Code of Practice (published June 2008) is committed to providing each member of the Food Safety Service with a minimum of 10 hours ongoing/updating training each year.</p> <p>Records of training needs and competency levels are kept as part of the Environmental Health Services Quality System.</p> <p>Attendance on appropriate training courses is undertaken and is complemented by in-house training on specific developments during meetings or workshops.</p>			
5.0	<b>QUALITY</b>				
5.1	<b>Quality Assessment</b>	<p>It is our policy to undertake all functions of the Food Safety Service in accordance with the procedures laid down in the Environmental Health Services Quality System.</p> <p>The Service is accredited to the ISO 9001:2008 Standard as part of an overall Quality System to cover Environmental Health Services.</p> <p>External audits by ISOQAR are undertaken at 6 months intervals. Internal audits are undertaken annually within Environmental Health Services.</p> <p>Requirements of the Quality System include verification of work, identification of non-conformances and the carrying out of customer satisfaction surveys.</p> <p>The Authority is an active member of the Environmental Health Lancashire (EHL) Food Officers Group (FOG) for the Lancashire area and is committed to developing FOG's liaison, training, peer review, inter-authority auditing, benchmarking and consistency processes.</p> <p>Through FOG, the Authority participates in inter-authority auditing of the Food Safety Services in Lancashire against the Standard laid down by the Food Standards Agency.</p>			
6.0	<b>REVIEW</b>				
6.1	<b>Review Against The Service Plan 2008/2009</b>	<p>Performance was monitored in the following way:</p> <ul style="list-style-type: none"> <li>Monthly performance figures for the Food Safety Premises Inspection Programme</li> </ul>			



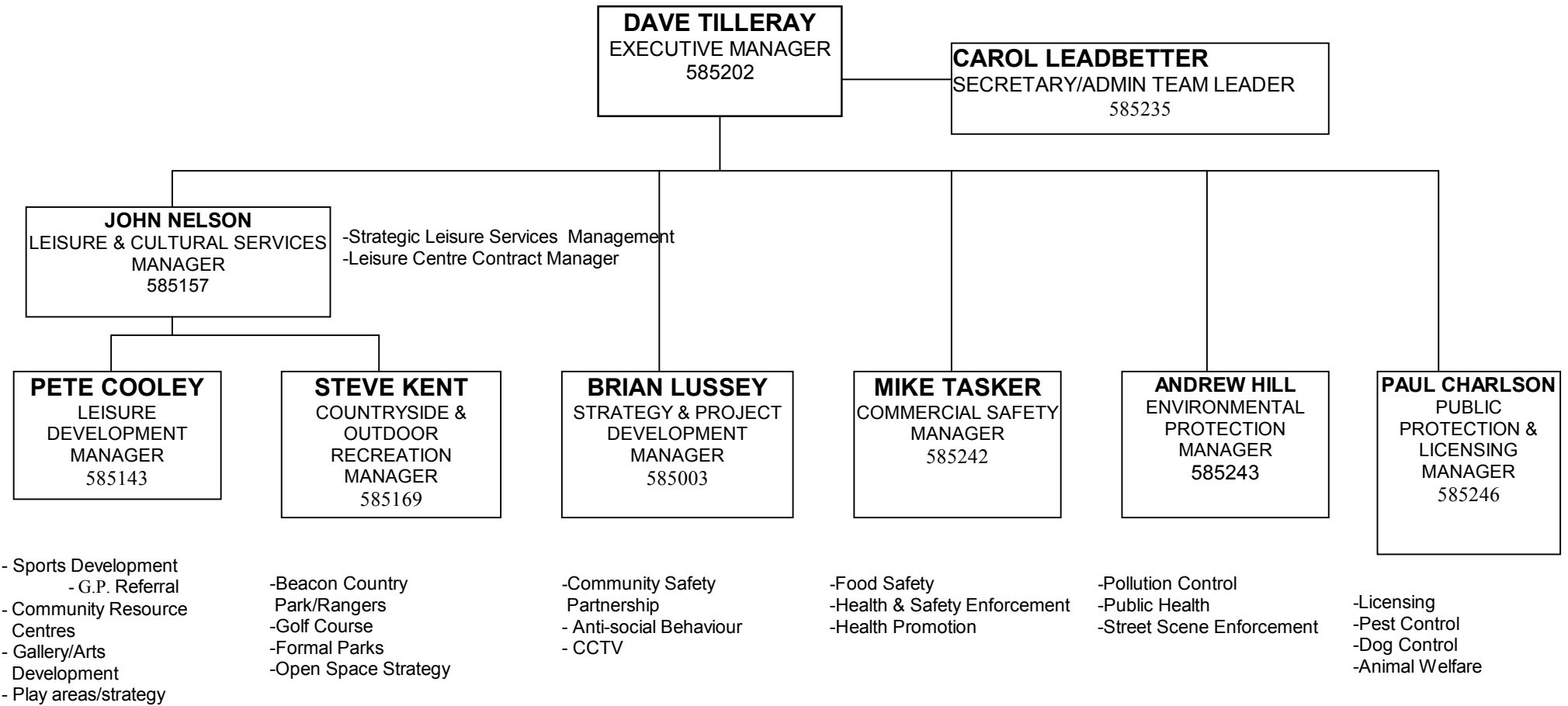
	<ul style="list-style-type: none"> <li>• Submission of performance figures against target figures to members on a quarterly basis</li> <li>• Performance was subject to Audit Commission scrutiny and data provided to the Food Standards Agency on an annual basis</li> <li>• Performance was reviewed at Team Meetings and at the half-yearly Food Quality System Management Reviews.</li> </ul> <ul style="list-style-type: none"> <li>• Percentage of food premises inspections that should have been carried out and were carried out for high risk premises (categories A,B &amp; C) 2007/2008 Performance Target 100% Achievement 100%</li> <li>• Percentage of food premises inspections that should have been carried out and were carried out for lower risk premises (categories D,E &amp; F) 2007/2008 Performance Target 100% Achievement 100%</li> </ul>
	<ul style="list-style-type: none"> <li>• Percentage success in responding to food safety service requests within 3 working days.  2008/2009 Performance Target 95% Achievement 95%</li> </ul> <p>The Environmental Health Services Quality Management System was originally accredited to the ISO 9001:2000 Standard on 11 May 2006. The Service has now been accredited to the new ISO 9001:2008 Standard on 11 May 2009. The Environmental Health Services Quality Management System now covers food safety, health &amp; safety enforcement, health promotion, environmental protection, pest control, dog control and animal welfare services.</p> <p>The Environmental Health Services Quality Management System was audited twice during 2008-2009. The Quality System was found to be working satisfactorily and the accreditation to the new ISO 9001:2008 Standard was achieved.</p> <p>Accreditation to this Standard is internationally recognised as showing commitment to quality, customers and a willingness to work towards improving efficiency.</p> <p>Policies, procedures and standards relating to complaints about a third party, requests for service, statutory notifications and referrals to other regulators (on information received where there is wider</p>

	regulatory interest) are monitored and reported on, and any variations are addressed within this Service Plan.
6.2 <b>Identification Of Any Variations From Service Plan 2008/2009</b>	<p>Some staff absences occurred during 2008-2009 due to long-term sickness.</p> <p>Additional intervention visits to premises were required during 2008-2009, to undertake verifications following 'Safer Food Better Business' mentoring which took place following a successful bid by the Authority to the Food Standards Agency.</p> <p>During the year, officers were again involved in work to further develop, maintain and extend the Environmental Health Services Quality Management System, incorporating the Food Safety Service.</p>
6.3 <b>Areas For Improvement (2009/2010) *</b>	<ul style="list-style-type: none"> <li>• The target inspection rate for 2009/2010 is 100%. This target is in line with the stepped improvement targets over the last few years leading up to 100% in recent years.</li> <li>• The target response rate to food safety requests within 3 working days is 96% for 2009/2010.</li> </ul>
<b>* - (Subject to outcome of organisational downsizing project currently being undertaken.)</b>	<ul style="list-style-type: none"> <li>• To further develop and implement the new M3 computer software system used for the recording, programming and monitoring of the Food Safety Database of Premises and the Food Safety Premises Inspection Programme.</li> <li>• To develop and implement the new Food Standards Agency (FSA) Local Authority Enforcement Monitoring System (LAEMS). This is a new computerised system introduced by the FSA for Local Authorities to provide the FSA with details of their enforcement activities.</li> <li>• To implement, as appropriate, changes to the Food Standards Agency Code of Practice &amp; Guidance which may arise from the Changes to Local Authority Enforcement (CLAE) project, currently being undertaken by the FSA.</li> <li>• To develop a methodology for addressing key issues at those premises which do not achieve the level of being 'broadly compliant' so that that this level of compliance can be achieved. Thereby,</li> </ul>

increasing the percentage of food businesses who are 'broadly compliant'.

- Maintain and develop the food safety part of the Environmental Health Services ISO 9001:2000 Quality Assurance Accreditation.
- To produce at least one Commercial Safety Newsletter for businesses which will include sections on important food safety issues.
- Further develop and implement, in partnership with the Lancashire County Council Trading Standards Service, the Recipe 4 Health Award Scheme.
- To continue to promote the FSA's "Safer Food Better Business" Food Safety Management System – so as to help businesses sell and produce safe food and comply with new legal requirements.

**ORGANISATIONAL CHART FOR THE COMMUNITY SERVICES DIVISION (AS AT 01.04.09)**





**AGENDA ITEM: 7(4)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
2 July 2009**

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**Report of: Council Secretary and Solicitor**

**Portfolio Holder: Councillor Mrs V Hopley**

**Contact for further information: Mrs S Griffiths (Extn. 5017)  
(E-mail: susan.griffiths@westlancs.gov.uk)**

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**SUBJECT: CALLED IN ITEM: REVIEW OF HOUSING ALLOCATIONS POLICY**

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Borough Wide Interest

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview and Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 13 of the meeting of Cabinet held on 16 June 2009.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 4.1 below, it wishes to pursue.

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**3.0 DETAILS RELATING TO THE CALL IN**

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 16 June 2009.

3.2 The following decision of Cabinet is contained at minute no. 13:-

### **“13. REVIEW OF THE HOUSING ALLOCATIONS POLICY**

Councillor Mrs V Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services which reviewed the current Allocations Policy to ensure that it remained compatible with recent legislative changes and the changes in the housing market.

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

- RESOLVED: A. That the Housing Allocations Policy, attached as an Appendix to the report, be approved.
- B. That the Executive Manager Housing and Property Maintenance Services, in consultation with the Portfolio Holder for Housing, be given delegated authority to review and make future changes to the policy in light of legislative change.”

3.3 The following reason for call in was given in the requisition:

*“The Housing Allocations Policy as drafted does not take full account of housing need.”*

3.4 The requisition also provided an alternative decision which was:-

*“That the Draft Allocations Policy be forwarded to Full Council for consideration.*

*That Housing Officers bring forward a report detailing demand and turnover with regard to WLBS stock, as a means of assessing whether a local connection criterion is required.*

*That Council reaffirms that social rented properties allocated under this policy are allocated in terms of housing need and that local connection does not have priority over that need.”*

3.5 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor Pendleton  
Councillor J. Roberts  
Councillor Mckay  
Councillor Carson  
Councillor W.G. Roberts

### **4.0 CONCLUSION**

4.1 Following consideration of the decision of Cabinet and the requisition for call in, the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for different decision

then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision; or
- b. refer the matter to Council. If the matter is referred to Council and Council does not object then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

4.2 The Secretary of State in his Guidance recommends that Overview and Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

### **Appendices**

Report of the Executive Manager Housing and Property Maintenance Services







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**Report of: Executive Manager Housing and Property Maintenance Services**

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

**Contact for further information: Ms Laura Gee (Extn. 5196)  
(E-mail:laura.gee@westlancs.gov.uk)**

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**SUBJECT: REVIEW OF THE HOUSING ALLOCATIONS POLICY**

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RVL/LG/EH2869cab

27 May 2009

Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To review the current Allocations Policy to ensure that it remains compatible with recent legislative changes and the changes in the housing market.

**2.0 RECOMMENDATIONS**

2.1 That the draft Housing Allocations Policy attached as an Appendix to the report be approved.

2.2 That the Executive Manager Housing and Property Maintenance Services, in consultation with the Portfolio Holder for Housing, be given delegated authority to review and make future changes to the policy in light of legislative change.

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**3.0 BACKGROUND**

3.1 The Housing Act 1996 as amended by the Homelessness Act 2002 provides the statutory under-pinning for the process by which local authorities determine priority for an allocation of social housing.

3.2 Following the amendments made to the Housing Act 1996 by the Homelessness Act 2002, a new Allocations Policy was introduced in October 2003. A review was carried out in 2005, which led to an amended scheme being introduced in April 2006. This recent review has been carried out following a recommendation from the Department for Communities and Local Government (DCLG).

- 3.3 In March 2008, Neil Morland, Specialist Advisor, DCLG, visited every local authority in the North West to assess their performance in relation to homelessness advice and prevention. One of the recommendations from the meeting was that the Allocations Policy should be reviewed as there had been recent developments in case law which may have an impact on how we assess priority for an allocation of accommodation.
- 3.4 A further consideration has been the Government target that all local authorities should move to a Choice Based Lettings Scheme by 2010.

#### **4.0 CURRENT POSITION**

- 4.1 The Council currently operates a traditional allocations system whereby applicants are offered available properties as they become vacant. Applicants are provided with some choice however this is limited to applicants selecting areas of choice and acceptable property types. A full Choice Based Lettings Scheme would allow applicants to express an interest in properties as they become vacant based on their own personal preferences.
- 4.2 A separate report has been produced on the options available to the Council in moving towards a Choice Based Lettings Scheme.
- 4.3 The need to explore the introduction of a Choice Based Lettings Scheme by 2010 and the recommendation made by the Department for Communities and Local Government, led to the decision to review the Allocations Policy to ensure it was compliant with current legislation and guidance as the Policy will form the basis of any Choice Based Lettings Scheme that is introduced.

#### **5.0 ISSUES**

- 5.1 There has been an increase nationally in the number of applicants for social housing seeking assistance in challenging local authority decisions and allocations schemes.
- 5.2 There is increased pressure on social housing from applicants in housing need including homeless applicants.

#### **6.0 PROPOSALS**

- 6.1 A summary of the recommended changes can be found at Appendix 1.
- 6.2 The proposed revised policy is outlined at Appendix 2.
- 6.3 The document has been circulated for consultation with a deadline for responses of 4 June 2009. The result of the consultation will be verbally reported to Cabinet.
- 6.4 The report has also been considered and accepted at a meeting of the Executive Overview and Scrutiny Committee.

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

- 7.1 The introduction of a revised Allocations Policy alongside a Choice Based Lettings Scheme will increase choice for the applicant and contribute to meeting the housing needs and aspirations of the local community.
- 7.2 The proposal has the following links to the Community Strategy; Community Safety (issues D & E), Health and Social Care (issues A, B and E), Community Regeneration and Housing (issues B, D and E)

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 Reproducing revised documentation will incur a cost, however, this can be borne out of current budgets.

## **9.0 RISK ASSESSMENT**

- Implementing the revised Allocations Policy will ensure that the Council remains compliant with the Housing Act 1996.
- Failing to update the policy following legal advice could lead the Council open to legal challenge in the courts which would incur associated costs.
- Revising the Allocations Policy will ensure that any future Choice Based Lettings Scheme can be implemented before the 2010 deadline.
- Not implementing the revised changes could impact on the timescale for implementing Choice Based Lettings.

## **10.0 CONCLUSIONS**

- 10.1 Taking the opportunity to review the Allocations Policy and implement the revised changes will ensure that the threat of legal challenge is minimal and that in conjunction with other recommendations (introduction of Choice Based Lettings and a Homeless Prevention Fund) the Council is able to continue to make progress towards the targets set by central government in relation to increasing accessibility and choice in social housing and the reduction of homelessness.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

**Appendices**

Appendix 1            Summary of Amendments to the Housing Allocations Policy

Appendix 2            Housing Allocations Policy Draft 2008

## **Summary of Amendments to the Housing Allocations Policy**

### **Introduction**

West Lancashire District Council has a duty to prepare and publish a scheme for the allocation of housing accommodation within the District.

Due to recent case law relating to the allocation of accommodation and changes in the housing market, the allocations policy is being reviewed to ensure that it remains compliant.

This summary will highlight the main changes that have been made to the 2006 version of the policy.

### **Section 7.0 - Policy on Choice**

#### **Current Policy:**

The 2006 policy offers applicants with children under 10 years old, who are seeking accommodation in high demand areas, the option to request to be listed for ground floor flat or maisonette accommodation.

#### **Revised Policy:**

The revised policy offers more choice to the applicant by allowing households with children of any age to apply for any property type they wish including above ground floor flat or maisonette accommodation.

This amendment is suggested due to the increasing numbers of families with children under 10 years old requesting to be listed for flat or maisonette accommodation as well as houses. The administrative burden of applicants submitting written requests under the current scheme would be reduced, as applicants would automatically be allowed to register for any type of accommodation at the application stage. This places choice firmly with the applicant.

#### **Recommendation:**

It is recommended that the suggested amendment be accepted.

### **Section 10.0 - 16 and 17 year olds**

#### **Current Policy:**

The minimum application age is 18. One exception to this is those 16 and 17 year olds who are found to be unintentionally homeless and in priority need, where there is no alternative option but to provide a tenancy. This age group are a priority category under homeless legislation therefore they must be accommodated.

**Revised Policy:**

It is proposed that the age limit for those applicants applying to join the housing register be reduced to 16 (subject to conditions).

The Homelessness Priority Needs (England) Order 2001 made 16 & 17 year olds a priority group under homelessness. Unless the young person is intentionally homeless, the Council will have a duty to accommodate them if they are homeless.

The Homelessness Code of Guidance for Local Authorities makes it clear that this age group should not be accommodated in accommodation without support. However, due to a shortage of supported housing for this age group, it is becoming more and more difficult to find supported placements.

Conditions will be in place to ensure that the young persons parents/guardians are aware that an application has been made (unless the young person would be at risk), that the young person has the ability to pay the rent and that they agree to a referral to a support provider to ensure that the tenancy can be sustained.

If the young person does not agree to this then they will not be offered a tenancy.

A specific tenancy agreement will be introduced for this age group to reflect the different legal status they have. An introductory tenancy will be offered once the young person reaches the age of 18.

Young people aged 16 and 17 will be subject to the same possession proceedings if there is a breach of tenancy.

**Legal Advice:**

When seeking legal advice on the proposed draft scheme, counsel was asked to advise on the legality of not accepting applications from persons aged 16 or 17. Counsel advised that a blanket exclusion of 16 and 17 year olds would be unlawful.

Counsel was also asked to comment on the legality of making it a condition of the accommodation offer that the young person agrees to being referred to a floating support provider. Counsel advised that it would be reasonable to impose these conditions.

**Recommendation:**

It is recommended that the minimum age for applicants be reduced to 16 and any offers of accommodation to 16 and 17 year olds be subject to the conditions outlined above.

If members would like to retain the application age of 18, they must be aware that this could be open to legal challenge.

## **Section 12.0 Assessment Stage**

### **Rent arrears**

#### **Current Policy:**

The current policy allows applicants with rent arrears (either current or former) to join the housing register. The applicant will not be offered accommodation until a payment plan has been entered into. The length of time the payment plan must be kept to is based on the amount owed.

The current payment plans are as follows:

£0-£100	applications will be approved with this small level owing
£101-£250	payments must be made for 2 months before approval
£251-£500	payments must be made for 3 months before approval
£501-£750	payments must be made for 4 months before approval
£751-1000	payments must be made for 5 months before approval
£1001+	payments must be made for 6 months before approval

#### **Revised Policy:**

The current policy does not allow for an effective recovery of former tenant debts and applicants can still be re-housed with debts of over £1000.

To assist in the recovery of former tenant debts the policy has been amended as follows:

£0-£100	applications will be approved with this small level owing
£101-£250	regular agreed payments must be made for 2 months before approval
£251-£500	regular agreed payments must be made for 3 months before approval
£501-£1000	amount must be reduced to under £500 then regular agreed payments must be made for 3 months
£1001+	applicants with this level of arrears will be treated as ineligible for an allocation therefore an application to join the housing register will not be accepted.

Applicants with rent arrears over £1001 will not be accepted onto the housing register until the arrears have been reduced to under £500 and a payment plan has been kept to.

Applicants owing £101 - £1000 will have their application placed in Band D until the required payment plan has been kept to.

The Service Manager (Voids and Allocations) will still have the authority to approve applications with rent arrears where there are exceptional circumstances.

Where the Council has accepted a duty under homelessness to house a household and that household has rent arrears, the case will be treated as an exceptional application and will be approved with homeless priority despite the arrears. The Homelessness

Advice & Prevention Team will ensure that a payment plan is set up and will attempt to recover 50% of the debt at the outset.

### **Legal Advice:**

Counsel was asked to comment on the legality of not accepting applications from households who owe arrears of £1001 and above. Counsel advised that it would be lawful as long as the arrears had been proved.

### **Recommendation:**

It is recommended that the proposed amendments be accepted.

If applications from applicants owing £1001 or over are to be accepted, it is recommended that they be placed in band D.

### **Section 17.0 Reduced Priority**

#### **Current Policy:**

The current policy allows applicants to be excluded from the housing register where there has been serious unacceptable behaviour. However, where there has been behaviour that is serious but does not meet the stringent criteria for exclusion, there is no mechanism to allow for reducing an applicants priority.

#### **Revised Policy:**

The revised policy allows the reduction of priority in cases where there has been behaviour serious enough to make an applicant unsuitable to be a tenant.

For example, where an application would attract band B priority but the applicant or a member of the applicant's households has been guilty of unacceptable behaviour, the application will be placed in band D.

The application will remain in band D unless an appeal is successful, the household's behaviour improves or the 2-year exclusion has been served with no further incidents.

Once the applicant is no longer considered to be unsuitable to be a tenant, the application will be awarded the most appropriate band based on the household's circumstances at the time the case is reviewed.

The Housing Act 1996 (as amended) allows for priority to be reduced in cases where there has been unacceptable behaviour.



## **Section 13 Priority Banding – Band A**

### **Current Policy:**

The criteria for band A is as follows:

- Applicants who have made a homeless application and have been assessed as being unintentionally homeless and in priority need as a result of being victims of violence or harassment
- Severe overcrowding
- Urgent Medical Need
- Unfitness and Disrepair
- Anti-Social Behaviour
- Multiple Needs

### **Revised Policy:**

The proposed criteria for the new policy is as follows:

- Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need as a result of being victims of violence or harassment;
- **Applicants applying for an allocation of accommodation who have not been assessed as homeless but need to move urgently due to being victims of violence or harassment;**
- Severe overcrowding;
- Urgent Medical Need;
- Unfitness and Disrepair;
- Anti-Social Behaviour;
- **Persons left in occupation of a WLDC tenancy;**
- **WLDC tenants under occupying a property wishing to move to a smaller property;**
- Multiple Needs

The criteria in bold have been added to the original set of criteria.

## **Section 14.0 Priority Banding – Band B**

The current criteria for band B is as follows:

- Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need who are not at risk of violence/threats of violence;
- Those left in occupation of a Council property, following the death of a tenant with no succession rights to the tenancy;
- Overcrowding;
- Unsatisfactory Housing Conditions;
- Medical;
- Welfare;

- Hardship or Employment Grounds;
- Under occupying;
- Care Leavers Requiring A Move To Independent Living.

**Revised Policy:**

The revised criteria is as follows:

- Those applicants assessed as being eligible for assistance, unintentionally homeless and in priority need for reasons other than violence.
- Overcrowding
- Unsatisfactory Housing Conditions
- Medical
- Care
- Hardship Employment or Financial Grounds
- Care Leavers Requiring a Move to Independent Living
- Homelessness Prevention

Some of the original band B criteria have been moved to band A. The only addition to band B is the awarding of this level of priority in cases where homeless prevention methods are being used.

**Section 15.0 Priority Banding – Band C**

**Current Policy:**

The current criteria for Band C is as follows:

- Those living with family/friends or lodging with no security of tenure but with no other housing need;
- Those living in a mobile home on a non-residential site;
- Those assessed as intentionally homeless with priority need and eligible for an offer of accommodation;
- Those assessed as being homeless but with no priority need;
- Those applicants who have refused 3 reasonable offers of accommodation from the housing register;
- Those applicants who have refused 2 reasonable offers of accommodation in the discharge of a homelessness duty.

**Revised Policy:**

The revised criteria for band C is as follows:

- Applicants living with family/friends or lodging with no security of tenure but with no other housing need;
- Those renting in the private sector with an assured-shorthold tenancy of 12-months or less;
- Those living in a mobile home on a non-residential site;
- Those assessed as being intentionally homeless with priority need and eligible for an offer of accommodation.
- Those assessed as being homeless but with no priority need.

- Those applicants who were in band A or B and have refused 3 reasonable offers of accommodation from the housing register.
- Those applicants who were in Bands A or B who have stated they are not ready to move but wish to remain on the housing register.
- Those applicants who have refused 1 reasonable offer of accommodation in the discharge of a homelessness duty.

### **Section 16.0 Priority Banding – Band D**

#### **Current Policy:**

The current criteria for band D is as follows:

- Owner-occupiers with no housing need and reasonable ability to access other housing resources;
- Those who occupy mobile homes on residential caravan parks and have no housing needs;
- Any applicant who wants accommodation but has no assessed needs in a higher band. This would normally include Council or Housing Association tenants who wish to move to a similar sized property in the district.

#### **Revised Policy:**

The revised criteria for band D is as follows:

- Those who occupy mobile homes on residential caravan parks and have no other housing needs;
- Any applicant who wants accommodation but has no assessed needs in a higher band;
- Secure Council or Housing Association tenants with no other housing need;
- Tenants in the private sector with more than a 12-month assured shorthold tenancy and no other housing need (once the tenancy has 12-months or less left to run, the application can be placed in band C);
- Any applicant who has been assessed as being unsuitable to be a tenant and has had 'reduced priority' awarded to their application;
- Applicants who have given up a secure property within the 12-months prior to the application who did not have a good reason for doing so.

Those owner-occupiers with the financial ability to access other housing resources will no longer be accepted onto the housing register.

### **Section 18.0 Savings & Assets**

#### **Current Policy:**

The current policy does not take account of the financial circumstances of applicants and this can lead to equity rich owner-occupiers being allocated Council accommodation, sometimes in high demand areas, over applicants without such resources.

#### **Revised Policy:**

To address this issue, it is proposed that where an applicant has the financial ability to resolve their own housing need, they will not be able to apply to the housing register.

Where the council agrees to assist with re-housing, the applicant must not sell their home before they have accepted an offer of accommodation. However, they must agree to sell the property as soon as they have been re-housed and not rent out their home or make any financial gain whilst waiting to sell.

### **Legal Advice:**

Counsel advises that it is lawful to treat such applicants as ineligible and refuse to accept an application to join the housing register.

However, should members wish to allow such households to be eligible to apply to the housing register, it is recommended that such applications be placed in band D to ensure financially able applicants do not receive higher priority than those applicants who are not in such a strong financial position.

## **Section 20.0 – Allocation Stage**

### **20.1 Lettings Criteria**

The Department for Communities and Local Government published the Tackling Overcrowding in England – An Action Plan in December 2007. The intention of the government is to replace the current overcrowding standards with a new Bedroom Standard. Rather than waiting for the change, which is anticipated next year, it is recommended that the Bedroom Standard be adopted into this policy.

Under the new standard, a separate bedroom is allocated to each:

- Married or cohabiting couple
- Each adult aged 21 years or more
- Each pair of adolescents aged 10-20 years of the same sex
- Each pair of children aged under 10 years regardless of sex
- Any unpaired person aged 10-20 years is paired if possible with a child under 10 years of the same sex. If this is not possible, they should be given a separate bedroom. The same applies to any unpaired child aged under 10 years.

This standard will govern how many bedrooms are allocated to each household and when a household will be considered overcrowded.

## **Section 23.0 Local Lettings Policy**

### **Current Policy:**

The current policy allows for allocations to be made to people with a local connection to certain areas. This means that there are occasions where applicants with no housing need are offered accommodation over applicants with housing need who do not have a local connection to that area.

### **Revised Policy:**

The way properties are allocated based on local connection has not been changed.

However, in addition to the current local connection areas, it is proposed to add Old Skelmersdale to the areas where a minimum of 50% of allocations will go to people with a local connection.

This is proposed due to the low turnover of accommodation in this area.

**Legal Advice:**

The local connection policy has been reviewed by Counsel and advice has been received that current practice may be unlawful and subject to legal challenge.

The current allocations policy allows allocations to be made solely on the basis of local connection not on housing need. This is against the Housing Act 1996, which states that reasonable preference for an allocation must be given to applicants in housing need.

The Act does allow for local connection to be a consideration however, Counsel advises that this must not be the only consideration and housing need must be taken into account.

Counsel's advice is that local connection can be used to give preference to applicants in the same priority band who have a local connection. For example, where a list of matching applicants has been produced and there are band A applicants, these applicants have the highest level of housing need. The order of those applicants is determined by the date they were awarded band A priority. If there are six people in band A but the fourth person in the band is the only applicant with a local connection, then the allocation can be made to them, even though three other applicants have been by-passed. This is because they all have the same level of housing need but the Act allows additional preference to be given to someone with a local connection.

However, where the first applicant on the list with a local connection has for example band C priority, they have low housing need. To by-pass all the band A and B applicants to make this allocation could be unlawful. This is because the allocation is being made on the basis of local connection only and applicants with high housing need have been disadvantaged because they have not got local connection.

**Guidance:**

Members are asked for their view as to whether they would like the policy to remain unchanged (it is unchanged in the draft document) in this regard or to refer this particular section back to be re-drafted to take into account Counsel's comments.

**Section 24.0 Local Connection Criteria**

**Current Policy:**

To be considered as having a local connection to an area, an applicant must meet the following criteria; an applicant normally must;

1. Have lived in that area for a period of 3 out of the last 5 years; or
2. Have family who have lived in that area for 2 years prior to the date of application and be required to move to the area to give support to a family member or receive support from a family member; or
3. Be required to move to or remain in that area to receive support of local organisations or support facilities such as day centres or treatment centres which they could not otherwise reasonably attend

### **Revised Policy:**

It is recommended that points 1 and 3 be retained.

Point 2 should be amended to remove the need for the applicant to prove they need to move to give or receive care. Point 2 will now read,

2. Have close family who have lived in that area for a minimum of 2 years prior to the date of application and the applicant must indicate that they want to move nearer to them. Close family includes parents, adult children and siblings. Relations such as step-parents, grandparents, grandchildren, aunts, and uncles can be considered close if there are sufficiently close links in the form of frequent contact, commitment or dependency

The applicant must also currently live at least 3 miles away from the family member they want to move nearer to or be moving to the district from another local authority area.

This definition is more in line with the legal definition of local connection.

In order to recognise the current worklessness agenda, it is recommended that a 4<sup>th</sup> criteria be added. This would read as follows;

4. Have been permanently employed in the district for at least the previous 12-months (full or part time). The self-employed will be considered if their main business is within the district. Casual work is not included. Local connection will be awarded for the area within the district, which the applicant works.

### **Section 28.0 Refusal of Offers**

#### **Current Policy:**

Under the current policy, band A & B housing register applicants are allowed 3 offers before their application is re-banded to Band C. After 3 further refusals in Band C, the application is suspended for 6-months.

Applicants accepted as unintentionally homeless and in priority need are made 2 offers before the statutory duty is discharged and the housing register application is re-banded to Band C for 3 further offers. After 3 further offers, the application is suspended for 6-months.

#### **Revised Policy:**

The recommendation for the new policy is that housing register applicants in Bands A or B who refuse or don't respond to 3 offers will have their applications re-banded to Band C. The application will remain in Band C and eligible for offers unless or until it is cancelled as part of a system review, the applicant cancels the application or is re-housed. It is not recognised as good practice to cancel applications on the grounds that offers have been refused.

With regards to applicants with homeless priority, it is recommended that only **1 offer** of accommodation should be made.

The ability to meet government targets in relation to homelessness and the use of temporary accommodation is becoming increasingly difficult. The practice of making 2 offers of accommodation to homeless households is hampering that effort, especially where the household is a 2-bed requirement.

The current waiting time for 2-bed accommodation for an applicant with Band B priority is approximately 6-months. Therefore, if an applicant has been in temporary accommodation for 6-months, receives an offer which they refuse, it could be a further 6-months before a second offer is made. This increases the length of time spent in temporary accommodation.

In order to assist the Council to reduce temporary accommodation use, it has been recommended by the Department for Communities and Local Government Special Housing Advisor that we strictly interpret the Housing Act 1996 and only make 1 offer of accommodation to homeless applicants. This view is supported by the Strategic Manager (Homelessness).

If this recommendation is adopted and the first and only homeless offer is refused, the homelessness duty will be discharged and the housing register application will be re-banded to Band C where it will remain eligible for further offers unless cancelled as above.







WEST LANCASHIRE DISTRICT COUNCIL

HOUSING ALLOCATION POLICY

DRAFT

NOVEMBER 2008

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## **1.0 Introduction**

- 1.1 West Lancashire District Council has a duty to prepare and publish a scheme for the allocation of housing accommodation within the district. Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002, provides a framework within which local authorities allocate council tenancies and nominate applicants to Registered Social Landlords.
- 1.2 This document sets out West Lancashire District Council's Housing Allocations Policy and contains the priorities and procedures for allocating council homes and nominations to Registered Social Landlords in the district.
- 1.3 The Housing Allocations Policy ('the Policy') was reviewed in light of changes made to the Housing Act 1996 by the Homelessness Act 2002. Following that review, a new scheme was introduced in October 2003.
- 1.4 The Policy was reviewed for the second time in 2005 and a revised scheme was brought into effect in April 2006.
- 1.5 A third review of the Policy was carried out in 2008 to ensure that the housing needs of the district were still reflected in the scheme and to ensure that any changes in legislation, case law or Guidance from the Secretary of State has been taken into account.
- 1.6 The Executive Manager Housing & Property Maintenance Services has the delegated authority to make amendments to this policy where there have been legislative changes.
- 1.7 This current version came into effect **(insert date)**.

## **2.0 Aims & Objectives**

- 2.1 The Council aims through its Policy to enable those seeking homes to make informed choices about their housing options and to maximise the use of social housing in the district. The Policy seeks:
  - To give priority to those in greatest housing need
  - To help meet local housing needs and prevent homelessness
  - To develop stable communities by assisting people to find a home of their choice in their areas of choice
  - To make best use of the council's housing stock and reduce the number of void homes
  - To promote equality of opportunity to those seeking homes
  - Deliver an allocations scheme that is transparent and easy to understand

### **3.0 Principles of the Allocation Scheme**

3.1 The council is committed to the provision of a customer focussed and equitable allocations scheme in accordance with the following general principles:

- There is no legal requirement for the council to maintain a housing register. However West Lancashire District Council has chosen to maintain a housing register.
- All those seeking an allocation of social housing from the authority (or its partner Registered Social Landlords), must apply to join the housing register.
- In making their application, applicants are entitled to express their preferences with regards to the areas and property types in which they would like to live.
- All applicants who are eligible to join the scheme will be allowed to join the scheme.
- Applicants for social housing are assessed in terms of their housing needs and are placed within a priority band.
- Allocations will be made on the basis of the applicant's priority band and the date the level of priority was awarded.
- Applicants who have a local connection with a housing area may be given preference for an allocation in that area based on the quota that has been set for that area (see Appendix 1).
- Applicants will be given choice and may express their preferences with regards to areas of choice and property types.
- Nominations for allocations by partner Registered Social Landlords will be made on the same basis as for the letting of council accommodation.
- Accommodation is allocated in accordance with the guidelines on household types, property size and type of property (except for open-let properties).
- The Council provides general written guidance summarising this allocations policy to all applicants so they can assess how their application is likely to be treated, their likely priority and the length of time it may take before an offer of accommodation is made.
- This information will be provided with the application form, on the applicants request and on the council's website ([www.westlancsdc.gov.uk](http://www.westlancsdc.gov.uk))

### **4.0 Scope of Policy**

4.1 This Policy applies to all applications for;

- An allocation of council accommodation
- A transfer of accommodation from existing council tenants or tenants of other social landlords
- Nominations to Registered Social Landlords

## **5.0 Allocations excluded from the scheme**

5.1 The following are excluded from the allocations scheme:

- Mutual Exchanges
- Succession or assignment of a tenancy
- Tenancies granted or disposed of by a court order made under the Matrimonial Causes Act 1973; Matrimonial and Family Proceedings Act 1984, the Children Act 1989
- Where an introductory tenancy becomes a secure tenancy
- Succession or assignment of the introductory tenancy
- Other special cases where it may be necessary for the authority to make an allocation outside the terms of the scheme.

## **6.0 Equality of Opportunity in Housing**

6.1 The Council seeks to ensure that direct and indirect discrimination on the grounds of race, colour, ethnic origin, nationality, gender, religion, disability mental illness or sexual orientation are eliminated. The Council will abide by the Race Relations Act 1976 and Race relations (Amendment) Act 2000 the Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, and the Commission for Racial Equality's Code of Practice for Rented Housing.

6.2 The Council will endeavour to ensure that:

- Complaints about racial harassment or any form of discrimination are dealt with properly, promptly and fairly.
- Its policies and procedures do not result in discrimination in terms of access to a Council home or the services that our clients receive from us.
- That staff understand and operate according to the principles of fairness and equality.
- That Black and Minority Ethnic Groups are consulted about its housing policies.

- That it promotes good relations and equality of opportunity between members of different racial groups.
- It works with partner agencies in order to tackle issues of equal opportunities in housing.

## **7.0 Policy on Choice**

- 7.1 The Council is committed to offering applicants a choice of accommodation and allowing them to express their preferences. However the Council may not be able to meet all requests due to the level of demand or availability of accommodation. Applicants will therefore be given advice and information by the Council's Housing Options Advisers to help them understand their options and make informed choices.
- 7.2 Applicants will be offered the choice of being allocated accommodation provided by the Council, being nominated for Housing Association accommodation or both and they may state their preferences.
- 7.3 Applicants will be offered choice by being able to select;
- the areas in which they wish to be housed (they may request accommodation in as many areas of the district as they wish);
  - particular housing estates and/or streets;
  - a furnished or unfurnished tenancy;
  - the property type they wish to be considered for (certain restrictions will apply, see Appendix 3).
- 7.4 The council will endeavour to allocate accommodation in the applicant's first preferred area of choice. Applicants will not normally be offered accommodation in an area they have not chosen unless they expressed no preferences.
- 7.5 Applicants will be advised of the estimated time it may take before an offer of an allocation is made in their preferred area of choice so that they may consider their options and either choose to wait for that area or consider alternative choices of area which may result in an earlier offer.
- 7.6 Some Council properties may be designated for "Open Letting" and advertised openly for letting on a first come first served basis.
- 7.7 In areas of low demand applicants may be offered a choice of accommodation, which is larger than their household needs.
- 7.8 Choice will also be increased by allowing households with children of any age to apply for any property type they wish including above ground floor flat or maisonette accommodation.

## **8.0 Offering Choice to Homeless Applicants**

- 8.1 Applicants assessed as being unintentionally homeless and in priority need who are owed the 'main housing duty', will, as far as possible, be offered choice.

However, in order to facilitate the allocation of a suitable property within a reasonable timescale to avoid undue distress to the applicant, all such households will be registered for all suitable accommodation types in every area of the district.

- 8.2 Consideration will be given to any representations made by the applicant regards the suitability of certain locations. Areas will not be regarded as suitable if evidence confirms that the area is unsuitable due to the applicant being at risk of violence, threats of violence or harassment if they resided in that area.

## **9.0 Application Stage**

- 9.1 Any eligible person over the age of 16 can apply to join the housing register.
- 9.2 Applications should be made by completing an application form. Application forms can be obtained from the Council's Customer Service Points in Skelmersdale and Ormskirk, via the Council's website at [www.westlancsdc.gov.uk](http://www.westlancsdc.gov.uk) or direct from the Housing Options Team on 01695 577177.
- 9.3 Some applicants will require advice and assistance to complete the application form because English may not be their first language, they may have learning or reading difficulties, they may not be able to visit a Council office or for some other reason. In such cases Housing Options Advisors will provide advice and assistance and will if necessary complete the form on behalf of an applicant or provide translation services.
- 9.4 Persons who wish to apply to join the scheme for housing accommodation are required to complete an application form, and supply proof of identification including proof of their national insurance number, a picture driving licence or passport and a reference from their current or previous landlord (where this is not possible from an employer or teacher).
- 9.5 Existing Council tenants and those over 60 are not required to supply a reference. A separate application form has been produced for those over 60 who wish to apply for sheltered housing.
- 9.6 The fact that a person is an applicant for an allocation of housing accommodation shall not be divulged (without his consent) to any other member of the public.
- 9.7 The Housing Options Team will register the application within ten working days. The registration process will involve:
- **Checking** if the applicant is eligible, that the information given is correct and, if necessary, recommending that an application should not be considered for an allocation;
  - **Assessing** if the household is in housing need and placing the application in a priority band;
  - **Verifying** information from references with current or former landlords and others. Information will be requested about current or former tenant arrears,



payment history, current or previous anti social activity and any rechargeable repair debts. Credit checks will also be carried out. Police checks may be carried out where there are grounds to do so e.g. the applicant has spent time in prison or is unable to account for any previous addresses.

- **Interviewing** the applicant where necessary

## 9.8 **False Statements**

9.9 Section 171 of the Housing Act 1996 makes it a criminal offence for anyone seeking assistance from a housing authority under Part 6 of the Act to:

- a) knowingly or recklessly give false information; or
- b) knowingly withhold information, which the housing authority has reasonably required the applicant to give.

9.10 A person guilty of an offence under this section is liable on summary conviction in a magistrates court to a fine not exceeding level 5 on the standard scale, currently £5,000).

9.11 The circumstances in which an offence is committed could include:

- a) any false information given on an application form for social housing;
- b) any false information given during an interview;
- c) any false information given in response to subsequent review letters or other updating mechanisms; or
- d) any false information given or submitted by applicants during the proceedings of a review

9.12 Ground 5 in Schedule 2 to the 1985 Housing Act (as amended by the 1996 Act s.146) enables a housing authority to seek possession of a tenancy which they have granted as a result of a false statement by the tenant or a person acting at the tenant's instigation.

## 10.0 **Applicants Aged 16 or 17**

10.1 To be considered for a tenancy, applicants aged 16 or 17 must provide evidence of their ability to pay rent i.e. proof of state benefits or copies of wage slips along with photographic identification and a reference. Proof of the ability to pay is required because anyone aged 16 or 17 who was living in the parental home would not normally be able to claim state income benefits.

10.2 Where the applicant is 16 or 17, their parents/guardians will be contacted to ensure they are aware that they have applied to join the housing register (unless this would put the young person at risk).

- 10.3 A person under the age of 18 is not able to hold a legal estate in land but they can hold what is called an equitable interest. This means that a different tenancy agreement will be offered until the young person reaches the age of 18 when they will be offered an Introductory Tenancy in line with Council policy. Any contract entered into will allow the Council to recover any unpaid rent through the courts in the normal way. This can also mean that the Council may seek an order for possession from the courts.
- 10.4 Anyone aged 16 or 17 will only be considered for a tenancy on the condition that they accept a referral to a floating support provider to ensure that the tenancy does not fail.
- 10.5 The Council may choose not to allocate a property until the applicant is 18 where it would not be appropriate to do so. The applicant will have the opportunity to seek a review of such a decision. The review process is outlined at Appendix 4.

## **11.0 Agricultural Workers**

- 11.1 The Council has a duty under the Rent (Agriculture) Act 1976 to use its best endeavours to provide accommodation for displaced agricultural workers. Applications in such cases will be investigated, all relevant factors considered and advice sought from the Agricultural Dwelling-House Advisory Committee prior to determining the Priority Band to which the application will be allocated.

## **12.0 Assessment Stage**

### **12.1 Eligibility**

- 12.2 Not all applicants applying to join the housing allocation scheme are eligible join. Section 160(A) of the Housing Act 1996 (as amended) sets out who is not eligible to be allocated housing;
- a) Persons subject to immigration control (unless classified as eligible by the Secretary of State);
  - b) Other persons from abroad whom the Secretary of State has decided are ineligible for an allocation;
  - c) Persons who have been treated as ineligible for an allocation due to unacceptable behaviour which would prevent them from being considered as a suitable tenant.
- 12.3 Where an applicant is already an existing secure, introductory or assured tenant of accommodation allocated to him or her by a local housing authority, he or she cannot be disqualified on the basis of his or her immigration status. Therefore, they will not fall into categories (a) or (b) above. They may still be affected by category (c) above.

### **12.4 Persons Subject to Immigration Control & Persons from Abroad**

- 12.5 Where an applicant is a person from abroad, their application will be assessed to determine whether they are eligible under the relevant legislation and guidance.
- 12.6 Each applicant will be provided with written reasons if they are assessed as being ineligible for an allocation of accommodation and will have the right to seek a review of that decision (see Appendix 4).
- 12.7 If any question arises which brings into question the eligibility of an applicant to join the housing register and obtain an allocation of housing accommodation, the authority reserves the right to seek further information and clarification, including from the UK Border Agency.

#### 12.8 **Unacceptable behaviour**

- 12.9 If an applicant or a member of his/her household is found to have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and in the circumstances at the time the application is considered, they are still considered unsuitable to be a tenant of the Authority by reason of that behaviour, they will not be eligible for an allocation of accommodation.
- 12.10 Unacceptable behaviour is defined as behaviour which would, if the person was either a secure tenant or a member of a secure tenant's household, entitle a landlord to a possession order under grounds 1 to 7 of the Housing Act 1985 Schedule 2. The grounds are;

- |           |   |
|-----------|---|
| Ground 1  | Rent arrears or breach of tenancy   |
| Ground 2  | Behaviour which is a nuisance or annoyance to those in the locality of the dwelling or conviction for using the dwelling for immoral/illegal purposes or committing an indictable offence in or in the locality of the dwelling house |
| Ground 2A | Domestic violence causing a partner or other family member to leave the property  |
| Ground 3  | Deterioration of the dwelling house due to waste, neglect or default  |
| Ground 4  | Deterioration of furniture provided by the landlord due to ill-treatment  |
| Ground 5  | Tenancy induced by false statement  |
| Ground 6  | Premium received or paid in connection with a mutual exchange   |
| Ground 7  | Eviction from a dwelling within the curtilage of a building held for non-housing purposes due to conduct such that given the nature of the building it would not be right for occupation to continue                                  |

12.11 The council will;

- Investigate the individual circumstances of an applicant's case to establish if there is evidence of unacceptable behaviour that would fall under grounds 1 to 7 above;
- Establish whether the unacceptable behaviour is considered to be serious and whether it is likely that a possession order would have been granted as a result of that behaviour;

- Decide if the applicant is unsuitable to be a tenant by reason of their behaviour at the time the application is considered, taking into account whether there has been any changes in the circumstances or behaviour of the applicant.

12.12 Where the council is satisfied that any one of the three criteria in paragraph 11.9 has been met, the applicant can be treated as being ineligible for an allocation and therefore excluded from the housing register. This exclusion will be in place for a period of 2 years.

12.13 When making the assessment the Council will act reasonably and will consider all relevant matters regarding health, dependants, social or other factors. Regard will also be given to the wider interests of the public.

12.14 Where the Council regards the behaviour as unacceptable but considers that the applicant should not be classed as ineligible, the Council may decide to accept the application but place it in Band D (reduced priority) even if the application would normally attract a higher band.

12.15 Each applicant will be provided with written reasons if they are assessed as being ineligible for an allocation of accommodation and will have the right to seek a review of that decision. The applicant will also have the right to ask the Council to review their case at any time during the exclusion period if they feel that there has been such an improvement in their behaviour that they should no longer be considered to be unsuitable.

12.16 Where the applicant has been excluded for 2 years and makes a further application but there has been no improvement in their behaviour and the conditions for finding them unacceptable to be a tenant remain, the applicant can be excluded for a further 2 years (subject to the same review process as above).

#### 12.17 **Rent Arrears**

12.18 The accrual of rent arrears will be considered serious where:

- a) An applicant owes rent from a previous tenancy, which resulted in a possession order being granted; or
- b) The applicant has current rent arrears serious enough for a court to grant an outright possession order.

12.19 Where the conditions of either (a) or (b) above have been met, the Council may decide that the applicant is ineligible for an allocation.

12.20 Where there are insufficient grounds to determine that an applicant is ineligible for an allocation, the application to join the housing allocation scheme will be accepted but not awarded any priority until the arrears have been reduced in accordance with the procedure below.

£0-£100 applications will be approved with this small level owing

£101-£250	regular agreed payments must be made for 2 months before approval
£251-£500	regular agreed payments must be made for 3 months before approval
£501-£1000	amount must be reduced to under £500 then regular agreed payments must be made for 3 months
£1001+	applicants with this level of arrears will be treated, as being ineligible for an allocation therefore an application to join the housing register will not be accepted.

12.21 Where an applicant owes £100 or less, the application will be placed in the band to which they have been assessed as being entitled to.

12.22 Applicants who owe between £101 and £500 will be placed in Band D until a payment plan has been kept to for the required time.

12.23 Applicants who owe between £501 and £1000 will be placed in band D until the arrears have been reduced to under £500 and regular agreed payments have been kept to for 3-months.

12.24 Applicants owing more than £1001, will not be accepted onto the housing register. Any applicant found to have this level of arrears outstanding will have his or her application cancelled. The applicant will be able to re-apply once the arrears have been reduced to under £500 and regular agreed payments have been made for 3-months.

12.25 An applicant can make payments of arrears on a weekly or monthly basis and there is no minimum payment. The Council will usually look for the minimum payment to be the level of direct payment if the applicant is on state benefits or a reasonable amount if they are working.

12.26 If payments are made for the required time, the application will be approved in the relevant band even if arrears are still outstanding however the applicant must continue to reduce the debt until it is cleared in full.

12.27 The account will be monitored and should payments stop the application will be cancelled. The arrears must then be cleared in full before another application will be accepted.

12.28 Each case will be assessed on its own merits and the Service Manager (Voids and Allocations) has the discretion to approve applications with rent arrears and award the relevant band where there are exceptional circumstances.

12.29 Applicants who have been assessed as being unintentionally homeless and in priority need or have been placed in band B under homeless prevention will be considered for an allocation despite any rent arrears. An agreement to pay will still be required.

### **12.30 Anti Social Behaviour**

12.31 Anti social behaviour includes conduct likely to cause nuisance and annoyance, harassment, violence or intimidation to others or the use of property for illegal or immoral purposes.

12.32 This behaviour will be considered serious where the evidence is such that it would entitle the authority to obtain a possession order from a court.

12.33 Any applicants found to be ineligible on such grounds will normally be advised that they will not be considered eligible for an allocation of housing until they have conducted themselves appropriately for a period of 2 years following the last unacceptable incident. However each individual application will be considered on its merits in terms of the length of time the applicant will be ineligible.

12.34 Where there are insufficient grounds to determine that an applicant is ineligible for an allocation, the application to join the housing register will be accepted but not awarded any priority until the council considers that the behaviour of the applicant has improved.

### **12.35 Grounds 2A to 7**

12.36 The same procedure will be applied to applicants who have been guilty of unacceptable behaviour under any of the other grounds (2A to 7 see above paragraph 11.8).

### **12.37 Housing Need**

12.38 The Housing Act 1996 states that any allocation of social housing must be made according to housing need. The Act outlines the criteria that must be followed when awarding reasonable preference to applicants based on their circumstances.

12.39 West Lancashire District Council has adopted a banding system in line with Government guidance.

12.40 Applications for an allocation of social housing will be placed in one of four priority bands;

- A (high priority)**
- B (medium priority)**
- C (low priority)**
- D (no priority)**

## **13.0 Band A – High Priority**

13.1 The categories for band A are as follows:

- Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need as a result of being victims of violence or harassment;

- Applicants applying for an allocation of accommodation who have not been assessed as homeless but need to move urgently due to being victims of violence or harassment
- Severe overcrowding
- Urgent Medical Need
- Unfitness and Disrepair
- Anti-Social Behaviour
- Left in Occupation
- Under Occupation
- Multiple Needs

### 13.2 **Criteria for each category**

#### 13.3 **Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need as a result of being:**

- Victims of violence
- Victims of racial harassment amounting to violence or threats of violence
- Victims of sexual harassment amounting to violence or threats of violence
- Witnesses or victims of crime who would be at risk of intimidation amounting to violence or threats of violence if they remained.
- Existing tenants who need alternative accommodation due to the above.

13.4 This level of priority can only be awarded by the Homelessness Advice & Prevention Team.

#### 13.5 **Applicants applying for an allocation of accommodation who have not been assessed as homeless but need to move urgently due to being:**

- Victims of violence
- Victims of racial harassment amounting to violence or threats of violence
- Victims of sexual harassment amounting to violence or threats of violence
- Witnesses or victims of crime who would be at risk of intimidation amounting to violence or threats of violence if they remained.

13.6 The decision to award this level of priority rests with the Service Manager (Voids & Allocations), or a suitably experienced Senior Officer who has been delegated this task.

### 13.7 **Severe overcrowding**

13.8 Households that are statutorily overcrowded, or that have two or more bedrooms fewer than they require and are therefore severely overcrowded. Severe

overcrowding priority will not be awarded to those applicants who are in temporary accommodation.

13.9 The government's Bedroom Standard will be used to calculate whether a property is overcrowded. Guidance can be found at Appendix 2.

### 13.10 **Urgent Medical Need**

13.11 Urgent medical priority will be awarded where:

- The applicant is at significant risk of physical injury by remaining in their current home and is requesting to move to a more suitable type of accommodation, or
- The applicant is at significant risk of a severe breakdown in their mental health by remaining in their current home.

13.12 In the case of severe risk to mental health, the applicant's environment will be taken into account, as in these cases the property type itself is not necessarily the causal problem. The applicant must be able to show that the risk will be significantly reduced by a move to their requested location.

### 13.13 **Unfitness and Disrepair**

- Properties inspected by the Council's Private Sector Housing Section that are unfit and are subject to a Prohibition Order, Demolition Order, Clearance Area or Compulsory Purchase Order
- Permanent or temporary decants from Council property in order to carry out improvements or major repairs.

13.14 The Housing Health & Safety Rating System will be used as a guide to assessing whether band A is appropriate.

13.15 This level of priority can only be awarded based on the recommendation of the Council's Private Sector Housing Team.

13.16 Where the applicant has not been re-housed and the repair issues have been resolved to the Council's satisfaction, the application will be reviewed to determine whether band A priority should still be awarded.

### 13.17 **Anti-Social Behaviour**

13.18 If a West Lancashire District Council tenant is suffering from anti-social behaviour and is requesting a transfer as a result, they may be awarded Band A priority providing the Service Manager (Voids & Allocations) is satisfied that all options to resolve the situation have been exhausted. The applicant will be awarded Band A following written confirmation from the Council's Multi-Agency Problem Solving Team (MAPS) Co-ordinator that all procedures have been exhausted and a move



is recommended for the applicant's safety. West Lancashire District Council tenants are expected to co-operate with their respective Estate Management Team in recording and reporting incidents.

13.19 Other Council and Housing Association tenants will also be expected to have exhausted their own landlord's policy on tackling anti-social behaviour and a comprehensive report will be required from the landlord confirming what action has been taken and why they are unable to offer alternative accommodation from their own stock before this level of priority will be awarded.

13.20 Residents within the private rented sector and owner-occupiers must provide evidence of the anti-social behaviour before being assessed for this level of priority.

#### 13.21 **Left in Occupation**

13.22 Those left in occupation of a West Lancashire District Council property, following the death of a tenant, with no succession rights to the tenancy or where the tenant has gone into residential care and the tenancy is to be terminated, will qualify for band A priority.

13.23 The applicant must have lived at the address as their principal home for at least 12-months prior to the tenant's death or confinement to residential care to be awarded this level of priority.

13.24 Those applicants who have not lived at the address for at least 12-months will have their applications assessed to determine which of the other priority bands they qualify for.

#### 13.25 **Under Occupation**

13.26 Those under occupying a West Lancashire District Council tenancy who are requesting a smaller property.

13.27 Applicants who were originally offered a property larger than their needs may not be awarded this priority unless there is demand for the type of accommodation they are currently occupying.

13.28 Each case will be assessed on its own merits.

#### 13.29 **Multiple Needs**

13.30 Applicants who have met the criteria for any 2 or more of the needs categories identified in Priority Band B. This includes applicants who have been assessed as homeless but also fall into another category within band B.

### 14.0 **Band B – Medium Priority**

14.1 The categories for band B are as follows:

- Those applicants assessed as being eligible for assistance, unintentionally homeless and in priority need for reasons other than violence.

- Overcrowding
- Unsatisfactory Housing Conditions
- Medical
- Care
- Hardship Employment or Financial Grounds
- Care Leavers Requiring a Move to Independent Living
- Homelessness Prevention

#### 14.2 **Criteria for each category.**

#### 14.3 **Those applicants assessed as being eligible for assistance, unintentionally homeless and in priority need.**

14.4 Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need who have not been assessed as being homeless or vulnerable due to violence or threats of violence are including:

- A pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- A person with whom dependent children reside or might reasonably be expected to reside;
- Persons who are vulnerable as a result of old age, mental illness, handicap or physical disability or other special reason or with whom such a person resides or might reasonably be expected to reside;
- A person who is homeless as a result of an emergency e.g. flood or fire;
- A person who is 16/17 who is not a relevant child or a child in need to whom a duty is owed under s20 of Children Act 1989;
- A person under 21 who was, but is no longer, looked after, accommodated or fostered between the ages of 16 and 18;
- A person who is aged 21 or more who is vulnerable as a result of having been looked after or accommodated or fostered;
- A person who is vulnerable as a result of being a member of HM forces;
- A person who is vulnerable as a result of having served a custodial sentence, having been committed for contempt of court or any kindred offence or having been remanded in custody.

#### 14.5 **Overcrowding**

- Those overcrowded with one bedroom fewer than they require taking into account the Bedroom Standard at Appendix 2.

#### 14.6 **Unsatisfactory Housing Conditions**

- Those lacking a suitable kitchen, bathroom or WC or sharing such facilities with unrelated households
- Those with no supply of cold or hot water
- Households with children under 14 where there is significant or excessive dampness to the property (Housing Health & Safety Rating System)
- Those tenants in the private sector where the Landlord would be, or has been, served with a repair notice by the Private Sector Housing Team (not applicable to council tenants).

14.7 Where the landlord rectifies the repairs to the satisfaction of the Private Sector Housing Team, the application will be re-assessed to determine whether this level of priority should still be awarded to the application.

#### 14.8 **Medical Need**

- Those applicants with a serious medical condition that is made worse by the style or functionality of their current home. There must be a causal link between the property type and the deterioration or discomfort arising from the medical problem. Priority is not awarded for medical conditions alone.

14.9 Applicants must show that a move to the property type requested will help halt the deterioration in the condition and/or make the applicant more comfortable.

#### 14.10 **Care**

- Those who need to move closer to family, friends or relatives to give or receive physical or emotional support or care because of a medical condition.

14.11 To qualify for this, the applicant must be moving to West Lancashire from another local authority area or if already resident in the area, be living more than 3 miles away from the family, friends or relatives who will be providing or receiving the care.

#### 14.12 **Hardship, Employment or Financial Grounds**

14.13 Applicants will qualify for this level of priority where;

- There is a need to move to an area or locality to avoid hardship for example to access medical treatment or specialised services that would not be available to them if they did not move to that locality or to take up employment/training or to retain employment; or
- There is a financial need and the applicant is unable to afford to continue to occupy their current home (a financial assessment will be carried out)

#### 14.14 **Care Leavers Requiring a Move to Independent Living**

- Care leavers who are unintentionally homeless are likely to have a priority need for re-housing under the homelessness legislation. However, in an effort to plan in advance to meet the needs of those known to be due to leave care, medium priority will be awarded. Should the applicant not be accommodated and threatened with homelessness within 28 days, a homelessness application will be processed.
- Applicants leaving the West Lancashire Crisis Centre following a period of supported living.

#### 14.15 Homeless Prevention

- Applicants who are being dealt with via the Homelessness Advice & Prevention Team who are not yet within the statutory definition of being homeless but the future homelessness cannot be prevented. Applicants will only qualify for this priority if they would be unintentionally homeless and in priority need if they made a homeless presentation.

14.16 This will assist families to be re-housed before they are homeless and need to access emergency accommodation.

14.17 This level of priority can only be awarded by the Homelessness Advice & Prevention Team.

#### 15.0 BAND C – LOW PRIORITY

- Applicants living with family/friends or lodging with no security of tenure but with no other housing need.
- Those renting in the private sector with an assured-shorthold tenancy of 12-months or less.
- Those living in a mobile home on a non-residential site.
- Those assessed as intentionally homeless with priority need and eligible for an offer of accommodation.
- Those assessed as being homeless but with no priority need.
- Those applicants who were in band A or B and have refused 3 reasonable offers of accommodation from the housing register.
- Those applicants who were in Bands A or B who have stated they are not ready to move but wish to remain on the housing register.
- Those applicants who have refused 1 reasonable offer of accommodation in the discharge of a homelessness duty.

15.1 Where an applicant has given up secure accommodation within the 12-months prior to the application, they may not qualify for this level of priority. The reasons for giving up a secure property will be taken into account.

## **16.0 BAND D – NO PRIORITY**

- Applicants (including current owner occupiers) who would qualify for a higher band but have the financial ability to resolve their own housing need by purchasing a suitable property, renting in the private sector or having adaptations carried out to their current home.
- Those who occupy mobile homes on residential caravan parks and have no other housing needs;
- Any applicant who wants accommodation but has no assessed needs in a higher band;
- Secure Council or Housing Association tenants with no other housing need;
- Tenants in the private sector with more than a 12-month assured shorthold tenancy and no other housing need (once the tenancy has 12-months or less left to run, the application can be placed in band C);
- Any applicant who has been assessed as being unsuitable to be a tenant and has had 'reduced priority' awarded to their application;
- Applicants who have given up a secure property within the 12-months prior to the application who did not have a good reason for doing so.

## **17.0 Reduced Priority**

17.1 By virtue of s.167(2B) and (2C) Housing Act 1996, an allocation scheme can state that no preference is given to an applicant where either the applicant or a member of their household has been guilty of unacceptable behaviour.

17.2 In accordance with this section, where the Council has assessed an applicant or a member of their household as being guilty of unacceptable behaviour but there are insufficient grounds to determine that the applicant is ineligible to join the scheme, the council may accept that applicant into the scheme with reduced priority.

17.3 Therefore, if an applicant would attract for example band A priority but they have been guilty of unacceptable behaviour, band D would be awarded. The applicant would have the right to seek a review of this decision. They would also have the option at a later date to request a review of their application should they feel that they should no longer be considered to have been guilty of unacceptable behaviour.

## **18.0 Savings & Assets**

18.1 S.167(2A) Housing Act 1996 states that a local authority is entitled to take into account the financial resources available to the applicant when assessing the ability of the applicant to meet their own housing need.

- 18.2 All households applying to the housing allocation scheme will be assessed for their ability to secure accommodation at market rent or to purchase a suitable property within West Lancashire.
- 18.3 Assets that may be taken into consideration include but are not limited to:
- Savings
  - Property Abroad
  - Commercial property
  - Money received through a divorce settlement
  - Residential Property
  - Bonds
- 18.4 Where an applicant owns a property and is able to sell that property to purchase more suitable accommodation within West Lancashire, the applicant will be treated as being ineligible for an allocation.
- 18.5 The council will consider the following:
- Whether the applicant can sell their current home and re-purchase a more suitable property within West Lancashire;
  - The expected equity after the proposed sale of the property;
  - The applicant's current financial circumstances and commitments;
  - Whether the applicant will be eligible for a mortgage;
  - The supply of suitable accommodation on the open market for either sale or rent;
  - Whether the applicant's needs can be met in the private sector;
  - Whether adaptation of the current property is a viable option (based on waiting times for adaptations, eligibility criteria etc);
  - Whether significant care or support needs would impact on the ability of the applicant to secure and maintain accommodation.
- 18.6 The council will not make an allocation where an applicant can afford a mortgage to buy a property within West Lancashire by using their assets and income.
- 18.7 Where the Council agrees to assist with re-housing, the applicant must not sell their home before they have accepted an offer of accommodation. However they must agree to sell the property as soon as they have been re-housed and not rent out their home or make any financial gain whilst waiting to sell.
- 19.0 Change of Circumstances**
- 19.1 Applicants will be considered for re-housing by priority band and each band will be ordered by the date the band was awarded. If an applicant's circumstances

change or they move address, their application will be re-assessed and they will be placed in the most appropriate band by the date they were awarded the new banding. Where the banding would not change, the original date awarded will remain.

- 19.2 If by changing their circumstances applicants would go in to a higher priority band then an assessment will be made to determine whether the applicant has knowingly contributed to a worsening of their housing situation. If they have then the application will remain in the band they were placed in before their circumstances changed.

## **20.0 Allocation Stage**

### **20.1 Lettings Criteria**

- 20.2 Properties will be allocated based on the applicant's preference and the property type and size they are entitled to under the policy.
- 20.3 A property will not be allocated to an applicant if it would be so overcrowded that it failed the statutory overcrowding test (see Appendix 2).
- 20.4 Applicants may be offered properties that are larger than the household needs if there are no suitable sized families on the register.
- 20.5 Normal letting criteria will not apply to any property that has been designated as an Open Let.
- 20.6 Some properties have been classified as lettings to those aged over 40. These properties will be let sensitively due to the nature of the accommodation. Each application will be considered on its own merits.
- 20.7 New tenants will not be allowed pets, which may cause a nuisance to other tenants in flats with communal entrances. This would include cats and dogs.
- 20.8 The lettings criteria can be found at Appendix 3.

### **20.9 Sensitive Lettings**

- 20.10 The Executive Manager Housing and Property Maintenance Services may also agree to sensitive lettings policies to ensure a balanced mix within council accommodation. This can include setting minimum age limits for certain property types, adjusting the number of family homes let to families with children where there is a high concentration of children in a particular area.

### **20.11 Allocation Decisions**

- 20.12 The Allocation of Housing (Procedure) Regulations 1997, regulation 3 provides;

- 1) as regards the procedure to be followed, an authority's allocation scheme shall be framed in accordance with the principle prescribed in this regulation

- 2) a member of an authority who has been elected for the electoral division or ward in which;
  - a) the housing accommodation in relation to which an allocation decision falls to be made is situated, or
  - b) the person in relation to whom that decision falls to be made has his sole or main residence, shall not, at the time the allocation decision is made, be included in the persons constituting the decision-making body

20.13 In compliance with this Regulation, all allocations will be authorised and approved by the Service Manager (Voids and Allocations) or a person delegated this authority by the Service Manager (Voids and Allocations).

20.14 Elected members will not be involved in the allocation process. This does not exclude elected members from assisting a constituent with a housing related query or providing support in making an application.

## **21.0 Open Letting**

21.1 A number of Council dwellings may be offered for direct letting. These properties are known as “Open Lets” and will be available on a first come first served basis.

21.2 Generally these properties will be within areas of lower demand and normally before any such property is classed as an open let, checks will be made to ensure that there are no applicants on the housing register seeking such a property in that area.

## **22.0 Adapted Dwellings**

22.1 Where a social rented dwelling has been built or adapted for a disabled person’s use it will normally be offered first to applicants from the Housing Register who have a disability and who may benefit from the particular type of adaptations made. Adapted properties will not be allocated to non-disabled persons before the Housing Register is checked for suitable applicants.

22.2 Such adapted properties may be offered to applicants who have not expressed a preference for the area the property is within if the property is particularly suitable to a persons needs. Should an applicant refuse such an offer, it will not count towards the 3 reasonable offers, which are normally made.

## **23.0 Local Lettings Policy**

23.1 Section 167(2E) Housing Act 1996, enables housing authorities to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.

### **23.2 Local Connection Preference**

23.3 There is particular strain on social housing for rent in some areas of the District. These areas include small villages and other areas where there is little Council accommodation or where demand for accommodation exceeds availability. In



such areas it can be difficult for people with a local connection to remain there or to move there. Low income groups are particularly affected especially where house prices and private sector rents are high making affordability of homes an issue.

23.4 The Council wishes to support and assist the development and retention of stable local communities. To aid this policy the Council wants to provide reasonable preference to applicants for accommodation that have “local connections” with a particular housing area. At the same time the Council wants to ensure that appropriate priority is given to others with housing needs that have expressed a choice or preference for accommodation in the district.

23.5 For the purpose of establishing in which areas preference will be given to people with local connections the District is divided into the following categories of housing areas: –

- **Very Low Stock Areas**

(smaller villages and rural areas containing less than 1.5% of the total housing stock)

- **Higher Demand Areas**

(larger villages or towns with less than 1% long term void homes –i.e. homes vacant for less than 6 months)

- **Lower Demand Areas**

(larger villages or towns with more than 1% long term void homes – i.e. homes vacant for more than 6 months)

23.6 In each of these housing areas the Council will seek to give varying degrees of preference to applicants with local connections. In the areas with least stock the Council will give greatest preference to applicants with local connections. Generally these are rural or small village areas. The level of preference will reduce in areas with more stock or lower levels of demand. These areas and levels of preference are set out in Appendix 1.

23.7 In areas where no preference is given to applicants with a local connection then offers will be made solely in accordance with the normal procedure.

23.8 **100% Local Connection Areas**

23.9 In areas where 100% local connection preference applies offers will first be made to those with a local connection who have the highest priority and who have had that level of priority the longest. This means that an offer may be made to an applicant with a lower housing need priority on the basis of their local connection preference. If there are insufficient numbers of applicants that meet the local connections criteria on the Housing Register then offers of allocations will be made solely in the normal manner based upon priority need and date order.

23.10 **50% Local Connection Areas**

- 23.11 In areas where the minimum 50% local connections preference applies a quarterly quota of allocations may be established based upon the estimated average number of allocations per annum for the area. This will provide the basis for the estimated minimum number of allocations to be made to applicants with local connections per quarter. If necessary the Executive Manager Housing & Property Maintenance Services may adjust the quarterly quota, to take into account performance in earlier periods and to ensure the annual target quota of minimum 50% is achieved.
- 23.12 Offers of accommodation will be made in accordance with the normal priority banding procedure to the applicant with highest priority. Where this will result in the minimum 50% quota for local connections not being achieved in the quarter then offers will be made instead to applicants with local connections who have greatest priority until the minimum quota is achieved. This may result in an offer being made to an applicant with a lower housing need priority or from a lower priority band on the basis of their local connection preference.
- 23.13 If there are insufficient numbers of applicants that meet the local connections criteria on the Housing Register then offers of allocations will be made solely in the normal manner based upon priority need and date order and in these circumstances the target quotas may not be achieved
- 23.14 Any preference for a local connection may only be given where the property offered is of a type appropriate to the applicants needs.
- 23.15 The Executive Manager Housing and Property Maintenance Services may adjust the category of individual property types, such as General Needs or Sheltered homes, from one category to another to reflect any differences in the availability or demand for these different types of stock within a housing area and may also decide that certain property types can be removed from the local letting procedure, e.g. low demand sheltered housing.
- 23.16 Review of Local Lettings Procedures**
- 23.17 In order to ensure the best use of council accommodation, the Executive Manager Housing and Property Maintenance Services is authorised to review and if necessary adjust the list of housing areas within each category as set out in Appendix 1 to reflect changes in levels of housing stock or levels of demand for homes in different areas.
- 23.18 This may result in general needs and sheltered accommodation within one housing area being within two different categories for local letting preference.
- 23.19 The Executive Manager Housing and Property Maintenance Services is also authorised to amend the annual target allocation figures to people with local connections in response to urgent, unplanned or exceptional circumstances.
- 23.20 An audit of lettings will be made on a quarterly basis (i.e. June, September, December with an annual report being produced in March each year). Quarterly audits will allow the Service Manager (Voids and Allocations) to monitor the quota's being achieved to ensure that the policy is being followed. Regular audits

will also allow for the quota's to be adjusted where necessary following approval from the Executive Manager Housing & Property Maintenance Services.

## **24.0 Local Connection Criteria**

24.1 To qualify for a local connection with an allocation area an applicant must normally:

- Have lived in that area for a period of 3 out of the last 5 years prior to the date of their application; or
- Have close family who have lived in that area for a minimum of 2 years prior to the date of application and the applicant must indicate that they want to move nearer to them. Close family includes parents, adult children and siblings. Relations such as step-parents, grandparents, grandchildren, aunts and uncles can be considered close if there are sufficiently close links in the form of frequent contact, commitment or dependency; or
- Have been permanently employed in an area of the district for at least the previous 12-months or
- Be required to move to or remain in that area to receive support of local organisations or support facilities such as day centres or treatment centres which they could not otherwise reasonably attend.

24.2 To satisfy the requirement of moving to be near close family, the applicant must be moving into the district from another local authority area or must currently live at least 3 miles away from the family member they are moving to be near.

24.3 To satisfy the requirement of being employed in the area, the applicant must be currently employed in the area and have been for at least the last 12-months on either a full-time or part-time basis. The self-employed will be considered to have a local connection to an area only where they work in that area. Applicants undertaking casual work will not be considered to have a local connection.

24.4 An applicant can be considered to have a local connection to unlimited housing areas within the district as long as they satisfy the local connection criteria.

24.5 However, where an applicant applies to the housing register and initially satisfies the local connection criteria but subsequently falls outside of the criteria before an allocation is made, the local connection preference will be removed from the application. For example, by the time the allocation is made the applicant is no longer considered to have been resident in the district for 3 out of the last 5 years.

24.6 The Executive Manager Housing and Property Maintenance Services is authorised, in exceptional circumstances and where reasonable, to assess persons who do not meet the above criteria as qualifying for a local connection.

## **25.0 Local Connection and Homeless Applicants**

- 25.1 To reflect Housing Ombudsman advice on ensuring that where the Council accepts a client as unintentionally homeless and in priority need, the local connection criteria will be applied in a balanced and appropriate manner.
- 25.2 Guidance from the Ombudsman suggests that where an applicant has been accepted as unintentionally homeless and in priority need, the lack of a local connection should not prevent that person from being housed.

## **26.0 Offers of Accommodation**

- 26.1 In areas where the local connection policy applies (see Appendix 1), offers of accommodation will normally be made in accordance with that policy.
- 26.2 In areas where there is no local connection policy or where there are no local applicants registered for accommodation in the area, offers of accommodation will only be made to those applicants on the housing register who are seeking a property of that type in that area.
- 26.3 The offer will be made first to the applicant in the highest priority band who has had that priority the longest. If the offer is not accepted the property will be offered to the next applicant in the band.
- 26.4 If an offer is not accepted by any of the applicants in a priority band then it will be offered to applicants in the next lower band on the same basis.
- 26.5 Applicants who have been awarded Bands A or B who when offered accommodation state they are not ready to move but wish to stay on the list, will have their banding reviewed and reduced to band C. This is because bands A & B are awarded to applicants who have an urgent need for accommodation. If on reviewing the case, the Housing Options Team feel that the priority banding should be reduced to band C, the applicant will be informed in writing and of their right to appeal.

## **27.0 Reasonable Offers**

- 27.1 Offers will be considered reasonable if:
- The property is in one of the preferred areas chosen by the applicant (unless the applicant is homeless);
  - The size of the accommodation is suitable;
  - The design of the property meets the individual's medical needs;
  - The household would not be at risk of violence or harassment.
- 27.2 In addition the Council will endeavour to meet the following requirements, although this may not always be possible:
- 27.3 The property is within a reasonable distance of

- a place of work
- schools attended by children
- support provided by family and friends

## **28.0 Refusal of Offers**

- 28.1 Applicants will normally be required to decide on an offer of accommodation within 7 days of being notified of the offer.
- 28.2 Waiting list applicants who have been placed in bands A or B (reasonable preference) who refuse 3 reasonable offers will have their applications re-banded to Band C.
- 28.3 Waiting list applicants who have been placed in bands A, B or C who do not respond to 2 offers of accommodation will be written to and asked if they wish to stay on the housing register. Where there is no response, the application will be cancelled.
- 28.4 In cases where a household has been accepted as unintentionally homeless with a priority need and placed in bands A or B, 1 offer will be made to discharge the Council's statutory duty. Where this offer is refused, the application will be re-banded to Band C and treated as a waiting list application.
- 28.5 The Council aims to provide accommodation to homeless applicants in an area that they have selected, as the tenancy is more likely to be sustained. However, owing to the low turnover in certain areas, the need to help people move on from temporary accommodation, and discharge of the homeless duty, offers of reasonable accommodation may have to be made in an area, which has not been chosen but is reasonably accessible and available at an earlier date.
- 28.6 Applications will not be cancelled for refusal of offers. They will remain in Band C until they receive an offer that they accept. Applications will only be cancelled if an applicant fails to respond to letters asking if they wish to stay on the register or it is cancelled in the annual system review.

## **29.0 Joint Tenancies**

- 29.1 At the time that an offer of accommodation is made, applicants will be advised of the tenancy requirements. They will also be made aware of the option of a joint tenancy in appropriate cases including the implications for succession rights of partners and children.
- 29.2 The Council normally grants a joint tenancy when adults share accommodation as partners, including same sex partners, or as unpaid carers.
- 29.3 In a case where a Council tenant dies and another household member who does not have succession rights to the tenancy has:
1. been living with the tenant for a year prior to the tenants demise; or
  2. been caring for the tenant; or
  3. accepted responsibility for the tenants dependents

29.4 The Council will normally grant a tenancy to the remaining person or persons either in the same home or suitable alternative accommodation, providing that those persons would have sufficient priority under this allocations policy and there will be no adverse implications for the good use of the Council housing stock.

29.5 A joint tenancy will not be granted to two or more people if any one of them is a person from abroad who is ineligible or is a person being treated as ineligible because of unacceptable behaviour.

### **30.0 Exceptional Circumstances**

30.1 The Council accepts that there may be circumstances that warrant exceptions to the normal allocation policy. The Executive Manager Housing Services is therefore authorised to assess individual cases and where appropriate and reasonable to do so decide that an exception be made to the normal allocations policy. Such cases may include exceptions to:

- The application of the local lettings policy
- The application of the local connections criteria
- The priority band applied to an application
- The offer of accommodation to an applicant

### **31.0 Nominations to Registered Social Landlords**

31.1 The Council has a number of nomination agreements with Housing Associations and will always endeavour to submit nominations for vacancies when requested. These nominations will be taken from the Housing Register in accordance with the procedure for offers.

31.2 Applicants for accommodation will be advised of the nomination procedures and given the opportunity to indicate on their application if they are willing to be nominated.

### **32.0 Review of the Housing Register**

32.1 The housing register will be reviewed every 12-months. Applicants will be required to confirm that they wish to remain on the register and advise the Council if their circumstances have changed. Applicants who fail to respond to this review will be removed from the housing register. They will have to make a fresh application to rejoin the scheme if they wish to be considered for accommodation in the future.

### **33.0 Reviews**

33.1 S.167 of the Housing Act 1996 (as amended) states that applicants have the following rights:

- a) to be notified in writing of any decision not to award preference under the scheme because of unacceptable behaviour serious enough to make him or her unsuitable to be a tenant;

- b) the right on request to be informed of any decision about the facts of his or her case which has been or is likely to be taken into account in considering whether to make an allocation; and
- c) the right on request to review a decision under (a) or (b) above or a decision to treat the applicant as ineligible because of unacceptable behaviour

33.2 The review process can be found at Appendix 4.

LOCAL CONNECTION AREAS

Altcar	100%
Appley Bridge	100%
Banks	100%
Bickerstaffe	100%
Halsall	100%
Haskayne	100%
Hesketh Bank	100%
Newburgh	100%
Parbold	100%
Rufford	100%
Scarisbrick	100%
Tarleton	100%
Westhead	100%
Wrightington	100%
Aughton	50%
Burscough	50%
Old Skelmersdale	50%
Ormskirk	50%
Up Holland/Roby Mill	50%
Ashurst	0%
Birch Green EMB/Central	0%
Clay Brow	0%
Digmoor	0%
Holland Moor	0%
Little Digmoor	0%
New Church Farm	0%
Tanhouse EMB and 4&5	0%
Yewdale	0%



Overcrowding Assessment Guidance - The Bedroom Standard

The bedroom standard is the minimum standard against which local authorities assess overcrowding.

When assessing overcrowding, the following criteria should be taken into account:

- Married or cohabiting couples (including same sex couples) should have a separate bedroom available
- Each adult aged 21 years or more should have a separate bedroom
- A pair of adolescents of the same sex aged between 10 & 20 years can share a bedroom
- A pair of children aged under 10 regardless of sex can share a bedroom
- Any unpaired person aged 10-20 years is paired if possible with a child under 10 years of the same sex. If this is not possible, they should be given a separate bedroom. The same applies to any unpaired child aged under 10 years

Bedrooms converted into other uses are not included.

Bedrooms not in use are included unless they are uninhabitable.

No more than two people are expected to share a room.

A pregnant woman will be assessed as requiring a room for the unborn baby at 20 weeks.

Lettings Criteria

Property Type

Qualifying Groups

Bedsits

Single people & couples without children

Flats/Maisonettes

Single people, couples, families where the youngest child is aged over 16. Households with children aged under 16 if requested.

Houses

Households with children where the youngest is aged 16 or under.

Bungalows

Households with a disability & those over 60.

Sheltered housing is reserved for those single people or couples aged 60+.

Number of bedrooms

The number of bedrooms allocated will be dependent on the size of the household taking into account the bedroom standard.

The following criteria will be followed:

- Each married/co-habiting couple will require a bedroom
- Each adult aged 21 years or more will require a bedroom
- Each pair of children of the same sex aged between 10-20 will require a bedroom
- Each pair of children aged under 10 of the same sex requires a bedroom (once one child reaches the age of 10, they can be paired with another person of the same sex who is aged 20 or under. Where this is not possible, the unpaired child will require a separate bedroom).
- Children of the opposite sex will not be expected to share a bedroom irrespective of their age. Where they cannot be paired with another same sex child, they will require a separate room. This will prevent the need for a transfer of accommodation in the future.

Where there is a demonstrated need for an additional room for a carer or medical equipment (as evidenced by medical information), an additional bedroom can be allocated.

## The Review Process

### The Original Decision

Normally within 3 working days of making a decision on a housing application, the officer dealing with the case will notify the applicant in writing of that decision.

The decision letter will state;

- the reasons for the decision;
- the right to request a review of that decision;
- the time allowed to make a request for a review (normally 21 days from the date the date of the decision);
- the name of the officer to whom the request for review should be made

Where the applicant requests a review, the Review Procedure should be followed.

### Review Procedure

Written request for a review has been received within the timescale allowed (normally 21 days).

Within 2 working days of the written request being received, a Review Officer will be appointed (this will be a senior officer who has not taken part in the original decision).

Within 10 working days of their appointment, the Review Officer will;

- write to the applicant stating that the review request has been received;
- advise the applicant of the identity of the reviewing officer;
- inform the applicant that they or someone acting on their behalf can make representations in writing in connection with the review;
- further details of the review procedure;
- the timescale within which the review will be completed (8 weeks from the day on which the review is made)

There is no further right of appeal if the applicant is not satisfied with the decision on review.

Any further challenge would have to be through the courts by way of judicial review.



**CABINET**

**HELD: 16 JUNE 2009**  
 Start: 7.30pm  
 Finish: 8.40pm

**PRESENT**

Councillor A Owens (Deputy Leader of the Council, in the Chair)

Councillors	M Forshaw A Fowler P Greenall Mrs V Hopley D Westley	<u>Portfolio</u> Planning and Transportation Community Services and Health Street Scene Management Housing Finance and Performance Management
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In attendance Councillors:	T Aldridge P Cotterill J Coyle W Cropper N Furey	J Grice D Griffiths D McKay R A Pendleton
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Officers

Chief Executive (Mr W Taylor)  
 Deputy Chief Executive (Mr L Abernethy)  
 Council Secretary and Solicitor (Mrs G Rowe)  
 Assistant Chief Executive (Ms K Webber)  
 Executive Manager Regeneration and Estates (Mrs J Traverse)  
 Head of Leisure & Cultural Services (Mr J Nelson)  
 Chief Accountant (Mr M Taylor)  
 Legal Services Manager (Mr T Broderick)  
 Technical Services Manager (Mr C Brady)  
 Strategic Housing Manager (Mr S Jones)  
 Assistant Member Services Manager (Mrs J Denning)

**1. APOLOGIES**

Apologies for absence were received on behalf of the Leader, Councillor I Grant and Councillor I Ashcroft.

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

There were no items of urgent business.

**3. DECLARATIONS OF INTEREST**

The following declarations of interest were received:

1. Councillor D Westley declared a personal interest in agenda items 5/1 'Civil Parking Enforcement' and 5/5 'Lancashire Area Agreement (LAA) – Distribution of Performance Reward Grant (PRG)' as a Member of Lancashire County Council.

2. Councillors D Westley and W Cropper declared a personal and prejudicial interest in agenda item 8/4 'Appropriation of Land at Stanley Depot, Skelmersdale' as Members of Lancashire County Council and left the room during discussion of the item.
3. Councillors D Westley and A Fowler declared a personal interest in agenda item 5/10 'Monitoring and Review of the Parish Charter' as it relates to Parish Councils of which they are Members of Halsall Parish Council and Scarisbrick Parish Council respectively.
4. Councillor D Westley declared a personal interest in agenda item 5/13 'Business Support Start-Up Delivery' as a Member of Lancashire County Council.

**4. MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 24 March 2009 be received as a correct record and signed by the Deputy Leader.

**5. MATTERS REQUIRING DECISIONS**

Consideration was given to reports relating to matters requiring decisions, as contained on pages 19 to 214 of the Book of Reports.

**6. CIVIL PARKING ENFORCEMENT**

Councillor M Forshaw introduced the report of the Technical Services Manager which detailed the latest developments in relation to ongoing discussions and negotiations concerning the future delivery of parking enforcement within the District, after 6 September 2009.

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

RESOLVED: A. That the contents of the report be noted.

- B. That the Technical Services Manager, in consultation with the Portfolio Holders for Planning and Transportation and Finance, be given delegated authority to accept the lowest suitable tender for the provision of off-street parking enforcement arrangements after 6 September 2009.

**7. SALE OF SMALL PLOTS OF LAND OWNED BY THE COUNCIL**

Councillor A Owens introduced the report of the Executive Manager Regeneration and Estates which detailed the proposed method of dealing with the sale of small plots of land owned by the Council and sought approval for the methodology of such sales.

Councillor Owens advised Members that the report would also be submitted to Council on 15 July 2009.

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

- RESOLVED:
- A. That the methodology for the sale of small parcels of land as set out in Appendices A and B attached to the report be approved.
  - B. That receipts up to a ceiling limit of £5,000 from the sale of small plots of land be “ring fenced” for regeneration schemes in the Borough.

**8. EVALUATION OF THE NWDA FUNDED WEST LANCASHIRE "INVESTING IN BUSINESS" REGENERATION PROGRAMME**

Councillor A Owens introduced the report of the Executive Manager Regeneration and Estates which sought approval to invite tenders and enter into a contract for the undertaking of the final evaluation of the NWDA Funded West Lancashire “Investing in Business” Regeneration Programme.

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

- RESOLVED: That the Executive Manager Regeneration and Estates be given delegated authority, in consultation with the Portfolio Holder for Regeneration and Estates, to let a contract for the final evaluation of the West Lancashire “Investing in Business” Regeneration Programme, to accept the lowest suitable tender and to make all necessary arrangements for the letting of the contract.

**9. RURAL DEVELOPMENT PROGRAMME FOR ENGLAND (RDPE) 2007 - 2013 - LOCAL DEVELOPMENT STRATEGY IMPLEMENTATION - LANCASHIRE WEST LOCAL ACTION GROUP (LAG)**

Councillor A Owens introduced the report of the Executive Manager Regeneration and Estates which advised that the agreement between the North West Development Agency (the funding body) and the Lancashire Economic Partnership (the Accountable Body) for the RDPE-funded Programme on behalf of the Lancashire West Local Action Group had now been signed and that the Programme was underway.

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

- RESOLVED:
- A. That the Council continues to support the Lancashire West Local Action Group (LAG) and Lancashire Economic Partnership as Accountable Body, in the implementation of the Local Development Strategy (LDS).
  - B. That the Portfolio Holder Regeneration and Estates or his/her representative be nominated to serve on the LAG Executive.

- C. That the Executive Manager Regeneration and Estates, in consultation with the Council Secretary & Solicitor, be authorised to negotiate and enter into necessary agreement(s), to work collaboratively with Lancashire Economic Partnership in delivery of the LAG Programme and including agreement to governance arrangements for the LAG Executive.

**10. LANCASHIRE AREA AGREEMENT (LAA) - DISTRIBUTION OF PERFORMANCE REWARD GRANT (PRG)**

Councillor D Westley introduced the report of the Executive Manager Regeneration and Estates which sought approval for the Council to act as accountable body for PRG funds awarded to the Local Strategic Partnership (LSP) and to comply with The Lancashire Local Area Agreement – Distribution of the Performance Reward Grant Protocol.

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

- RESOLVED: A. That the Executive Manager Regeneration and Estates and the Assistant Chief Executive be given delegated authority in consultation with the Portfolio Holder for Regeneration and Estates, to negotiate and agree with Lancashire County Council and the West Lancashire LSP to ensure that sufficient PRG funds will be available to the Council to cover its costs of administration and financial support in undertaking the Council's responsibilities in respect of the PRG programme.
- B. That, subject to A. above:
- (i) the Council act as accountable body for the PRG funds awarded to the West Lancashire LSP.
  - (ii) compliance with The Lancashire Local Area Agreement – Distribution of the Performance Reward Grant Protocol be approved.
  - (iii) the Executive Manager Regeneration and Estates and the Assistant Chief Executive be given delegated authority to take all necessary action, in consultation with the relevant Portfolio Holders, to ensure compliance by the Council with the provisions of the Protocol.

**11. LITTLE DIGMOOR PLAY AREA**

Councillor A Fowler introduced the report of the Executive Manager Community Services which outlined issues of anti-social behaviour linked to teenage play equipment at Abbeystead, Little Digmoor and sought guidance as to the preferred way forward to deal with these issues.

Councillor Fowler referred to a petition received and circulated to all Cabinet Members from Abbeystead residents.



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

RESOLVED: A. That the petition received from Abbeystead residents be noted and referred to the Executive Manager Community Services.

B. That the equipment at the multi use games area (MUGA), teenage shelter and children's play area at Abbeystead, Little Digmoor remain in situ, and the Executive Manager Community Services be asked to request further police action regarding drug and anti social behaviour at the site, involving the MAPS team as appropriate with this to be reviewed in 12 months time.

## **12. FOOD SAFETY SERVICE PLAN 2009/2010**

Councillor A Fowler introduced the report of the Executive Manager Community Services which sought agreement to the proposed Food Safety Service Plan for 2009/2010.

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

RESOLVED: A. That the proposed Food Safety Service Plan for 2009/2010, attached as an Appendix to the report, be approved.

B. That in future years, delegated authority be given to the Executive Manager Community Services, in consultation with the Portfolio Holder for Community Services and Health, to approve the Food Safety Service Plan.

## **13. REVIEW OF THE HOUSING ALLOCATIONS POLICY**

Councillor Mrs V Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services which reviewed the current Allocations Policy to ensure that it remained compatible with recent legislative changes and the changes in the housing market.

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

RESOLVED: A. That the Housing Allocations Policy, attached as an Appendix to the report, be approved.

B. That the Executive Manager Housing and Property Maintenance Services, in consultation with the Portfolio Holder for Housing, be given delegated authority to review and make future changes to the policy in light of legislative change.

**14. QUARTERLY PERFORMANCE INDICATORS**

Councillor D Westley introduced the report of the Assistant Chief Executive which presented the quarterly performance monitoring data for the quarter ended 31 March 2009.

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

- RESOLVED:
- A. That the overall trend of improvement shown by the performance indicator data for the quarter ended 31 March 2009 be noted.
  - B. That the report be forwarded to the Corporate Overview and Scrutiny Committee.
  - C. That call-in is not appropriate as this report is to be considered by the Corporate Overview & Scrutiny Committee.

**15. MONITORING AND REVIEW OF THE PARISH CHARTER**

Councillor D Westley introduced the report of the Assistant Chief Executive which proposed a cycle for monitoring and reviewing the Parish Charter to ensure it continues to be a useful 'living' document.

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

- RESOLVED:
- A. That the review process as described in the report be agreed.
  - B. That authority be delegated to the Assistant Chief Executive, in consultation with the relevant Portfolio Holder, to prepare and issue an annual addendum to the Parish and Town Council Charter.

**16. CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS 2009/10**

Councillor D Westley introduced the report of the Assistant Chief Executive which sought views on the scope, content and strategic focus of the draft Corporate Performance Plan 2009/10, recommended that the policy framework be amended to include a further 'Corporate Key Initiative', detailed the outturns for 2008/9 and targets for the next three years and sought approval for the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators.

Councillor A Owens advised that the report would be submitted to Executive Overview and Scrutiny Committee on 2 July and then Council on 15 July 2009.

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

- RESOLVED: A. That the contents of Appendices A and B to the report be noted.
- B. That the policy framework be amended to include the following key initiative in the Corporate Priorities for 2009/10:
- “Pursuing a range of efficiency and cost-cutting measures, including a managed reduction in staffing levels”
- C. That subject to the views of the Executive Overview and Scrutiny Committee, the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators (Appendices A and B) be recommended to Council for adoption as the Council’s performance management framework and strategic plan for 2009/10.
- D. That call-in is not appropriate for this item as it is being referred by the Cabinet to the next meeting of the Executive Overview and Scrutiny Committee on 2 July 2009.

**17. REGULATION OF INVESTIGATORY POWERS ACT 2000 - CONSOLIDATING ORDERS AND CODES OF PRACTICE - PUBLIC CONSULTATION PAPER**

Councillor A Owens introduced the report of the Council Secretary and Solicitor which set out a response to the Consultation issued by the Home Office proposing updated arrangements regulating public authorities use of covert investigatory techniques.

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

- RESOLVED: A. That the Council Secretary and Solicitor, in consultation with the Leader, be authorised to respond on the basis set out at paragraph 6 of the report, incorporating relevant comments provided by the Executive Overview and Scrutiny Committee (if any).
- B. That as the report is to be referred to the Executive Overview and Scrutiny Committee for consideration on 2 July 2009, call-in shall not apply.

**18. BUSINESS SUPPORT START UP DELIVERY**

Councillor A Owens introduced the report of the Executive Manager Regeneration and Estates which advised of the North West Regional Development Agency’s Business Support Start-up delivery programme, that would deliver tailored support to residents of the District that are looking to start a new business and sought authority to work collaboratively with Lancashire County Developments Ltd to progress the Business Start Up contract and associated business support activity for the benefit of the West Lancashire District.

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

RESOLVED: That the Executive Manager Regeneration and Estates, in consultation with the Council Secretary & Solicitor and Portfolio Holder Regeneration and Estates, be authorised to negotiate and enter into necessary agreement(s), to work collaboratively with Lancashire County Developments Ltd to ensure the delivery of the Business Start Up contract and other associated business support activity has the maximum impact for the West Lancashire district.

**19. KEY DECISION FORWARD PLAN - QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS - 1 JANUARY - 31 MARCH 2009**

Councillor A Owens introduced the report of the Council Secretary and Solicitor which advised that no decisions had been made during the last quarter in respect of Access to Information Procedure Rule 16 (Special Urgency).

RESOLVED: That it be noted that Access to Information Procedure Rule 16 (Special Urgency) was not exercised during the quarter period ending 31 March 2009.

**20. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3, 5 and 6 of Part 1 of Schedule 12A of that Act, as set out on the agenda, and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

**21. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to matters requiring decisions, as contained on pages 217 to 257 of the Book of Reports.

**22. CHAPEL GALLERY CATERING**

Councillor A Fowler introduced the report of the Executive Manager Community Services which set out a proposal to engage a partner to provide catering services at Chapel Gallery, Ormskirk.

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

RESOLVED: A. That the Executive Manager for Community Services, in consultation with the Portfolio Holder for Community Services & Health seek, via an expression of interest notice, a partner to deliver a catering service at Chapel Gallery Ormskirk.

- B. That the Executive Manager for Community Services, in consultation with the Portfolio Holder for Community Services & Health be authorised to engage a partner to deliver a catering service at the Chapel Gallery Ormskirk, including consultation with unions and TUPE transfer of staff as appropriate.

**23. EXTENSION OF LEASE AND LICENCE AT ORMSKIRK RUGBY CLUB**

Councillor A Fowler introduced the joint report of the Executive Manager Community Services and the Executive Manager Regeneration and Estates which considered a request from Ormskirk Rugby Union Football Club for an extension of their lease and licence at Green Lane Playing Fields, Ormskirk.

In reaching the decision below, Cabinet considered the details set out in the report before it and felt that there was little prospect of any need or ability to realise the asset which Green Lane represented even in the medium to long term.

RESOLVED: That the Executive Manager for Community Services together with the Executive Manager for Regeneration and Estates in consultation with the Portfolio Holders for Community Services and Regeneration and Estates be authorised to renew the lease for the facilities at the Green Lane Site, on terms and conditions to be agreed, for a minimum period of 25 years.

**24. TO CONSIDER OPTIONS FOR THE FUTURE OF 9 AND 10 LIME COURT, SKELMERSDALE**

Councillor Mrs V Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services which sought approval on the best course of future action for dealing with the land and buildings known as 9 and 10 Lime Court, Skelmersdale.

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

- RESOLVED:
- A. That the land and buildings known as 9 and 10 Lime Court, Skelmersdale be declared a Clearance Area.
  - B. That the Executive Manager Housing and Property Maintenance Services, in consultation with the Housing Portfolio Holder, be authorised to purchase the land and buildings known as 10 Lime Court, Skelmersdale, by agreement with the owner or compulsorily through an authorisation given by the Secretary of State, subject to an independent valuation of the property by the District Valuer.
  - C. That the Executive Manager Housing and Property Maintenance Services, in consultation with the Housing Portfolio Holder, be authorised to demolish all buildings on land owned by the Council within the Clearance Area and be instructed to appropriate or dispose of the cleared site in a manner which achieves best value to the Council, taking into account any restrictions or conditions which might apply.

**25. APPROPRIATION OF LAND AT STANLEY DEPOT, SKELMERSDALE**

Councillor M Forshaw introduced the joint report of the Deputy Chief Executive and the Street Scene Manager which considered the appropriation or disposal by lease of a parcel of land at Stanley Depot.

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

- RESOLVED:
- A. That the Street Scene Manager, in consultation with the relevant Portfolio Holders, the Executive Manager Regeneration & Estates and the Council Secretary & Solicitor, be authorised to obtain suitable insurance cover for the risks identified in the report prior to proceeding with the development of the Waste Transfer Facility.
  - B. That the Street Scene Manager, in consultation with the relevant Portfolio Holders, the Executive Manager Regeneration & Estates and the Council Secretary & Solicitor, be authorised to negotiate and agree with Lancashire County Council (LCC) disposal of the land shown hatched on the plan, attached at Appendix 1 to the report, to LCC, on the terms set out in the report at paragraph 7, and such other terms and conditions as shall be agreed. Any disposal being subject to all necessary consents being obtained.
  - C. That in the event that the Council is not able to agree terms in accordance with recommendation B. above, then the Street Scene Manager and the Interim Policy Services Manager, in consultation with the relevant Portfolio Holders, be authorised to confirm:
    - (i) That the area of land at Stanley Depot as shown hatched on the plan appended to the report is required to be redeveloped and improved in accordance with the proposals referred to in the report.
    - (ii) That the said land be appropriated to planning purposes for the reasons set out in the report.
  - D. That the call in procedure is not appropriate for this item as this matter is one where urgent action is required in order to take forward the proposals for the Waste Transfer facility upon the land.

(Note: Councillors D Westley and W Cropper declared a personal and prejudicial interest in this item and left the room whilst the item was under consideration.)

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THE LEADER



**AGENDA ITEM: 10**

**CABINET: 16 June 2009**

**EXECUTIVE OVERVIEW AND  
SCRUTINY COMMITTEE:  
2 July 2009**

**COUNCIL: 15 July 2009**

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**Report of: Assistant Chief Executive**

**Relevant Portfolio Holders: Councillors I Grant and D Westley**

**Contact for further information: Ms C McNamara (Extn. 5380)**  
**(E-mail: [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk))**  
**/Mr P Hamlin (Extn. 5268)**  
**(Email: [peter.hamlin@westlancs.gov.uk](mailto:peter.hamlin@westlancs.gov.uk))**

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**SUBJECT: CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS  
2009/10**

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Borough wide interest

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To seek views on the scope, content and strategic focus of the draft Corporate Performance Plan 2009/10, contained as Appendix A to this report.
- 1.2 To recommend that the policy framework be amended to include a further 'Corporate Key Initiative' for 2009/10.
- 1.3 To report the outturns for 2008/9 and targets for the next three years that are contained in Appendix B to this report.
- 1.4 To seek approval for the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators to be adopted as the Council's performance management framework and strategic plan for 2009/10.

## **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the contents of Appendices A and B to this report be noted.
- 2.2 That the policy framework be amended to include the following key initiative in the Corporate Priorities for 2009/10:

"Pursuing a range of efficiency and cost-cutting measures, including a managed reduction in staffing levels"

- 2.3 That subject to any amendments agreed by Cabinet and the views of the Executive Overview and Scrutiny Committee, the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators (Appendices A and B) be recommended to Council for adoption as the Council's performance management framework and strategic plan for 2009/10.
- 2.4 That call-in is not appropriate for this item as it is being referred by the Cabinet to the next meeting of the Executive Overview and Scrutiny Committee on 2 July 2009.

### **RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

- 2.5 That the contents of Appendices A and B to this report be noted.
- 2.6 That the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators (Appendices A and B) be recommended to Council for adoption as the Council's performance management framework and strategic plan for 2009/10.

### **RECOMMENDATION TO COUNCIL**

- 2.7 That the draft Corporate Performance Plan 2009/10 and Suite of Performance Indicators (Appendices A and B) be adopted as the Council's performance management framework and strategic plan for 2009/10.

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## **3.0 BACKGROUND**

- 3.1 In April 2009, the Audit Commission published the requirements of the new Comprehensive Area Assessment framework. As part of the new framework, the Audit Commission will be looking for local authorities to demonstrate that their priorities are based on robust evidence of need and reflect the views of the community. Strong performance management frameworks that deliver outcomes for communities and self-awareness of where gaps lie that need to be addressed will also be examined. The Audit Commission stresses that self-evaluation must be meaningful and not for PR purposes. The Corporate Performance Plan will provide an important source of evidence to demonstrate this Council's strong strategic and performance management processes.
- 3.2 Whilst there is no longer a requirement to produce a 'Best Value Performance Plan', there is a need to publish performance against a national suite of indicators before 30<sup>th</sup> June. This will be achieved through the publication of the Corporate Performance Plan as the information is contained within the appendix.

## **4.0 CURRENT POSITION**

- 4.1 To place the Corporate Priorities in context and demonstrate the Council's commitment to reflecting the views of its residents, each section qualifies information that has influenced the development of the priorities and supports them as the strategic focus for the Council.



- 4.2 Progress against the key actions and targets contained within last year's CPP is also detailed. This is intended not only to demonstrate the impact of these actions and the positive outcomes that they have delivered for local people, but also to ensure a focus on the key issues in the approach to performance planning and management.
- 4.3 Similarly, a selection of key indicators are reported. The complete suite of performance information is contained as an appendix. This is to ensure that standards of overall service provision are monitored and maintained, whilst focussing on a few key issues to be addressed against each priority.
- 4.4 When the Statement of Corporate Priorities 2009/10 was drafted, the Council had not yet committed to undertaking an organisational downsizing initiative.

## **5.0 PROPOSALS**

- 5.1 That the Statement of Corporate Priorities 2009/10 be amended to include "pursuing a range of efficiency and cost cutting measures, including a managed reduction in staffing levels", in reflection of a major focus of the Council's work this year.
- 5.2 That the draft Corporate Performance Plan 2009/10 and Performance Information be approved and adopted by Council.

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

- 6.1 The corporate and strategic planning process is aligned to ensure that the Council's own strategies and plans complement and contribute wherever appropriate to achieving the aims of the Sustainable Community Strategy.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 Financial and resource implications associated with this report are dealt with as part of the budget setting process. The Council's corporate and strategic planning process and the financial planning and budget-setting process are aligned.

## **8.0 RISK ASSESSMENT**

- 8.1 The Corporate Performance Plan 2007/8 mitigates against the risk of not achieving the Corporate Priorities as it details the work to be undertaken in 2007/8 in pursuit of these aims.
- 8.2 The risks of not completing the actions identified in the Corporate Performance Plan are minimised as they have been considered as part of the budget setting process.
- 
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## **Background Documents**

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

## **Equality Impact Assessment**

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

## **Appendices**

Appendix A: Draft Corporate Performance Plan 2009/10

Appendix B: Suite of Performance Indicators

# WEST LANCASHIRE BOROUGH COUNCIL CORPORATE PERFORMANCE PLAN 2009/10



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# Foreword by the Leader of the Council and the Chief Executive

We are pleased to present West Lancashire Borough Council's Corporate Performance Plan. The report looks back at what was achieved during the 2008/9 financial year and forward to what we plan to deliver over 2009/10. It sets out our priorities, which we will take forward having listened to the views of local people, businesses and partner organisations. The work of the Council is guided by our vision: *'Putting services first -building a Borough second to none'*.



A handwritten signature in black ink, appearing to read 'Ian Grant'.

Cllr. Ian Grant  
Leader of the Council

Performance has continued to be strong over the last 12 months, particularly as it is set against a backdrop of rapidly diminishing resources. Despite receiving the minimum settlement from the Government this year, we have only increased Council Tax by 2%, (far below the national average). The major challenge for the Council over the next 12 months will be to ensure that we can continue to keep costs to a minimum in the long-term. Undertaking an Organisational Downsizing Initiative, we will continue to provide value for money - delivering high quality services that are most important to West Lancashire.



A handwritten signature in black ink, appearing to read 'William J Taylor'.

William J Taylor  
Chief Executive



# Our Vision

Putting SERVICES FIRST -  
building a Borough second to  
none



*As an excellent Council our aim  
is to make the best use of  
resources to deliver the best  
possible services at the lowest  
possible cost.*

## Our 6 Priorities:

- ▶ Delivering cost effective services that are accessible to all
- ▶ Protecting and improving the environment and keeping our streets clean and tidy
- ▶ Combating crime and the fear of crime
- ▶ Working to create and retain good quality jobs for local people
- ▶ Improving housing and striving to achieve affordable housing that is available for local people
- ▶ Providing opportunities for leisure and culture that together with other council services contribute to healthier communities.

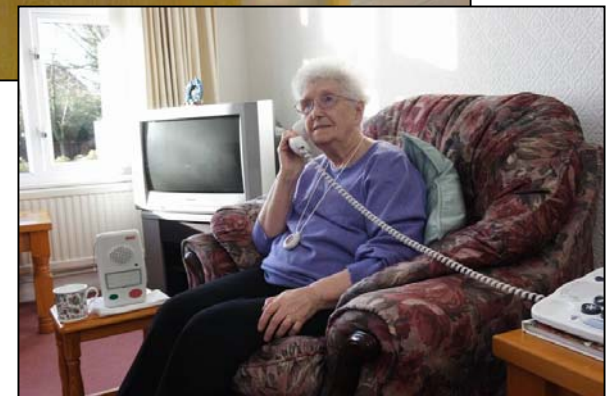




# Our Values

We will deliver this by being an ambitious organisation which:

- ▶ Puts residents and frontline services first
- ▶ Ensures local services offer the best possible value
- ▶ Listens to, informs and consults local people
- ▶ Is open and accountable in the way we make decisions
- ▶ Embraces innovation and partnership as a way of bringing about improvement in our services
- ▶ Promotes equality of opportunity and values the diversity of our communities
- ▶ Values and develops our employees



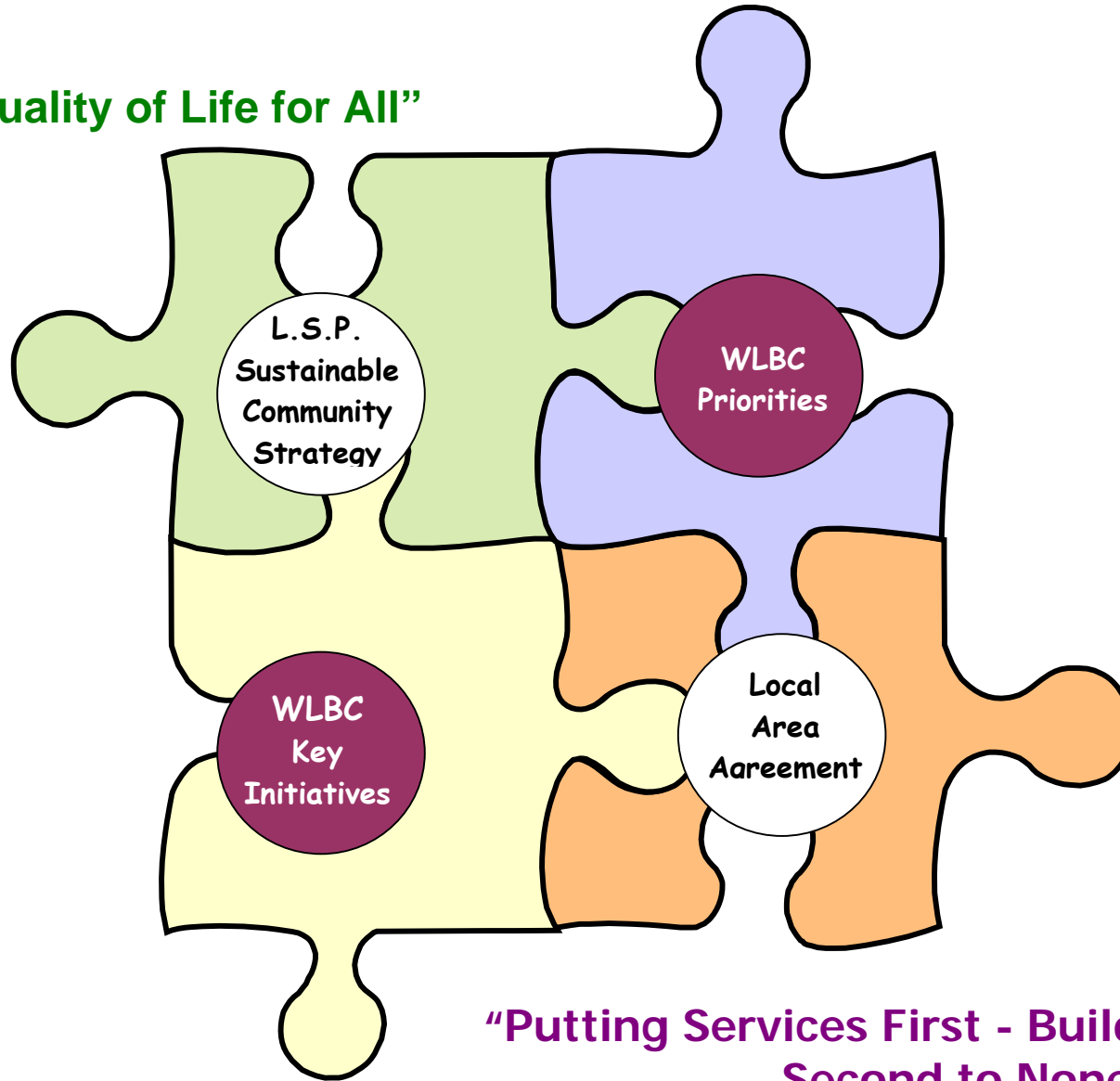
## Our Priorities and the Sustainable Community Strategy

With a vision of *'Improving the Quality of Life for All'*, West Lancashire Local Strategic Partnership (LSP) has developed the 'Sustainable Community Strategy' (SCS), setting out the issues facing the area and its plans to improve the quality of life in West Lancashire. The LSP consists of all the key public organisations delivering local services, including the Borough and County Councils, Police and health agencies as well as the voluntary sector and business community. As a Council, we have aligned our own strategic aims to those of the SCS. Executive Cabinet Members play key roles in the LSP, further ensuring that the work of the Council and the work of the LSP are complementary. The Borough Council is also a partner in the Lancashire-wide Strategic Partnership, which has agreed a set of priorities for the County. The work of the LSP is geared towards delivering both the aims of the SCS and the 'Lancashire Local Area Agreement'. These strategies fit together to shape the work of all the agencies involved and the Council is at the heart of the drive to engage and deliver for our communities.



LSP Vision

**“Improving Quality of Life for All”**



**“Putting Services First - Building a Borough Second to None”**

*WLBC Vision*

# Leading Our Services - Portfolio Holders

Some Councillors have special areas of responsibility - these positions are known as Portfolios. Together with the Leader of the Council, the Portfolio Holders make up the Cabinet, which is the Executive Body determining particular areas of policy.

**Corporate &  
Strategic  
Issues**

**Councillor  
Ian Grant  
Leader**

**Community  
Leadership &  
Engagement  
External Liaison**



**Customer &  
Media Relations**

# Leading Our Services - Portfolio Holders:

**Councillor  
Iain  
Ashcroft**



**Human  
Resources**

**Councillor  
Adrian  
Owens  
Deputy  
Leader**



**Regeneration  
and  
Estates**

**Councillor  
Andrew  
Fowler**



**Community  
Services  
and Health**

**Councillor  
Martin  
Forshaw**



**Planning and  
Transportation**

**Councillor  
Paul  
Greenall**



**Street Scene  
Management**

**Councillor Val  
Hopley**



**Housing**

**Councillor  
David  
Westley**



**Finance &  
Performance  
Management**

# Delivering Cost Effective Services that are Accessible to All

## Why is this a Priority?

- Providing efficient, effective and accessible services has been at the heart of our priorities since 2002. This goal must be the driver for any provider of public services.
- This is a view echoed by residents. In 2008/9, 95.8% of respondents to a People's Panel Survey felt that delivering cost effective services that are accessible to all is a 'very' or 'fairly' important priority;
- In a recent People's Panel Survey, more than half of respondents (53.3%) felt that services should be maintained at their current level and Council Tax should be increased in line with inflation.
- In order to achieve this, providing highest quality services at the most affordable prices to all people in West Lancashire must remain a priority for this Council in 2009/10. Clearly in the current economic climate, local people and businesses face increased financial pressures.
- The Council is committed to keeping Council Tax rises as affordable as possible whilst providing the best possible public services.

## Did You Know?

- Council Tax increases have been kept at or below inflation for six years running;
- At just 2%, our Council Tax increase for 2009/10 is well below the national average of 3.5%;
- We have saved £2.5m over the last 3 years by identifying efficiencies whilst improving many services;
- Our services are also more accessible than ever as:
  - 110 services can now be provided through the front office;
  - Over 85% of telephone calls are answered through our Contact Centre;
  - The % of people who normally contact the council via the website increased from 24.1% in 07/08 to 32.5% in 08/09;
  - The number of online payments made in 2008/9 increased by 80%; and
  - The use of online forms in 2008/9 increased by 40%.
- Our website was judged to be the best in Lancashire and 12<sup>th</sup> best in the country by SOCITM;
- The Council was judged to be one of the top three in the country in the LGC Awards.

# Delivering Cost Effective Services that are Accessible to All

## Our Key Targets

In 2009/10, we aim to:

- Further improve the efficiency and effectiveness of services;
- Achieve year-on-year affordable Council Tax rises, in line with inflation, and with targeted investment in key corporate priorities.



- Achieve an improvement in the satisfaction of residents with the overall service provided by the Council (as measured through the Place survey);
- Reduce staff sickness;
- Seek to achieve annual cash savings in line with government targets;
- Increase the proportion of people who transact business with the Council via the website;
- Maximise the level of income due to the authority.



# Delivering Cost Effective Services that are Accessible to All

## Our Key Initiatives

We will work towards achieving our goals in 2009/10 by:

- Pursuing a range of efficiency and cost cutting measures, including a managed reduction in staffing levels;
- Investigating a range of shared service initiatives with other Councils and partners in the public and private sector;
- Commencing to deliver the Customer Relations and Access Strategy, including the development of integrated approaches to service access with public sector partners;
- Delivering a rolling programme of Value for Money and Organisational re-Engineering reviews of the Council's services.



- Improving the quality and accessibility of accommodation which customers use, including the provision of new Council offices within a package of mixed development by 2011;
- Further improving accountability and transparency of work undertaken in partnership with other bodies.



# Protecting and Improving the Environment and Keeping Our Streets Clean and Tidy

## Why is this a Priority?

- Protecting and improving our environment has remained a long-term goal for the Council since 2001;
- In 2008, collection of household waste and materials for recycling was seen by residents to be the third most important service into which we should invest more money (Peoples Panel Survey 14);
- In 2006/7, whilst 68% of residents were satisfied with their household waste collection, this was significantly lower than the District Council median of 81%;
- The same survey showed that 67% of residents were satisfied with street cleanliness in their area. In 2008/9, this has fallen to 59%\*, despite having smashed our targets;
- Our People's Panel survey taken early in 2009 showed that 98.4% of residents felt that protecting the environment and keeping our streets clean and tidy was a 'very' or 'fairly' important- more than any other priority.

## Did You Know?

- We have exceeded our target to increase recycling/composting to 45% this year and are on track to achieve our target of 50% by March 2010;
- We have smashed our environmental cleanliness targets, ensuring exceptionally low levels of litter, detritus, graffiti and fly-posting on our streets;
- In October, we launched a New Free Tree Scheme to boost the Borough's natural beauty, attract wildlife and improve the environment;
- In June 2008 the Council pledged to take action to tackle climate change by signing up to the Nottingham Declaration. Over the next 2 years, this commits the Council to draw up plans with partner organisations and the local community to address the causes and effects of climate change across West Lancashire;
- Major improvements to Burscough Town Centre have been 'highly commended' by the Landscape Institute;
- We are partners in the Lancashire Climate Change Strategy 2009-2020.

# Protecting and Improving the Environment and Keeping our Streets Clean and Tidy

## Our Key Targets

In 2009/10, we aim to:

- Increase recycling/composting to 50% by March 2010;
- Decrease the proportion of land with significant deposits of litter and detritus;
- Increase public satisfaction with street cleanliness.



## Our Key Initiatives

We will work towards achieving our goals in 2009/10 by:

- Review service delivery across waste and recycling, looking for improved working methods and ways of increasing productivity while driving down fuel usage.

# Combating Crime and the Fear of Crime

## Why is this a Priority?

- Combating crime and the fear of crime has remained one of the Council's key long-term aims since 2001;
- This issue has been a key concern for the people of West Lancashire for a number of years and a People's Panel Survey undertaken earlier this year showed that 95% of respondents felt that combating crime and fear of crime remained a 'very' or 'fairly' important priority;
- In 2008, 84.3% of respondents to a People's Panel Survey agreed or strongly agreed that by investing in community safety, the Council was contributing to the quality of life in West Lancashire;
- The same survey showed that more residents felt that the Council should increase spending on community safety than in any other service area (36.9%).

## Did You Know?

- Our Community Safety Partnership, of which the Council is the lead agency, exceeded the Government's main crime reduction target, PSA 1 with a 23.1% reduction in top priority crimes;
- More people than ever (81.7%) feel that West Lancashire is a safe and secure place to live;
- For the second year running, the Council and partner agencies including the Police and Fire and Rescue got together with the community to facilitate a number of targeted "beatsweeps" across Skelmersdale in order to make them safe, clean and green .
- A Face the People Event was held in March. This public meeting featured a specialist guest panel, including the Council Leader and chiefs from the Fire Service, Police, NHS and County Council. Over 150 people were in attendance at Edge Hill at a meeting which focused on dealing with alcohol abuse and its criminal effects.

# Combating Crime and the Fear of Crime

## Our Key Targets

In 2009/10, our aim is to:

- Assist in sustaining the number of crime incidents per 1,000 population below the regional average;
- Assist in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live.



## Our Key Initiatives

In 2009/10, we hope to achieve this by:

- Delivering the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies;
- Delivering the Domestic Violence Strategy in partnership with other organisations and agencies.

# Working to Create & Retain Good Quality Jobs for Local People.

## Why is this a Priority?

- A thriving economy is crucial to well-being. High levels of unemployment impact upon the wealth of residents and also on other issues such as health and crime.
- The Council recognises the important and potentially significant role that it can play in minimising the effects of the global and national economic situation locally.
- The percentage of the working population in West Lancashire claiming Job Seekers Allowance in March 2009 was 4.4%, which is above the national average.
- Our residents agree that working to create and retain good quality jobs for local people should be a focus of our work, as 93.3% of respondents to a recent People's Panel Survey felt that it is a 'very' or 'fairly' important priority.
- This has increased significantly from 89% in 2005, which is a reflection of the focus that the Council must place on working to create and retain good quality jobs for local people.

## Did You Know?

- We are providing local and potential businesses with as much support as possible in the current economic climate. Information and links are on our website, free workshops aimed at pre-start businesses are being run and 50% reductions in the first three months rent have been offered at the West Lancashire Investment Centre.
- We have been working hard with colleagues in Sefton, St Helens and Lancashire County councils to oppose plans for major retail development at Kirkby which could have a negative impact on the regeneration of Skelmersdale. We made a strong case at the Public Inquiry and await the Secretary of State's decision later this year.
- Improvements to Burscough Town Centre have received a 'Commendation' from the Royal Town Planning Institute in its planning achievement awards. These are presented to schemes seen to be exemplars of good practice.
- As part of the Market Towns Initiative, an Ormskirk Community Partnership has been set up and improvements made to the railway station and outdoor market.

# Working to Create & Retain Good Quality Jobs for Local People.

## Our Key Targets

In 2009/10, we aim to:

- Help to reduce unemployment to below the national average;
- Assist in the creation of new jobs;
- Assist in the provision of skills for the local workforce.

## Our Key Initiatives

In 2009/10, we hope to achieve this by:

- Commencing implementation of 'Vision for Skelmersdale' plan;
- Delivering Year 6 of the Investing in Business Programme.



# Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People.

## Why is this a Priority?

- Improving housing and striving to achieve affordable housing that is available for local people remains a priority for 85.9% of our residents.
- In uncertain financial times, the availability of affordable housing is crucial in order to attract people to live in West Lancashire and to encourage those already living here to remain.
- The aim of providing affordable housing is shared by the Local Strategic Partnership. The Council recognises the significant role it can play in leading the LSP in its work to achieve this aim and has tailored work in this area to meet the objectives contained within the Sustainable Community Strategy.
- Affordable housing is also a target contained within the LAA. The Council is committed to contributing to achieving this Lancashire aim and has performed even better than our target for the number of affordable homes delivered in 2008/9.

## Did You Know?

- New shared ownership and rental properties are scheduled for completion in 2009 reflecting the Council's commitment to providing affordable housing for local people.
- The Council agreed a £5.7 million programme of improvements to houses and flats in all parts of the Borough as part of a long-term 10-year plan to invest in the housing stock. The programme of investment and maintenance includes adaptations for people with disabilities, and the installation of new kitchens and bathrooms as well as windows and doors.
- Major revamps are also taking place at sheltered housing in Skelmersdale and Up Holland.
- As a result of a Government funded initiative, we are working in partnership with Home Insulation Services Ltd and two domestic energy suppliers to provide home insulation work for local residents at a discount.

# Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People

## Our Key Targets

In 2009/10, we aim to:

- Reduce the proportion of non-decent Council homes from 14.97% as at 1<sup>st</sup> April 2006, to Zero by December 2010;
- Assist in increasing the number of affordable homes delivered;
- Assist in increasing the proportion of private sector housing stock meeting the decent homes standard.



## Our Key Initiatives

In 2009/10, we hope to achieve this by:

- Delivering the Affordable Housing Strategy in partnership with others;
- Delivering the Private Sector Housing Strategy in partnership with others.





# Providing Opportunities for Leisure and Culture that, together with other Council Services, Contribute to Healthier Communities

## Why is this a Priority?

- Improving quality of life for all is the overall strategic vision and aim for the LSP. Improving health and well-being is at the core of this strategy. The Council recognises that the most significant contribution that it can make to this partnership goal is in the provision of opportunities for leisure and culture.
- Despite significant investment and improvement to our leisure facilities over recent years, satisfaction remains relatively low at 41%\* for sports and leisure facilities and 57%\* for parks and open spaces.
- A high proportion of respondents to a recent People's Panel Survey felt that this priority was 'very' or 'fairly' important (86.2%).
- The Council must therefore continue to prioritise providing opportunities for leisure and culture in order both to meet customer expectations and assist the LSP in achieving its overarching strategic aim.

## Did You Know?

- This year, the West Lancashire Community Leisure Trust celebrated its 4th anniversary. During these four years substantial investment has been made to improve facilities and services, at a reduced cost to the Council.
- Residents aged 60+ can now swim for free at Nye Bevan Pool and Park Pool.
- As part of our 'Play Project' new youth clubs have been set up in Scarisbrick, West Skelmersdale & Birch Green.
- Work has begun to enhance facilities at Richmond Park in Burscough. Benefits to the community will include new furniture, drainage works, CCCTV and new planting.
- Beacon Country Park has been awarded Green Flag Status for the second year running. Coronation Park also achieved this status - the highest standard for parks and green spaces- following significant investment at the site.
- The Chapel Gallery has recently been shortlisted for the title of "Small Visitor Attraction of the Year" in the Lancashire and Blackpool Tourism Awards 2009/10.

# Providing Opportunities for Leisure and Culture that, together with other Council Services, Contribute to Healthier Communities

## Our Key Targets

In 2009/10, our aim is to:

- Increase satisfaction with sports and leisure facilities;
- Increase satisfaction with parks and open spaces;
- Increase the number and proportion of playgrounds meeting our local policy;
- Carry out a food hygiene Inspection at all food businesses due to be inspected.

## Our Key Initiatives

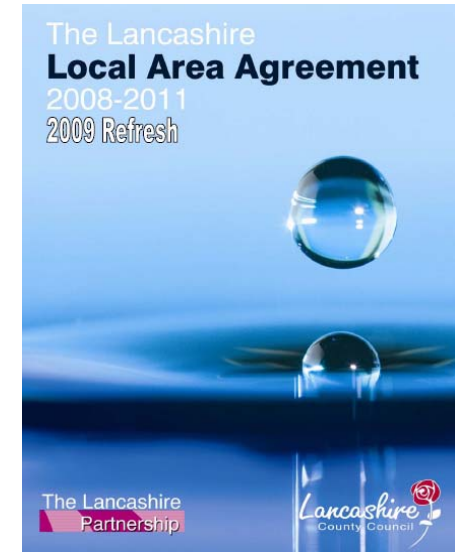
We hope to achieve this in 2009/10 by:

- Continue the refurbishment of our formal parks;
- Deliver the "Recipe 4 Health" Award Scheme for local food businesses;
- Help develop and implement the Local Strategic Partnership's Health Inequalities Strategy.



# The Local Area Agreement

- ▶ A local area agreement (LAA) is a three-year agreement between a local area and central government. The LAA describes how local priorities will be met by delivering local solutions. It also contributes to national priorities set out by the Government.
- ▶ In Lancashire, the LAA is negotiated between the Lancashire-wide Strategic Partnership and the regional Government Office (GONW). The Lancashire Strategic Partnership has produced a Lancashire-wide Sustainable Community Strategy, entitled 'Ambition Lancashire'.
- ▶ The Borough Council is a partner in the Lancashire-wide Strategic Partnership.
- ▶ In addition to our own targets to drive our performance over the next 1 to 3 years we have agreed to support and contribute to a number of the 35 targets and indicators under the LAA.
- ▶ Our own priority setting and action planning processes are geared towards achieving the targets of the LAA, as are those of our own West Lancashire Local Strategic Partnership.



## Further Information

The following table, which is available on our website, shows our performance information in more detail: ( [www.westlancs.gov.uk](http://www.westlancs.gov.uk) )



Performance against all our Targets and Indicators for 2008/9

The information provided in this document and those above is produced in accordance with the Council's Data Quality Strategy (DQS).

The DQS is designed to produce accurate, valid, reliable, timely, relevant and complete data that is 'right first time' and can be used to support corporate governance and achieve our vision of **'putting services first and building a Borough second to none'**

If you would like any more information about the Council's performance and priorities, or would like a copy of this document in an alternative format, please contact the Policy & Performance Unit, WLBC, 52 Derby Street, Ormskirk, L39 2DF. Alternatively, please call 01695 577177, or email [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk).

## PERFORMANCE – KEY INITIATIVES 2008/09

Priority/Target	2008/09 Performance
<b>Protecting and Improving Street Scene and the Environment</b>	
Review service delivery across waste and recycling, looking for improved working methods and ways of increasing productivity while driving down fuel usage	<p>Progress has been made towards implementing a pilot scheme for commercial sector recycling with a questionnaire having been distributed to customers. The results, which will establish the level of demand for recycling and the material types, are currently being collated.</p> <p>Rounds have been rescheduled following the results of the WRAP/ROTATE report.</p> <p>Excellent progress has been made in terms of harmonising Grounds Maintenance and Street Scene services, with 4 new initiatives having been put in place.</p> <p>The possibility of recycling street sweepings has resulted in leaf fall being diverted from landfill to composting.</p>
<b>Combating Crime and the Fear of Crime</b>	
Deliver the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies	<p>2 new ASBOs, 2 evictions, 3 injunctions and 21 notices seeking possession secured against anti-social behaviour in the district.</p> <p>Helped to secure £46k for arson reduction training. We also secured an additional £40k to upgrade and extend the CCTV system in Ormskirk.</p> <p>Supported establishment of Multi-Agency Risk Assessment Conference working arrangements to deal with domestic violence.</p> <p>The Council supported and endorsed the establishment of the new Community Justice Problem Solving Court for Skelmersdale – the first of its kind in Lancashire.</p> <p>All crime has been reduced by 0.5% and there has been a further reduction of 3% in criminal damage.</p>
Lead on the Strategic Crime Reduction Board	This Board has been replaced with a County-wide Safer Lancashire Board, which is a thematic group of the Lancashire Partnership. The Chief Executive (who also chairs the West Lancashire Crime and Disorder Reduction Partnership) and the Portfolio Holder are members of this new Board.
<b>Working to Create and Retain Good Quality Jobs for Local People</b>	
Commence implementation of 'Vision for Skelmersdale' Plan	This project has been delayed pending the outcome of the Kirkby enquiry and due to the economic recession.
Deliver Year 6 of the Investing in Business Programme	<p>Programme of high quality projects within the funded programmes has now been fully committed.</p> <p>Audit has been cleared and is up to date.</p> <p>Work being undertaken on a proposal to seek tenders for final evaluation of liB, exploring the possibility of working in partnership with other local authorities to undertake project and programme evaluations and deliver economies of scale.</p> <p>'Connecting People to Jobs' project funded which includes the appointment of a Skills and Worklessness Strategy Development Officer to work with the LSP's Employment, Learning and Skills thematic group to develop an action plan.</p> <p>EWL funded until September 2009.</p>

Priority/Target	2008/09 Performance
<b>Improving Housing and Ensuring that there is Affordable Housing Available for Local People</b>	
Deliver the Affordable Housing Strategy	<p>Affordable Housing Cabinet Panel established which will:</p> <ul style="list-style-type: none"> <li>• Drive forward the Council's work on developing affordable housing by ensuring that the local affordable housing policy is conducive to realising positive affordable housing outcomes</li> <li>• Ensure appropriate housing need and housing market information is available to support need for affordable housing interventions, including LDF policy formulation</li> <li>• Explore delivery mechanisms that will enable maximum benefit of Transitional Housing Capital Receipt (THCR) and any other funding that is levered in to West Lancashire</li> <li>• Commission appropriate research to further the affordable housing agenda</li> <li>• Use THCR to invest in appropriate affordable housing schemes.</li> </ul> <p>The work of the Panel will complement the aims and objectives of the Affordable Housing Strategy 2008 - 2013 and help shape our affordable housing policy so as to improve affordable housing outcomes.</p>
Deliver sustainable housing regeneration projects in Skelmersdale, commencing the Tanhouse Estate Regeneration Pilot Scheme by 2009	<p>A pilot scheme has been considered for the Tanhouse Estate. Nine acres of land has been identified that could be used for redevelopment purposes. The Council started a process whereby it engaged in dialogue with private developers to see if the value of the land could bring significant and lasting improvements to the area. Due to recent changes in the "market conditions" it was agreed to defer this project until conditions change and are favourable. It was also decided that the Affordable Housing Cabinet Panel would be best placed to now consider this as part of it's remit and whether it would be beneficial to purchase land on the Tanhouse Estate to facilitate the pilot regeneration process.</p> <p>Additionally, the Council has approved the "Vision" for Skelmersdale Town Centre. Around 1,150 new homes are proposed in the town centre. These will be a mixture of houses and apartments and will include around 115 affordable homes, either for rent or purchase. All housing will need to be of the highest quality and design and will respect wooded areas, particularly in the river valley, and existing properties close by. The masterplan allocates open land alongside Yewdale for development and also shows the clearance and redevelopment of Firbeck for new homes which will have a high-quality design and layout.</p> <p>Redevelopment of Firbeck has been selected as the preferred option for a number of reasons including:</p> <ul style="list-style-type: none"> <li>• It allows the town centre area to be planned and redeveloped as a whole</li> <li>• The property at Firbeck is not well designed or well laid out and doesn't meet the standard of housing that residents have a right to expect.</li> </ul> <p>Redevelopment will enable better-quality housing, of a range of types, to be built. It will also enable existing residents to be offered a range of better relocation opportunities. The Council has visited all tenants homes in Firbeck and Findon to discuss people's individual needs, provided information about what will be offered if demolition does go ahead, and to carry out further consultation. The Council is proposing to work with the developer, St Modwen, to identify a range of sites in Skelmersdale, around the town centre, where new houses can be built to compensate for the homes lost at Firbeck and Findon if demolition goes ahead. These would then be offered to the displaced tenants.</p>

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Priority/Target	2008/09 Performance
<b>Delivering Cost effective services that delight the customer and are accessible to all</b>	
Investigate a range of shared service initiatives with other Councils and partners in the public and private sector	Research was undertaken in 2008/9 on the costs and benefits of shared service approaches which have informed the Council's approach. Work continues on sharing best practice and exploring avenues of collaborative working. Using countywide arrangements for the place survey resulted in savings of £6k. Joint bids have been developed for team Lancashire funding to support shared service approach to off street car parking and CIVICA procurement. We have been working jointly within Team Lancashire to develop a shared services strategy and are considering other opportunities as and when available. Indication has been provided on preferred areas for initial exploration. Actively engaged in sharing Benefit Service and have joined LA Services Club to identify other relevant opportunities that may arise.
Publish and deliver an updated Customer Relations and Access Strategy, including the development of integrated approaches to service access with public sector partners	A report was agreed by Cabinet in September. Progress has been made on a number of the recommendations agreed. Future progress will be subject to resource availability.
Provide new Council offices within a package of mixed development by 2009/10	Planning application was submitted in January by Atkinson Kirkby for a joint site. Negotiations between Atkinson Kirkby and the Council continue. Some outline sketch plans have been produced. Occupation of new building anticipated during first half 2012.
Deliver a rolling programme of Value for Money and Organisational re-Engineering Reviews of the Council's services	Document Management OR Project completed August 2008. The Environmental Health and Private Sector Housing review started in November 2008 and is due to be completed by June 09. New VFM approach has been agreed and OR reviews are continuing to contribute to the Council's efficiency savings.
Improve accountability and transparency of work undertaken in partnership with other bodies	LSP Annual Conference took place 27 June 2008 at WLIC Meetings of Performance Management Group held July 2008, November 2008 and February 2009. New LSP Constitution agreed by LSP Executive Group 12 September 2008. Annual LAA Update went as Internal Overview and Scrutiny Members Update paper in November 2008. Thematic Group Minutes have been provided within Members' Updates. All minutes of LSP meetings are available through the LSP website.
<b>Providing Opportunities for Leisure and Culture</b>	
Continue refurbishment of our formal parks including consideration of the results of a feasibility study into a new visitors centre at Beacon Country park	An activity programme has been launched and a management plan implemented at Coronation Park. The park was awarded Green Flag Status. Work commenced towards meeting initial improvement targets at Richmond Park. Unfortunately a bid for external grant funding was unsuccessful. Discussions with lottery funding for a visitors' centre at Beacon Country Park are ongoing. A working group will be set up once the funding has been identified. The park has retained Green Flag Status.

## PERFORMANCE – PRIORITIES & KEY TARGETS 2008/09

Priority/Target	2008/09 Performance
<b>Protecting and Improving Street Scene and the Environment</b>	
Increase recycling/composting from 38% in 2006/07 to 50% by March 2010. Our ultimate aim is to be top quartile for recycling and composting in relation to our family group by March 2009	45.01%
Decrease the proportion of land with significant deposits of litter and detritus from 14% in 2006/7 to 9% by March 2010. Our goal is to be in the top quartile of Councils within our family group in terms of street cleansing by March 2009	9.99%
To be close to average in terms of the cost of these services by March 2009	As this is no longer collected as a BVPI, comparator information is not available.
Achieve 74% and be in the top quartile of Councils in terms of satisfaction with street cleanliness by March 2010	59%*
<b>Combating Crime and the Fear of Crime</b>	
Reduce the number of crime incidents per 1,000 population from 66 in 2006/7 to 65 in 2008/9, and in the longer term sustain this performance	59.9 achieved in 2008/9, performing even better than our target
Ensure that the percentage of people feeling that West Lancashire is a safe and secure place to live in maintained at a minimum of 78%	81.7%
<b>Working to Create and Retain Good Quality Jobs for Local People</b>	
Help to reduce unemployment from 2.7% in 2006/7 to below the national average by March 2009	No longer reporting this information. NI151 Overall Employment rate (working-age) will be reported in future. (currently 78.4%).
<b>Improving Housing and Striving to Achieve Affordable Housing that is Available for Local People</b>	
Reduce the proportion of non-decent Council homes from 14.97% as at 1 <sup>st</sup> April 2006, to zero by December 2010 and our aim is to maintain the Decent Homes Standard at Government target levels for the future	4% (tbc. Final figures expected July 09)
Seek to ensure that at least 30% of homes allowed in Ormskirk/Aughton and Burscough to be subsidised low cost and RSL homes, in line with the Local Plan	3.45%



Priority/Target	2008/09 Performance
<b>Delivering cost-effective services that are accessible to all</b>	
Achieve year-on-year affordable Council Tax rises, in line with inflation, and with targeted investment in key corporate priorities	2% increase achieved
Achieve top quartile performance (60%) in relation to the satisfaction of residents with the overall service provided by the Council by 2010	To be reported next year.
Reduce staff sickness from 10.76 days per annum in 2006/7 to 8.29 days per annum (top quartile) by March 2010 and in the longer-term, maintain top quartile performance	11.16
Achieve annual cash savings of 3% in line with government targets	Government target of 2.5% achieved.
Increase the percentage of customers who normally contact the Council via the website to 30% by March 2009 (measured through the Citizen's Panel Survey. The percentage of people who normally contact the Council via the website in 2004/5 was 6.1%)	32.5%
<b>Providing Opportunities for Leisure and Culture that Together with Other Council Services Contribute to Healthier Communities</b>	
Increase satisfaction with sports and leisure facilities from 55% in 2006/7, with the aim of being above average, achieving 65% by March 2010	41%*
Increase satisfaction with parks and open spaces from 62% in 2006/7, with the aim of being top quartile, achieving 78% by March 2010	57%*
Increase the number and proportion of playgrounds meeting our local policy from 18.64% in 2006/7 (11 of 59) to 38.78 by March 2009 (19 of 49)	29.41%

\* These are interim figures received from the national Place Survey and remain subject to change. Direct comparisons may not be made to previous years' results due to changes in the survey methodology.



\* It should be noted that all Place Survey Results are interim and may be subject to change. Direct comparisons may not be made to previous years' results due to changes in methodology.

## APPENDIX B: PERFORMANCE INFORMATION 2008/9

PI Code & Short Name	2007/08 Result	All DCs - Median 2007/08	All DCs - TQ 2007/08	All DCs - BQ 2007/08	2008/09 Result	2008/09 Target	On Target	Better than previous or 100%	2009/10 Target	2010/11 Target	2011/12 Target	Latest Notes
BV3 % satisfaction with overall LA service	No survey was undertaken in 2007/08. The 2006/07 result was 54%				51%	60%	-	-	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
BV8 % invoices paid on time	96.16%	96.16%	97.58%	94.22%	96.86%	98.00%	-	☺	98.00%	-	-	
BV9 % of Council Tax collected	98.15%	98.28%	98.60%	97.58%	98.4%	98.3%	✓	☺	98.3%	-	-	There remains uncertainty about how the impact of the current economic downturn will affect 09/10 collection levels, but in light of 08/09 excellent performance the target has been set at the same rate as previous year
BV12 Working Days Lost Due to Sickness Absence	11.92	9.34	8.42	10.65	11.16	8.08	-	☺	10.00	-	-	
BV66a % Rent collection & arrears recovery (Cumulative)	98.66%	98.40%	98.99%	97.46%	98.15%	98.80%	-	-	98.20%	-	-	The current economic downturn has impacted on collection levels and is expected to continue to in 09/10
BV78a Speed of processing - new HB/CTB claims	23.74	23.10	20.50	26.60	21.13	23.00	✓	☺				Will not be reported in 2010 now using NI 181
BV78b Speed of processing - changes of circumstances for HB/CTB claims	14.54	8.40	6.65	10.40	5.36	9.00	✓	☺				Will not be reported in 2010 now using NI 181
BV79a Accuracy of processing - HB/CTB claims	97.60%	98.60%	99.20%	97.54%	99.00%	99.00%	✓	☺				Will not be reported in 2010. NI 180 has been introduced as a better method of identifying errors and preventing fraud.
BV86 Cost of household waste collection	£68.47	£50.98	£44.50	£57.65	£74.78	£70.73	-	-				Will not be reported in future years not a BVPI no comparator information will exist
BV89 Satisfaction with cleanliness of streets	No survey was undertaken in 2007/08. The 2006/07 result was 67%				59%	74%	-	-	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
BV119a % satisfied with sports/leisure facilities	No survey was undertaken in 2007/08. The 2006/07 result was 55%				41%	65%	-	-	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.

As the authority is in the midst of an organisational downsizing initiative, and therefore future resources are unclear, it was not considered appropriate to set targets past 2009/10. The only exceptions are the indicators which are included in the Lancashire Local Area Agreement (LAA) where we have used any targets agreed through the annual LAA refresh process.

It is intended to return to the convention of setting targets for the following three years in next year's Plan.

\* It should be noted that all Place Survey Results are interim and may be subject to change. Direct comparisons may not be made to previous years' results due to changes in methodology.

PI Code & Short Name	2007/08 Result	All DCs - Median 2007/08	All DCs - TQ 2007/08	All DCs - BQ 2007/08	2008/09 Result	2008/09 Target	On Target	Better than previous or 100%	2009/10 Target	2010/11 Target	2011/12 Target	Latest Notes
BV119e % satisfied with parks and open spaces	No survey was undertaken in 2007/08. The 2006/07 result was 62%				57%	78%	-	-	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
BV199a Local street/environmental cleanliness - Litter and Detritus	7.31	9.00	6.00	12.00	9.99	11.5	✓	-				Will not be reported in 2010 now using NI 195
NI 196 BV199d Improved street and environmental cleanliness – fly tipping	1	2	1	3	2	1	-	-	1	-	-	The score of 2 reflects a lower number of incidents of fly-tipping and a lower number of enforcement actions. The "target score of 1 is a lower number of incidents of fly-tipping and a higher number of enforcement actions.
BV212 Average time (days) taken to re-let local authority housing.	39.64	29.00	24.00	39.00	32.50	35.00	✓	☺	30.00	-	-	
NI 1 % of people who believe people from different backgrounds get on well together in their local area	New National Indicator. No historical information.				83.7%	New NI no target	N/A	N/A	84.7%	84.7%	-	LAA Target/Indicator
NI 2 % of people who feel that they belong to their neighbourhood	New National Indicator. No historical information.				67.1%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 3 Civic participation in the local area	New National Indicator. No historical information.				11.6%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 4 QoL 23 % of people who feel they can influence decisions in their locality	New National Indicator. No historical information.				27.4%	New NI no target	N/A	N/A	29.4%	29.4%	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 5 Overall/general satisfaction with local area	New National Indicator. No historical information.				82.3%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 6 Participation in regular volunteering	New National Indicator. No historical information.				23.6%	New NI no target	N/A	N/A	24.6%	24.6%	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 14 Avoidable contact: the proportion of customer contact that is of low or no value to the customer	New National Indicator. No historical information.				21.75%	New NI no target	N/A	N/A	25.00%	-	-	We are still in the process of establishing reliable benchmarks hence 25% target (the indicator was only introduced from October 2008).

As the authority is in the midst of an organisational downsizing initiative, and therefore future resources are unclear, it was not considered appropriate to set targets past 2009/10. The only exceptions are the indicators which are included in the Lancashire Local Area Agreement (LAA) where we have used any targets agreed through the annual LAA refresh process. It is intended to return to the convention of setting targets for the following three years in next year's Plan.

\* It should be noted that all Place Survey Results are interim and may be subject to change. Direct comparisons may not be made to previous years' results due to changes in methodology.

PI Code & Short Name	2007/08 Result	All DCs - Median 2007/08	All DCs - TQ 2007/08	All DCs - BQ 2007/08	2008/09 Result	2008/09 Target	On Target	Better than previous or 100%	2009/10 Target	2010/11 Target	2011/12 Target	Latest Notes
NI 17 Perceptions of anti-social behaviour	New National Indicator. No historical information				17.5%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 21 Dealing with local concerns about anti-social behaviour and crime issues by the local council and police	New National Indicator. No historical information				30%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 22 Perceptions of parents taking responsibility for the behaviour of their children in the area	New National Indicator. No historical information				37.4%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 23 Perceptions that people in the area treat one another with respect and consideration	New National Indicator. No historical information				23.7%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 27 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police	New National Indicator. No historical information				28.7%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 35 Building resilience to violent extremism	New National Indicator. No historical information				1	New NI no target	N/A	N/A	2	-	-	1 = low 5 = Highest. Definition relates to Muslim Extremism. Level of activity required is expected to be proportionate to area.
NI 37 Awareness of civil protection arrangements in the local area	New National Indicator. No historical information				13.0	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 41 Perceptions of drunk or rowdy behaviour as a problem	New National Indicator. No historical information				21.8%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 42 Perceptions of drug use or drug dealing as a problem	New National Indicator. No historical information				27	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 119 Self-reported measure of people's overall health and wellbeing	New National Indicator. No historical information				75.8%	New NI no target	N/A	N/A	76.8%	77.8%	-	LAA Target/Indicator
NI 137 Healthy life expectancy at age 65	New National Indicator. No historical information					New NI no target	N/A	N/A	-	14.5	-	LAA Target/Indicator

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NI 138 Satisfaction of people over 65 with both home and neighbourhood	New National Indicator. No historical information				86.2%	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 139 The extent to which older people receive the support they need to live independently at home	New National Indicator. No historical information				27.4	New NI no target	N/A	N/A	30.4	33.4	-	LAA Target/Indicator
NI 140 Fair treatment by local services	New National Indicator. No historical information				73.7	New NI no target	N/A	N/A	-	-	-	No Survey in 2009/10. Target for 2010/11 will be set once 2008/09 National Comparators are released.
NI 151 Overall Employment rate (working-age)	New National Indicator. No historical information				78.4%	New NI no target	N/A	N/A	78.4%	-	-	Result is 12 month average for period ending September 08 which is the most recent information available. Given the recession 09/10 target is to maintain employment at current level.
NI 152 Working age people on out of work benefits	New National Indicator. No historical information				12.3%	New NI no target	N/A	N/A	LAA NI but no target due to recession	12.2%	-	Result is the average figure during the twelve month period ending August 2008 which is the most recent information available
NI 153 Working age people claiming out of work benefits in the worst performing neighbourhoods	New National Indicator. No historical information					New NI no target	N/A	N/A	LAA NI but no target due to recession	28.1 (For the County)	-	
NI 154 Net additional homes provided	New National Indicator. No historical information				130	New NI no target	N/A	N/A	300	-	-	
NI 155 Number of affordable homes delivered (gross)	New National Indicator. No historical information				13	12	✓	N/A	16	22	-	LAA Target/Indicator
NI 156 Number of households living in temporary accommodation	New National Indicator. No historical information				4	2	-	N/A	2	2	-	Nationally required target
NI 157a BV109a Processing of Major planning applications	58.00%	71.88%	81.64%	62.94%	52.27%	70.00%	-	-	70.00%	-	-	
NI157b BV109b Processing of Minor planning applications	66.78%	77.34%	84.04%	70.79%	75.68%	80.00%	-	☺	80.00%	-	-	
NI157c BV109c Processing of Other planning applications	86.64%	88.76%	92.12%	84.32%	90.88%	90.00%	✓	☺	90.00%	-	-	

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NI158 BV184a % non-decent council homes	7.16%	15%	7%	30%	4.00% Provisional	7.37%	✓	☺	5%	-	-	NB The 12% figure recorded for 07/08 in last year's Plan related to April 07; the 7.16 shown here for 2007/08 relates to March 2008 and the 4% result this year to March 09
NI 159 Supply of ready to develop housing sites	New National Indicator. No historical information				105.3%	100.0%	✓	N/A	100.0%	-	-	100% is seen as the benchmark, over 100% result is good performance.
NI 160 BV74a Local authority tenants' satisfaction with landlord services	79.00%	81.00%	84.85%	78.00%	80.00%	81.00%	-	☺	-	84.00%	-	This is a bi-annual figure. The status survey was carried out in Oct 08 - Jan 09. So figure applied to 2010 also.
NI 170 Previously developed land that has been vacant or derelict for more than 5 years	New National Indicator. No historical information				3.39%	New NI no target	N/A	N/A	5.00%	-	-	
NI 179 Value for money – total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008-09 financial year	New National Indicator. No historical information					*294500	N/A	N/A	*	-	-	* This indicator is submitted at two stages; a "forecast" (shown as Target) due each October and an "actual" (shown as result) which is due each July. The 2009/10 target/ forecast will not be available until October 2009.
NI 180 The number of changes of circumstances which affect customers' HB/ CTB entitlement within year.	New National Indicator. No historical information				1046.6	New NI no target	N/A	N/A	823	-	-	
NI 181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	17.33	New National Indicator. No historical benchmarks. Used existing data to calculate WLDC result for 2007/08			7.40	New NI no target	N/A	☺	15	-	-	The economic downturn is resulting in a significant increase in Benefit claims and changes; the target reflects this increased level of workload.
NI 182 Satisfaction of business with local authority regulation services	New National Indicator. No historical information				83.51%	New NI no target	N/A	N/A	84.0%	-	-	
NI 184 Food establishments in the area which are broadly compliant with food hygiene law	New National Indicator. No historical information				82%	New NI no target	N/A	N/A	82.5%	-	-	
NI 185 Percentage annual CO2 reduction from local authority operations	New National Indicator. No historical information					New NI no target	N/A	N/A		-	-	Good performance will be assessed as year on year improvement. WLDC Climate Change Strategy target specifies at least a 25% greenhouse gas reduction by 2020.

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NI 186 Per capita reduction in CO2 emissions in the LA area	New National Indicator. No historical information				-	6.96	-	N/A	9.75	12.50		LAA indicator. It is not possible to report progress against the 2008/09 target until DEFRA release 2008 CO2 carbon emissions data, which is not expected until September 2010.
NI 187(i) Tackling fuel poverty – % of people receiving income based benefits living in homes with a low energy efficiency rating: (i) Low energy efficiency	New National Indicator. No historical information				7.99%	New NI no target	N/A	N/A	7.66%	7.33%		LAA indicator.
NI 187(ii) Tackling fuel poverty – % of people receiving income based benefits living in homes with a low energy efficiency rating: (ii) High energy efficiency	New National Indicator. No historical information				37.63%	New NI no target	N/A	N/A	38.69%	39.75%	-	LAA indicator.
NI 188 Planning to Adapt to Climate Change	New National Indicator. No historical information				1	1	✓	N/A	2	3	-	LAA indicator. 0 = Low; 4 = High
NI 189 Flood and coastal erosion risk management	New National Indicator. No historical information				100%	New NI no target	N/A	😊	99%		-	
NI 191 Residual household waste per household	New National Indicator. No historical information				505.79	New NI no target	N/A	N/A	505.79	-	-	Target is to prevent any increase
NI 192 Percentage of household waste sent for reuse, recycling and composting	New National Indicator. No historical information				45.01%	45.00%	✓	N/A	50.00%	-	-	
NI 194 Air quality – % reduction in NOx and primary PM10 emissions through local authority's estate and operations	New National Indicator. No historical information					New NI no target	N/A	N/A		-	-	
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	New National Indicator. No historical information				4.17%	17.00%	✓	N/A	15.00%	13.00%	-	LAA indicator.
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	New National Indicator. No historical information				8.47%	27.00%	✓	N/A	24.00%	20.00%	-	LAA indicator.

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NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	New National Indicator. No historical information				.22%	5.00%	✓	N/A	4.00%	4.00%	-	LAA indicator.
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	New National Indicator. No historical information				0.17%	2.00%	✓	N/A	2.00%	2.00%	-	LAA indicator.
NI 197 Improved Local Biodiversity – proportion of Local Sites where positive conservation management has been or is being implemented	New National Indicator. No historical information				N/A	18%	N/A	N/A	21%	24%	-	LAA indicator – Results are reported at County level – no district level information
WL01 No. bins missed per 100,000 collections	68.64	Local Indicator no benchmark information.			57.92	65.00	✓	☺	Maximum 60.00	-	-	
WL06 Average time taken to remove fly tips (days)	1.37	Local Indicator no benchmark information.			1.08	1.30	✓	☺	1.00	-	-	
WL07a No. complaints fouling/strays	331	Local Indicator no benchmark information.			298	260	-	☺	250	-	-	
WL07b Dog fouling per km	1.85	Local Indicator no benchmark information.			1.56	2.52	✓	☺	Maximum 2.38	-	-	
WL08 No. crime incidents / 1,000	60.2	Local Indicator no benchmark information.			59.9	65	✓	☺	Maximum 65	-	-	
WL18 Use of leisure and cultural facilities (swims and visits)	1,143,065	Local Indicator no benchmark information.			1,221,854	1,200,000	✓	☺	1,300,000	-	-	
WL19b(ii) % Direct Dial calls answered within 10 seconds	74.42	Local Indicator no benchmark information.			76.35	80.00	-	☺	80.00	-	-	
WL24 % building regulations applications determined within 5 weeks	53.54%	Local Indicator no benchmark information.			58.45%	62.00%	-	☺	62.00%	-	-	
WL47 Average re-let times for "normal" re-lets (days)	16.24	Local Indicator no benchmark information.			13.15	16.10	✓	☺				"Normal" relets will no longer be reported as a separate figure – overall relet figure to be reported BV 212

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WL78 % right to buy issued in time (S125 notices)	100%	Local Indicator no benchmark information.			88.89%	100%	-	-				Deleted from CPP, performance on this indicator has been consistently good and the Council has decided to target other priorities for improvement.
WL84(iii) % feel safe & secure in West Lancs	76.6%	Local Indicator no benchmark information.			81.7%	78%	✓	☺	81.7%	-	-	Data via panel survey 14 carried out Autumn 2008
WL85a Website: no. visits	1,312,919	Local Indicator no benchmark information			1,022,208	1,050,000	-	-				Will be reported in 09/10 but have set a target for the number of unique visitors (WL85aa) as it is more meaningful
WL85aa No. of Unique Visitors to Website	300,877	Local Indicator no benchmark information.			348,668	None	N/A	☺	375,000	-	-	
WL85b Website: use of online forms	5,803	Local Indicator no benchmark information.			8,164	6,250	✓	☺	10,000	-	-	
WL85c Website: no. online payments	6,974	Local Indicator no benchmark information.			12,588	6,000	✓	☺	15,000	-	-	
WL86 % affordable housing development - Ormskirk, Aughton & Burscough	22.73%	Local Indicator no benchmark information.			3.45%	30%	-	-				Will not be reporting separate figures for the three settlements in the CPP any longer. Replaced by NI155.
WL88 % planning decisions delegated to officers	92.7%	Local Indicator no benchmark information.			90.98%	90%	✓	-	90%	-	-	
WL90 % of Contact Centre calls answered	92.2%	Local Indicator no benchmark information.			87.1%	85.0%	✓	-	Minimum 85.0%	-	-	
WL92 % cases solved at first point of contact (Contact Centre)	65.1	Local Indicator no benchmark information.			61.8	65.0	-	-	65.0	-	-	
WL96 % of playgrounds meeting WLDC policy	28%	Local Indicator no benchmark information.			29.41%	38.78%	-	☺	38.78%	38.78%	-	
WL101 % of standard searches carried out in 10 working days	100.00	Local Indicator no benchmark information.			100.00	100.00	✓	☺				Deleted from CPP, performance on this indicator has been consistently excellent and the Council is now using WL 101b to monitor the average turnaround time instead.
WL101b Average time taken to carry out standard searches	7.41	Local Indicator no benchmark information.			6.60	7.50	✓	☺	Maximum 7.50	-	-	

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WL107 Percentage of customers who normally contact the Council via the website (measured through Citizen's Panel Survey).	24.10%	Local Indicator no benchmark information.			32.50%	30.00%	✓	☺				Will no longer be reported, priority is on WL85aa, WL85b and WL85c
WL108 Average waiting time for callers to the contact centre	New PI 08/09 no history	Local Indicator no benchmark information.			51.75	50.00	-	N/A	50.00	-	-	
WL111 % Housing Repairs Completed in Timescale	Reintroduced as Local Indicator for 2009/10. Previously WL42.				92.31%	New NI for 2009/10 no target	N/A	N/A	94.50%	-	-	

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**Report of: LDF Project Manager**

**Relevant Portfolio Holder: Councillor M. Forshaw**

**Contact for further information: Mr I. Gill (Extn. 5192)  
(E-mail: [ian.gill@westlancs.gov.uk](mailto:ian.gill@westlancs.gov.uk))**

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**SUBJECT: LDF CORE STRATEGY DRAFT OPTIONS**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To agree the Core Strategy Options Paper for public consultation purposes.

**2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

2.1 That any comments on the Core Strategy Options Paper be forwarded for Cabinet to consider at their meeting on 15 July 2009.

**3.0 RECOMMENDATIONS TO CABINET**

3.1 That Cabinet agree the content of the Core Strategy Options Paper.

3.2 That delegated authority be given to the LDF Project Manager, in consultation with the Portfolio Holder, to make any final minor changes to the document prior to its release and to undertake appropriate consultation on the document.

3.3 That the results of the consultation be brought back to the Cabinet, along with a Preferred Options paper for the Core Strategy.

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**4.0 BACKGROUND**

- 4.1 The LDF team have been preparing a Core Strategy paper over the course of 2009. This followed on from initial visioning work and the identification of key issues, undertaken through a series of consultation exercises. These began with workshops being held at the June 2008 LSP Conference, followed by 'Spatial Forums' in July 2008, and concluded by the Issues Questionnaire in January and February 2009. At these events, key stakeholders, partners of the LSP, Members, Parish Councils, developers, local groups, residents and businesses were all invited to provide their views on key issues and how areas may be developed in the future.

## **5.0 CURRENT POSITION**

- 5.1 Following the completion of the 'Issues' stage in March 2009, the LDF Team have begun work on the 'Options' stage of preparation for the Core Strategy. This has involved interpreting the comments received during the 'Issues' stage, and digesting the draft results of open space and housing and employment land studies. Officers have also attended meetings with neighbouring authorities, key stakeholders and infrastructure providers such as United Utilities, the Environment Agency, Central Lancashire PCT, Merseytravel and various County Council departments.
- 5.2 This background work has consequently enabled the LDF Team to prepare a draft vision and objectives for the Core Strategy, which are included within the Core Strategy Options Paper (attached as Appendix 1). Of greater importance, officers have also prepared five draft options for the future development of the Borough, as summarised in Section 6 of this report. The options provide five alternative scenarios by setting out how settlements might expand or develop in the future, and the possible proportions of development that they may accommodate.

## **6.0 PROPOSALS / ISSUES**

- 6.1 It is proposed that Cabinet agree the draft Core Strategy Options Paper attached to this report as Appendix 1. The options have already been considered by Members at Planning Committee and the LDF Cabinet Working Group and any comments from those meetings will be reported verbally. The Options Paper contains a draft Vision and Objectives for the Core Strategy, as well as five Spatial Options and some key issues which the Core Strategy will need to tackle.
- 6.4 A summary of the five Core Strategy draft options is set out below, whilst plans of the options and the full explanatory text behind the options is set out within the Core Strategy Options Paper (Appendix 1). People will be asked if they prefer one or a combination of these options, or indeed if they have another option they feel should be considered through the Core Strategy.

### Option 1: Skelmersdale Focus

- 6.5 In this option, the majority of the Borough's development needs will be focused on Skelmersdale. Windfall sites, areas of safeguarded land and the regeneration plans for Skelmersdale Town Centre will be used to meet the needs for housing and employment. However it is likely that some form of expansion to the

settlement area, and therefore changes to the Green Belt boundary, would be required.

- 6.6 Ormskirk and Burscough are recognised as Key Service Centres within the Borough and their status will be maintained under this option. However, their growth and expansion will be restricted to the use of windfall sites and infill sites within the settlement boundaries. In rural areas, only development for a localised need will be encouraged, particularly in relation to small-scale employment and affordable housing within existing settlement areas.

#### Option 2: Skelmersdale & Ormskirk Focus

- 6.7 Under Option 2, the majority of development will be focused on Skelmersdale, although there will also be a focus on Ormskirk as the 'Key Service Centre' in the Borough. This would mainly involve building on infill sites in the town. However, given constraints with land availability, Green Belt releases may be required in the medium/ long term to provide an expansion to the existing settlement area.
- 6.8 Burscough and the rural areas of the Borough will see similar restrictions as per Option 1. Development in Burscough will generally be restricted to infill sites. In rural areas, only development for a localised need will be encouraged, particularly in relation to small-scale employment and affordable housing within existing settlement areas.

#### Option 3: Skelmersdale & Burscough Focus

- 6.9 Under Option 3, the majority of development will be focused on Skelmersdale, although there will also be a significant focus on Burscough. This option will seek to make use of infill sites and opportunities for the regeneration of Brownfield sites, and will also require an expansion of the settlement into the Green Belt. Through new development in Burscough, the Council would have to seek to address the significant infrastructure issues that currently prevail, particularly in relation to water-related infrastructure and sewerage provision. Significant development through a comprehensive Masterplan could enable such issues to be tackled.
- 6.10 Elsewhere in the Borough, development will be allowed within the urban area of Ormskirk, with the rural areas being treated as in Option 2

#### Option 4: Rural Dispersal

- 6.11 As with the other options, Skelmersdale will again take the majority of development. However, in the rural areas of the Borough, some rural settlements will be developed and sustainably expanded, particularly Tarleton and Hesketh Bank (seeking to re-use derelict sites that are located on the urban fringe). Development of other rural settlements will follow a hierarchical approach where settlements will be considered in relation to their current service capacity or where service capacity can be upgraded to a satisfactory level.
- 6.12 With the majority of development focused in Skelmersdale and the rural settlements, this means that the key service centres of Ormskirk and Burscough

will have development opportunities restricted to within their urban areas. Less development in these areas may mean that any required infrastructure works in the main urban areas cannot be fully influenced by the Core Strategy.

#### Option 5: Cross Boundary

- 6.13 Through this option it is still envisaged that the majority of development will be concentrated in West Lancashire, with Skelmersdale providing the most significant focus for development. As with Options 1, 2, 3 & 4, opportunities for infill development, use of safeguarded sites and regeneration opportunities in all settlements will be encouraged.
- 6.14 However, unlike the other options the potential for expansion of any settlement will be ruled out; no expansions into the Green Belt will be considered. Instead the Council will enter into dialogue with neighbouring authorities to see whether any further need can be accommodated outside of the Borough.

#### **Other Issues**

- 6.15 The Options documents will also look at other critical issues and consultees will be asked about the future direction they feel should be taken on these matters. None of these, except Skelmersdale Town Centre, would fundamentally affect the Options under consideration, but will be important matters that the Core Strategy has to consider. At this stage we will only be asking some broad questions about these matters. Set out below is a summary of some of the key matters that will need to be considered.

Skelmersdale Town Centre – Should the town centre boundary as set out in the Local Plan be redrawn to match that in the SPD or drawn even wider to facilitate further development options to help drive forward the regeneration scheme? Also how can we best facilitate the regeneration of the Town Centre in the current economic climate?

Edge Hill University – Should the Core Strategy support the continued expansion of Edge Hill University if this can be demonstrated to be beneficial to the local economy, solve student accommodation problems, provide high quality facilities that can be accessed by the local population, and be done in such a way to mitigate the landscape impacts and provide a high quality designed campus?

Ageing Population – How will we best respond through the Core Strategy to the needs of an ageing population across the Borough, in terms of housing, health and access to goods and services?

Gypsies & Travellers and Travelling Showpeople – Should the Core Strategy suggest that permanent sites for Gypsy & Travellers be found in Skelmersdale, the wider M58 corridor or elsewhere in the Borough? Should we consider making the existing sites occupied by Gypsies & Travellers permanent? What are the most suitable sites for Travelling Showpeople?

Climate Change – How do we best make our contribution to tackling the Climate Change issue through the Core Strategy?



Affordable Housing – How and where do we best deliver affordable housing to meet local needs?

Infrastructure Provision - How can we ensure delivery of the necessary infrastructure to support the future development needs of West Lancashire? Should this be achieved through the existing Section 106 process or by implementing the Community Infrastructure Levy once the regulations are enacted?

## **7.0 FUTURE ACTION**

- 7.1 Following Member approval, widespread public consultation will then commence in September 2009 for a minimum 6-week period. All households will have a leaflet delivered to them as part of the consultation exercise. The responses received to this consultation will help the Council to select a 'Preferred Option', which will be consulted on in early 2010.
- 7.2 The Council's 'Preferred Option' may not necessarily be one discrete option; it could be a combination of aspects of two or more of the options, or could even be a completely different option if a consultee suggests something more radical which is acceptable.

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

- 8.1 The sustainability implications of the Draft Options will be fully evaluated by a Sustainability Appraisal Team and the findings will be made available in a report alongside the main Core Strategy document.
- 8.2 Progressing the LDF should in turn help progress the implementation of the key aspects of the SCS.

## **9.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 9.1 The increased emphasis on community involvement in the preparation of the LDF will have a significant impact on staff time. Budgetary provision has been made to allow for the evidence base and consultation work required.

## **10.0 RISK ASSESSMENT**

- 10.1 Failure to involve the whole Council could result in a lack of valuable input to the future strategy of the LDF and a lack of corporate buy-in to the resulting strategy. This could possibly lead to the LDF documents being found "unsound".

## **11.0 CONCLUSIONS**

- 11.1 The LDF Team have prepared five draft options for the LDF Core Strategy DPD, setting out five alternative scenarios for the future development of the Borough.

## **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:           Draft Core Strategy Options Paper**





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West Lancashire has a wonderful mix of vibrant towns and picturesque villages, and boasts some of the most beautiful countryside in the UK. It is vital that we manage, guide and encourage development within the Borough to meet the aspirations of our towns and villages and the communities within them.

This 'Options Paper' represents the next milestone in the preparation of the Core Strategy and the delivery of the West Lancashire Local Development Framework, which will supersede the existing Replacement Local Plan. It has been developed by gathering information from the evidence base and the results of consultation during the Issues stage and presents a draft vision of West Lancashire in 2027, with five alternative Options for the future development of the Borough.



Ultimately, this document is for the benefit of all residents within the Borough. Therefore, it is important that we hear from all those within the community to obtain their views on what is being proposed in order to help us to make an informed decision on what our Preferred Option should be.

I very much look forward to hearing your views on the proposals and options within this document so that they can be taken into consideration as the Council progresses to the next stage.

**Councillor Martin Forshaw**  
**Portfolio Holder for Planning and Transportation**  
**West Lancashire Borough Council**

**September 2009**

# Preface

## How to Comment

The Council welcomes your comments on all aspects of this document, particularly upon the five Options for the future development of the Borough. However, if you feel that there are other realistic and achievable options that have not been considered at this stage, then we would welcome your views. Throughout this document we have included a number of questions in clear yellow boxes to prompt your response. An example of this is shown below:

### Question 1

This is an example question, please tell us your views.

There are a number of methods that you can use to comment on the Core Strategy Options Paper. Preferably we would encourage you to make comments through our online Consultation Portal. Alternatively, written responses will be accepted using forms which can be found at the Council Offices, Libraries and Post Offices or on the [Council's website](#). Our contact details and website addresses are listed in the table below.

## Key Dates

The consultation period will run from Thursday 3rd September 2009 until Thursday 15th October 2009, allowing a period of 6 weeks to submit your comments.

## Contact Information

If you wish to discuss any aspects of the Options Paper and its potential implications, please do not hesitate to contact a member of the LDF Team through the contact details listed below:

Contact	Direct Line and E-mail Address
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<b>Contact Centre</b>	01695 577 177
<b>Website</b>	<a href="http://www.westlancs.gov.uk/ldf">http://www.westlancs.gov.uk/ldf</a>
<b>Consultation Portal</b>	<a href="http://consult.westlancs.gov.uk">http://consult.westlancs.gov.uk</a>
<b>Postal Address</b>	Ian Gill LDF Project Manager Planning and Development Services West Lancashire Borough Council 52 Derby Street Ormskirk L39 2DF



## West Lancashire Local Development Framework

**1.1** The West Lancashire Local Development Framework (LDF) is a collection of planning documents which will guide the development of the Borough. It is a new way of planning the future of an area and will supersede the current West Lancashire Replacement Local Plan 2001-16. Introduced by the Planning and Compulsory Purchase Act 2004, the new LDF system is built upon the principles of: sustainable development, addressing climate change, spatial planning, high quality design, good accessibility and community involvement. Spatial planning is a new concept which does not just take into account land use, but also considers other issues that could indirectly affect, or be affected by, land use, such as health, education and crime.

**1.2** The West Lancashire Core Strategy is the most important part of the LDF and is the first Development Plan Document (DPD) to be prepared by the Council. The Core Strategy will contain a vision and strategy which will set out how we want West Lancashire to develop over the period to 2027. It will not only make sure that new homes, jobs and services required by communities are located in the most sustainable places, but will also deliver the necessary infrastructure, facilities and other development to make this possible.

**1.3** At a later stage of its preparation, the Core Strategy will contain a number of detailed Development Management Policies to help assess planning applications. In addition, the Core Strategy will eventually be accompanied by a Site Allocations DPD, which will address site-specific issues across the Borough, and by any other documents that the Council considers appropriate to support the policies within the Core Strategy. Appendix A explains the structure of the West Lancashire LDF in more detail.

## Preparation of the Core Strategy

**1.4** The West Lancashire Core Strategy has gone through a number of stages so far in its preparation. These are explained below:

### Stage 1: Evidence Base

**1.5** It is important to gather up-to-date and comprehensive information in order to support the Core Strategy; this is known as the 'evidence base'. We have collected information on a range of subjects including: demographics, housing, employment, retail, open space and climate change. Further details about the evidence base can be found in Appendix C.

**1.6** Although the Council started work on the evidence base back in 2006, it was not until 12th February 2008 that we formally began preparing the Core Strategy. This was marked by consultation on the Sustainability Appraisal Scoping Report, which is available to view on the Council's [website](#).

### Stage 2: Issues

**1.7** The second milestone in preparation of the Core Strategy, known as the Issues stage, has recently been passed. This was marked by workshops at the Local Strategic Partnership (LSP) Annual Conference and Spatial Forms in June and July 2008, and also the release of the Issues Questionnaire in January/February 2009. The purpose of the Issues stage was to provide an opportunity for key stakeholders, businesses and the local community to identify

# Chapter 1 Introduction

key issues affecting the Borough, and to put forward their views. During this stage, we also met with key organisations and infrastructure providers to discuss infrastructure constraints across the Borough and the deliverability of the options. In addition, the Council consulted on the subject of the Core Strategy in June 2009, in terms of what it should contain and the issues it should address.

## Stage 3: Options

**1.8** The Options Paper is an important stage in the preparation of the Core Strategy. Interpreting the evidence base and the results of consultation during the Issues stage, it presents a draft vision of West Lancashire in 2027, and five alternative options for the future development of the Borough. The options indicate various ways of addressing the key issues and achieving the vision. They also show how settlements might change and the different amounts of development that they may accommodate. The document also contains possible approaches towards key spatial issues, such as: Skelmersdale Town Centre, Edge Hill University, affordable housing, specialist needs housing, Gypsy/ Traveller sites, older people, infrastructure and climate change.

**1.9** We are keen to seek your views and opinions on the draft vision, options and key spatial issues. This will help us as we move to the next stage of preparing our Core Strategy: choosing a Preferred Option. It may be that the Preferred Option contains aspects of more than one of the options presented within this Options Paper, or contain aspects of an option that has been submitted by the public through the consultation process. The Preface to this document provides instructions on how you can comment on this document.

## Evidence Base to the Core Strategy

**1.10** It is important for the Core Strategy to be backed up by robust, relevant and up-to-date information. In preparing this document, we have relied upon a number of studies, reports, and sets of data, which together are referred to as the 'evidence base'. The evidence base helps us to identify what the issues are, to determine ways of dealing with the issues, and eventually, to demonstrate that the Preferred Option we choose is the best one.

**1.11** The different parts of the evidence base are described in more detail in Appendix C. Its principal components consist of the following studies:

- The **Strategic Housing Land Availability Assessment** (2009): looks at how much land there is that could potentially deliver housing within the Borough;
- The **Housing Needs Study** (2005, update to be completed autumn 2009): examines how much housing, and what types of dwellings, are required to meet people's housing needs in the Borough, especially in terms of affordable housing;
- The **Strategic Housing Market Assessment** (2009): looks at the wider housing market within which West Lancashire lies, and its implications for housing in the Borough;
- The **Employment Land and Premises Study** (2009): looks at how much employment land there is in the Borough, and how much we are likely to need in the future;
- **West Lancashire Economy Study** (2009): provides a better understanding of the Borough's economic baseline position and its key industrial sectors;
- The **Retail and Leisure Study** (2007): examines the health of the Borough's main town centres, current and future expenditure patterns, the impact of proposed new development, and the capacity for future retail development;

- The **Strategic Flood Risk Assessment** (2007): carried out in consultation with the Environment Agency (EA), examines the risk of flooding in the Borough from rivers and the sea. If the Council makes a decision to allocate land for development in areas of high flood risk, a more detailed flood risk study would be required; and
- The **Open Space, Sport & Recreation Assessment** (expected 2009): assesses West Lancashire's open space and sport and recreation facilities, focusing on their quality, and how well they are used and valued. It also provides new open space standards and reviews the Borough's playing pitch strategy.

**1.12** Other sources of evidence we will use include:

- A Spatial Atlas setting out socio-demographic information about the different parts of West Lancashire;
- Annual Monitoring Reports;
- Housing land supply and completions data (Housing Land Supply annual reports);
- Employment land supply and take-up data (Employment Land Monitor annual reports);
- Transport-related information; and
- Information on environmental issues.

### National and Regional Planning

**1.13** West Lancashire is influenced by policies at a number of levels, including national and regional plans and strategies. Therefore it is important that future development plans for the Borough are consistent with overarching guidance and in general conformity with other strategies and plans.

#### National Guidance

**1.14** The LDF will take into account of a wide range of national guidance included within Planning Policy Statements (PPSs) and Planning Policy Guidance notes (PPGs). National guidance should not simply be repeated within the Core Strategy, but should be influential in its production and delivery. PPSs and PPGs aim to deliver sustainable development and are summarised in Appendix D or can be viewed on the Communities and Local Government (CLG) [website](#).

#### Regional Guidance

**1.15** The North West Regional Spatial Strategy (RSS) was adopted in September 2008 and covers the period up to 2021. The RSS interprets national guidance at a regional level, focusing on the specific spatial requirements of the North West. More details on RSS policies affecting West Lancashire are provided in Appendix D or can be found at the 4NW Technical Planning [website](#).

**1.16** The RSS is currently undergoing a partial review focusing on the topics of Gypsies & Travellers, Travelling Showpeople and Regional Parking Standards. In addition, preparation of the "RS2010" has commenced. RS2010 is an integrated single regional strategy for the North West, which will eventually replace the RSS, the Regional Economic Strategy, and the Regional Housing Strategy. For the time being, the current RSS remains part of the development plan in West Lancashire, and the LDF policies will need to conform to it.

# Chapter 1 Introduction

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## Local Plans and Strategies

### Sub-Regional Plans and Strategies

**1.17** West Lancashire's location ensures strong links with Lancashire authorities to the north and east, Merseyside authorities to the south and west and Greater Manchester authorities to the east. Partnership working is essential to ensure West Lancashire's geographical position is maximised, strengthening links with neighbouring local authorities and assisting in the delivery of the Core Strategy.

**1.18** The most relevant sub-regional documents to West Lancashire as follows, further details of which are provided in Appendix D:

- Ambition Lancashire Sustainable Community Strategy (2005-2025);
- Lancashire Local Area Agreement (2008-2011);
- Mid-Lancashire Multi-Area Agreement;
- Lancashire Minerals and Waste Core Strategy (2009-2021);
- Lancashire Local Transport Plan 2 (2006-2010); and
- Lancashire Climate Change Strategy (2009-2020).

### Local Plans and Strategies

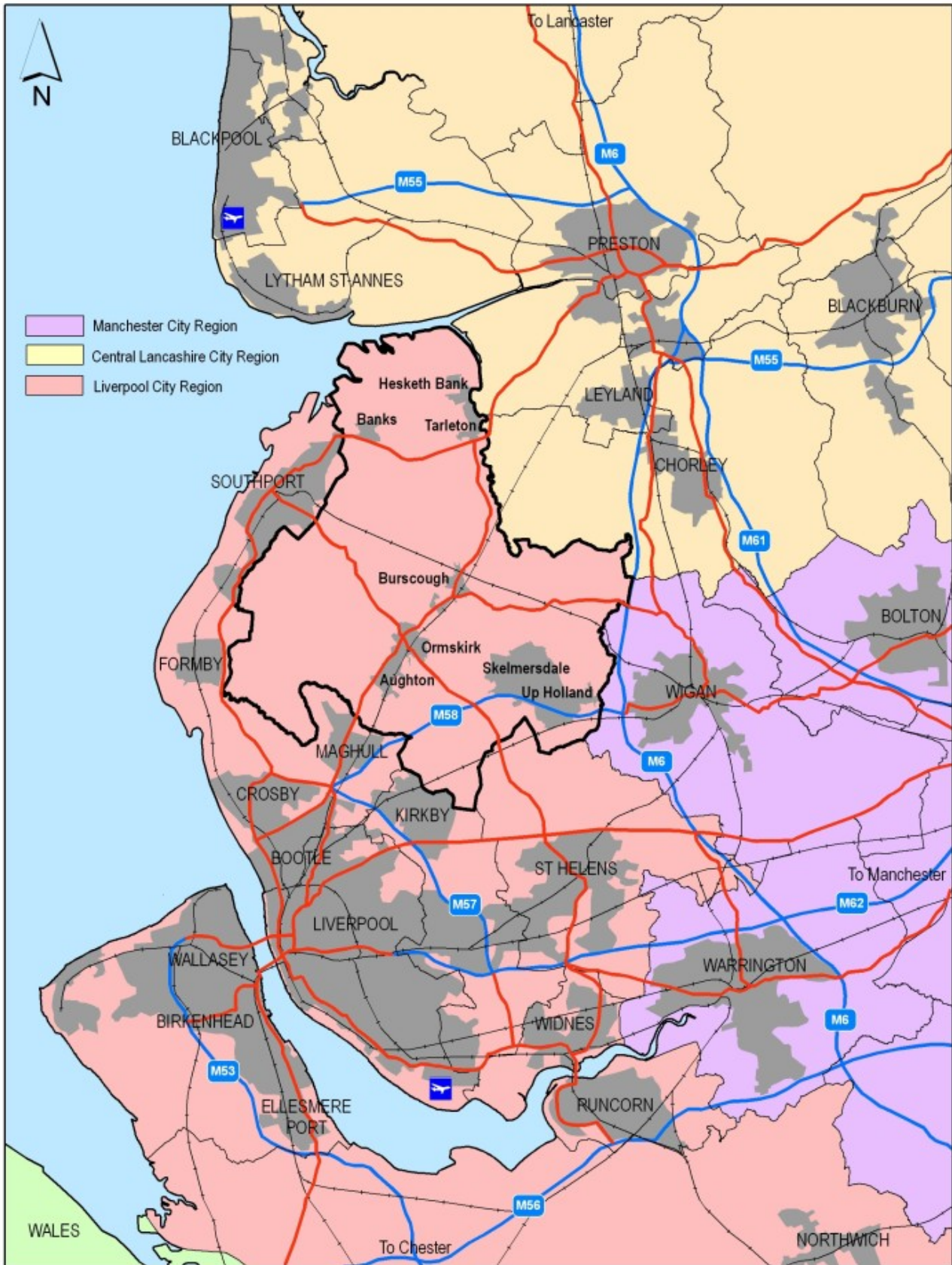
**1.19** At a local level, the Core Strategy needs to have regard to existing plans and strategies, and to the objectives already established within these documents. The most important documents include, with further details in Appendix D:

- West Lancashire Sustainable Community Strategy (2007-2017);
- Housing Strategy (and update);
- Affordable Housing Strategy;
- West Lancashire and Lancashire Climate Change Strategies;
- Consultation and Engagement Strategy;
- Council Corporate Strategy;
- Crime and Disorder Strategy; and
- Parish Plans.



# Chapter 1 Introduction

Figure 2.1 West Lancashire Sub-Regional Setting



## Introduction

**2.1** The spatial portrait for sets the context for the Core Strategy by illustrating the key characteristics and features of the Borough that are unique to West Lancashire. The spatial portrait has been influenced by involvement with the local community and key stakeholders during the Issues stage of preparation, and also key statistics from the evidence base, including the [2008 Annual Monitoring Report](#) and the Spatial Atlas, a summary of which can be found in Appendix C.

## West Lancashire Borough

**2.2** West Lancashire's geographical location in the North West of England is unique. It has a dual identity, being the southernmost Borough in the County of Lancashire, but also located within the Liverpool City Region. The Borough comprises a mix of vibrant towns and villages sitting alongside tranquil countryside and covers an area of 134 square miles (34,700 hectares). It has the greatest amount of Green Belt land in England <sup>(1)</sup>.

**2.3** The Borough is predominantly rural in nature, and is widely recognised as an attractive place to live, work and visit. The majority of people live in the Borough's three main settlements: the rapidly maturing New Town of Skelmersdale (including Up Holland); the historic market town of Ormskirk (including Aughton); and the small market town of Burscough. There are three distinct rural areas: the Northern, Eastern and Western Parishes, containing a number of villages, the largest of which are the linear settlements of Tarleton and Hesketh Bank.

**2.4** West Lancashire is bordered by the Ribble Estuary to the north and the Borough of Sefton to the west. The Boroughs of Knowsley and St. Helens lie to the south, with the Boroughs of Wigan, Chorley and South Ribble lying to the east. West Lancashire is situated within the Liverpool City Region, due to its strong economic, social, cultural and transport links, particularly with Southport and Liverpool. The Borough is also influenced by, and has links to, the Central Lancashire and Manchester City Regions, particularly with Wigan. West Lancashire's location within the sub-region is illustrated by Figure 2.1 opposite, whilst a more detailed map of the Borough is illustrated by Figure 2.2 below.

**2.5** There are also strong cross-boundary links, as a number of settlements in the Borough physically connect with settlements in neighbouring authorities. In the east these include connections with Orrell (Wigan) at Tontine, and Shevington (Wigan) at Appley Bridge. In the west these include connections with Birkdale (Sefton) at Moss Road and New Cut Lane, Ainsdale (Sefton) at Segar's Lane and Southport (Sefton) at Brown Edge/ Southport Road.

## Natural and Built Environment

**2.6** The Borough contains a large proportion of the best and most versatile agricultural land in Lancashire and the highest total area of wildlife trust reserves in the County <sup>(2)</sup>. It is home to the internationally important Martin Mere and Ribble Estuary wetlands sites. The River Douglas flows along the eastern boundary of the Borough, whilst the Leeds-Liverpool Canal crosses the Borough from east to west and branches off to the north. The rural

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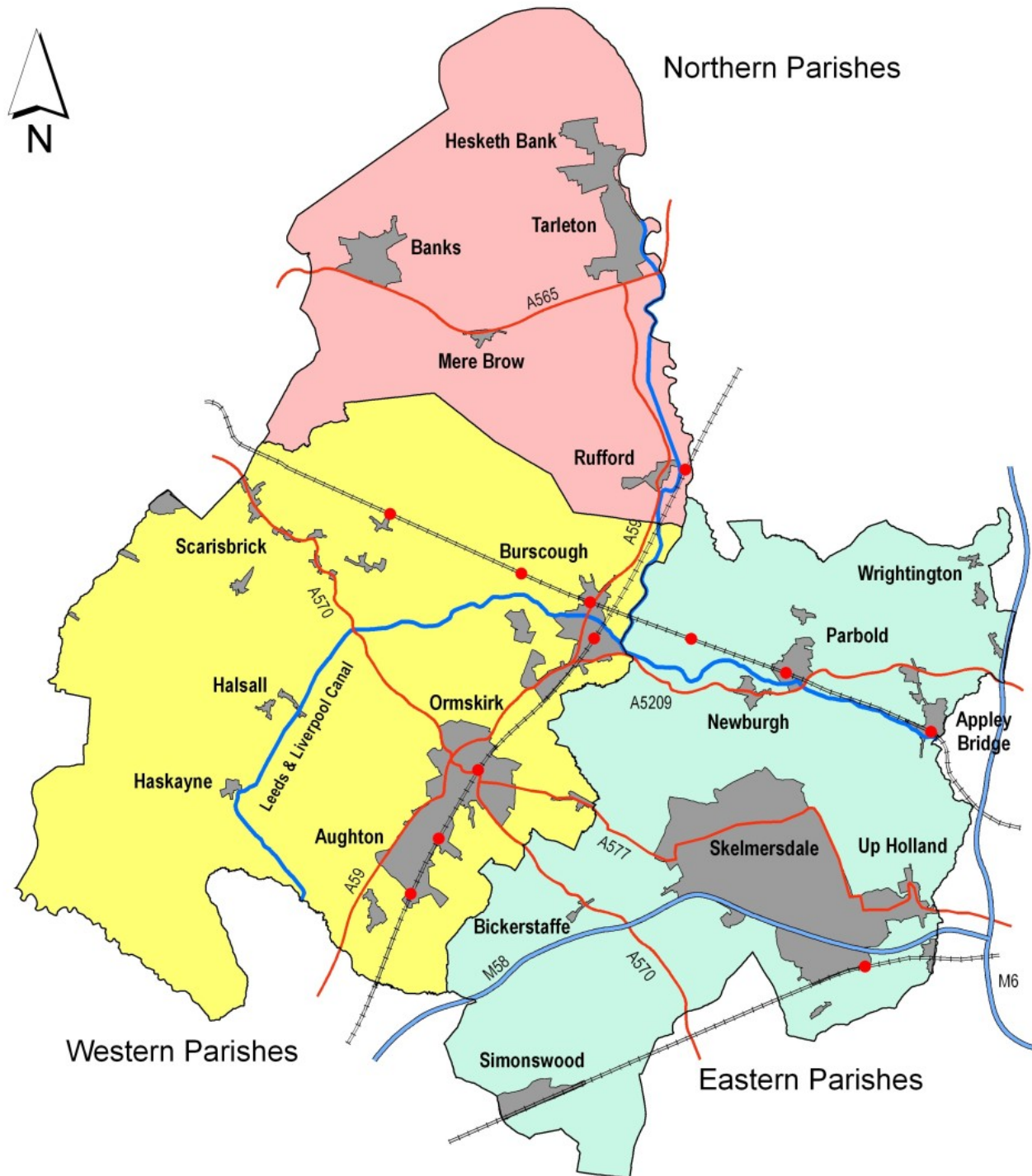
1 Local Planning Authority Green Belt Statistics: England 2008/09

2 Lancashire County Council AMR 2008

## Chapter 2 Spatial Portrait for West Lancashire

landscape is a mixture of mosslands in the north, west and south, a coastal plain in the centre of the Borough, farmed ridges in the east, and coastal marshes in the Ribble Estuary. Two of the highest points in the Borough are Parbold Hill and Ashurst Beacon which provide spectacular views across the region to the Irish Sea and the Welsh Mountains.

Figure 2.2 West Lancashire Settlements and Rural Areas



2.7 In terms of tourism, the Borough's major attractions include Martin Mere near Burscough (Wildfowl and Wetland Trust), Rufford Old Hall (National Trust) and Ormskirk market. Key areas for recreation include Beacon Country Park in Up Holland, Mere Sands Wood near Rufford, the Leeds-Liverpool Canal and a network of rural footpaths. There are a total of 28



## Chapter 2 Spatial Portrait for West Lancashire

conservation areas across the Borough, and some of the key heritage assets include the Grade 1 listed Scarisbrick Hall and Lathom House, listed churches of Ormskirk Parish Church, St.Michael's in Aughton, St.Thomas the Martyr in Up Holland and St.Cuthbert's in Halsall.

### Population

**2.8** The population of the Borough in 2007 was estimated as 109,839 <sup>(3)</sup>. This has risen by just over 1% since 2001 when the population was 108,378 <sup>(4)</sup>. The population is projected to increase further to 117,600 by 2031, equating to an additional 7,761 residents <sup>(5)</sup>. Approximately one-quarter of residents are currently of retirement age. By 2031 this proportion is projected to have risen to around one third of residents, whilst over the same period, the proportion of people aged 15-59 will have dropped from 59% of the population to less than 50%.

**2.9** There is also a variation in the population age structure between settlements. In general, the rural areas of West Lancashire are more attractive to people of middle or retirement age, whilst Skelmersdale has a younger, more varied population structure. Inevitably over future years, this will provide a significant challenge to the delivery of services, provision of an adequate labour force and a suitable balanced housing stock that takes account of the ageing population.

### Housing

**2.10** The average house price for the Borough in 2008 was £217,252, which represents seven times the average wage, and an increase of over 40% since 2004 <sup>(6)</sup>. This creates a significant affordability problem for the Borough, particularly in the rural areas where house prices are higher. Some of the highest house prices in the Borough can be found in Rufford, Aughton, Newburgh and Parbold, whilst some of the lower house prices can be found in the central wards of Skelmersdale.

**2.11** Around three quarters of dwellings are owner-occupied in the Borough, with the remaining quarter being rented. Whilst the Borough proportion of owner-occupied households is higher than national and regional averages, this proportion drops below 50% in the central wards of Skelmersdale.

### Deprivation

**2.12** West Lancashire has relatively low levels of multiple deprivation, being ranked the 141st most deprived of the 354 English Council areas. However, Skelmersdale is a significant 'hot spot' of deprivation, being the most deprived area in the Borough with 14 of its 23 Lower Super Output Areas (LSOAs) featuring in the top 20% most deprived areas of the country <sup>(7)</sup>. At the opposite end of the scale, Parbold, Aughton Park and Tarleton have some of the lowest levels of deprivation in the country. This illustrates the stark contrast between Skelmersdale and the rest of the Borough in terms of multiple deprivation, and the need to reduce the gap.

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3 Mid Year Population Estimates, ONS

4 Census 2001, ONS

5 Population Projections 2006, ONS

6 Hometrack 2008

7 The English Indices of Deprivation 2007, CLG

## Chapter 2 Spatial Portrait for West Lancashire

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**2.13** Some rural areas of the Borough also suffer from certain types of deprivation. For example, the parishes of Downholland, Great Altcar, Bickerstaffe and parts of Scarisbrick are amongst the top 10% nationally most deprived areas in terms of barriers to housing and key local services. This is likely due to their remote locations and high property prices.

### Health, Education and Crime

**2.14** The health of people in West Lancashire is roughly in line with national averages, with life expectancy at 77 years for men and 80 years for women. However those living in the most deprived areas of the Borough, particularly Skelmersdale, have life expectancies 6 years shorter than those in the least deprived areas. The causes of avoidable deaths of people under 65 can stem from lifestyle choices such as smoking, poor diet and lack of exercise.

**2.15** Just under a fifth of West Lancashire's workforce has a degree (or equivalent) or higher, in line with national figures. The highest proportions of people with degree level qualifications are found in Aughton, Parbold, Newburgh and Wrightington, which are predominantly dormitory settlements for people commuting to other areas. Skelmersdale has the highest proportion of people with no qualifications.

**2.16** Crime rates in the Borough are relatively low compared with other local authorities in England, and these have steadily decreased over the last few years.

### Transport

**2.17** The majority of the Borough has relatively good road access to the neighbouring towns of Southport, Preston, St.Helens, Wigan and Liverpool. There are also good connections to the wider motorway network via the M58 and M6. However, there is a major issue regarding traffic congestion around Ormskirk Town Centre as a result of the one-way system on the A570.

**2.18** Three rail lines running through the Borough provide links to Liverpool, Preston, Southport, Wigan and Manchester, although interchanging between these lines within the Borough can be difficult. There are regular bus services between Southport and Wigan. However, public transport provision in the remainder of the Borough is poor, particularly in the rural areas.

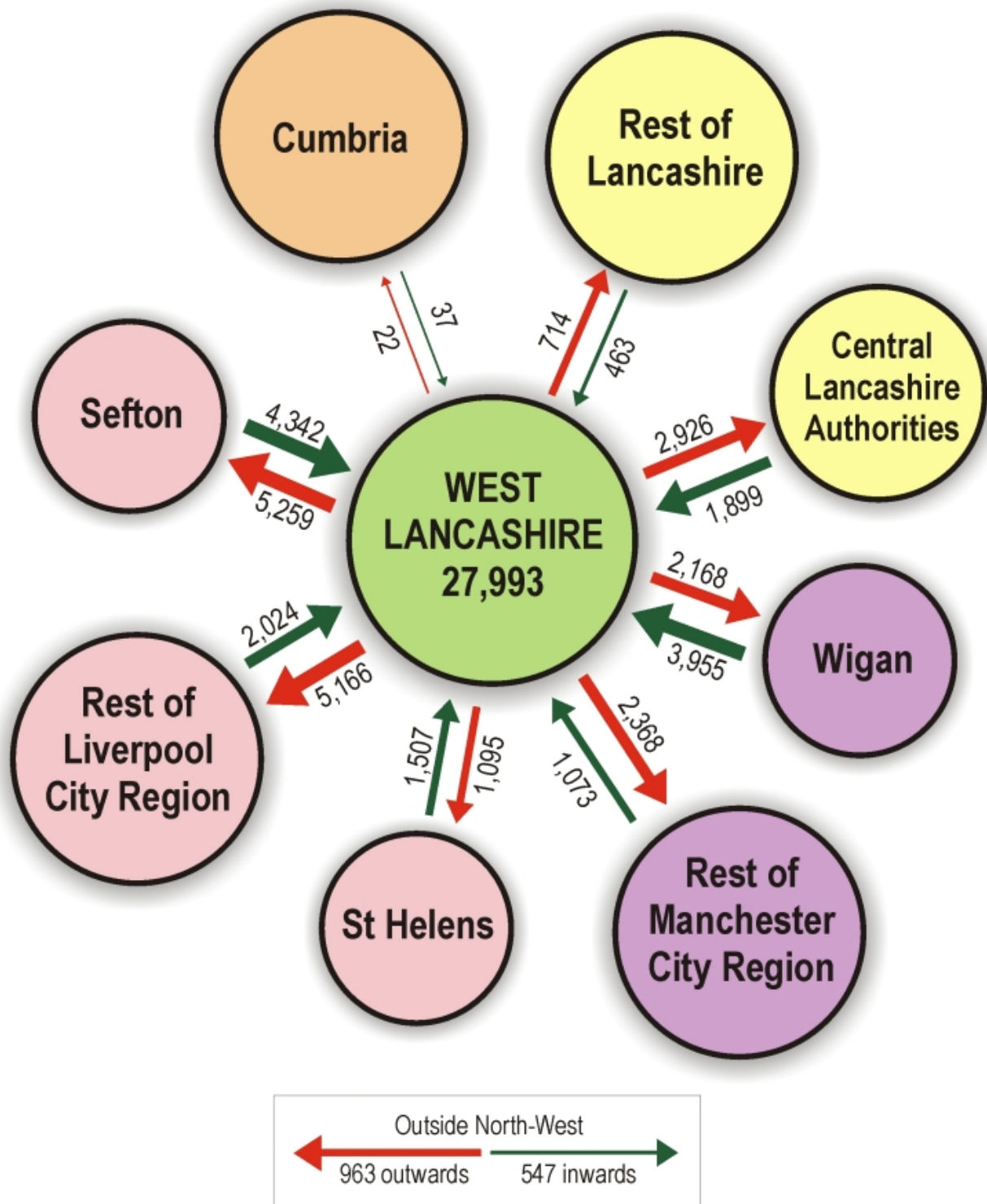
**2.19** Patterns of movement illustrate that around 57% of West Lancashire residents travel to work within the Borough, with the most popular outward destinations being Sefton (11%), the Liverpool City Region (11%) and the Central Lancashire Authorities (Preston, South Ribble and Chorley) (6%)<sup>(8)</sup>. Patterns of inwards movement reveal that the most likely origin of commuters who work in West Lancashire are Sefton (10%), Wigan (9%) and the Liverpool City Region (5%). This is illustrated by Figure 2.3 below.

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8 2001 Census

## Chapter 2 Spatial Portrait for West Lancashire

Figure 2.3 West Lancashire Travel to Work Flows (Source: 2001 Census)



### Economy

**2.20** The economy of West Lancashire is heavily concentrated on manufacturing, particularly in Skelmersdale, coupled with a weakening agricultural sector in the rural areas and a stronger concentration of service sectors in Ormskirk. The concentration towards manufacturing is reflected by significantly higher than national average levels of people living in the Borough who are employed as "process plant and machine operatives" and in "administrative and secretarial" roles. Similarly, there are significantly lower levels of people employed as

## Chapter 2 Spatial Portrait for West Lancashire

"managers and senior officials", in "professional occupations" and in "skilled trades occupations" <sup>(9)</sup>. In the rural areas of the Borough, agricultural and horticultural employers (including packing industries) play an important role, although these increasingly rely upon migrant or seasonal workers to function.

**2.21** The Borough is home to a number of international and nationally recognised companies including Pilkington Group Ltd, ASDA, Co-Operative Bank PLC, Matalan PLC and Walkers Snack Foods Ltd, in addition to important local employers such as the Borough Council and Central Lancashire Primary Care Trust. Edge Hill University is also an important asset which brings significant economic benefits for the local economy.

### Key Statistics

**2.22** The table below provides a brief summary of some of the Boroughs key statistics in comparison to regional and national statistics. More extensive data is provided, with commentary, in the Borough Councils' [Spatial Atlas](#) .

**Table 2.1 Key Statistics for West Lancashire**

	West Lancashire	North West	England
Population (2007 MYE)	109,800	6,864,300	51,092,032
Life expectancy at birth (males) (2007)	77.7	76.0	77.7
Life expectancy at birth (females) (2007)	80.6	80.4	81.8
Economic Activity Rate (2007-08)	82.5	76.7	78.8
Employment Rate % (2008)	80.1	72.1	74.5
Unemployment Rate (2008)	5	5.8	5.2
Median gross weekly pay (£) (2008)	413	450	479
JSA Claimants % (2008)	2.9	3.2	2.8
VAT Registrations % (2007)	9.2	10.6	10.2
VAT De-registrations % (2007)	7	7.5	7.3
Ratio of house price to earnings (2007)	7.05	5.64	5.94
Number of households (2001)	43,586	2,812,789	20,451,427
% of working age with no qualifications (2001)	30	32	29
% of working age with NVQ4+ qualifications (2001)	18	17	20
Numbers of SOAs in 10% most deprived (2007)	6	-	-
% of pupils achieving 5 GCSEs A*-C (2008)	57	-	-
Recorded crime rates per 1000 population (2008)	38.3	58.4	53.7

9 NOMIS 2008

### Skelmersdale (and Up Holland)

**2.23** Skelmersdale was a small mining town until the establishment of the New Town in 1961 when it accommodated population overspill from the conurbation of Liverpool and wider Merseyside. It has grown considerably since this time and is now the largest and most densely populated settlement in the Borough, with a population of 35,000 people (2001 Census). However, the town has not reached its originally planned capacity of 80,000.

**2.24** Skelmersdale's New Town status with its 'Radburn' layout brings mixed fortunes to the town. Whilst there is an excellent road network with congestion-free roads and connections to the M58, it is one of the largest towns in the country without a railway station. In addition, the new town housing estates have left a legacy of poor quality housing and poorly designed estates, where pedestrians are segregated from the road system through a network of footpaths, underpasses and footbridges which many people do not feel comfortable using due to the perceived risks of crime. The town suffers from a poor image.

**2.25** The New Town is divided into clear residential, industrial and retail zones, with 56% of the area being classed as greenspace. The town centre consists of a number of isolated buildings with poor connections, including The Concourse Centre which provides a relatively limited range of services. The town centre lacks an entertainment and night-time economy and is effectively closed off in the evenings. Consequently, many residents travel further afield to Wigan, Liverpool, Southport and Ormskirk to fulfil their needs.

**2.26** Skelmersdale suffers from acute problems of multiple deprivation and in particular, the Digmoor area of the town is ranked amongst the top 1% most deprived areas in the country. Some of the more severe problems are linked with low income, high unemployment, poor health and low educational attainment. A significant proportion of residents are employed in the town, particularly in retail and manual work in the manufacturing industries, suggesting that the skills base in the town is low. However, the proposed regeneration of Skelmersdale Town Centre aims to act as a catalyst to regenerate the wider area of the town to turn about its fortunes.

**2.27** Up Holland, adjoining Skelmersdale to the east, is in contrast a more traditional settlement. With a population of 7,180 (2001 Census), it provides a range of local services, although its residents arguably look more towards Wigan than they do to West Lancashire to meet their needs. Up Holland is easily accessible by bus, but the railway station is a considerable distance from the village centre, and only provides a limited service between Kirkby and Manchester via Wigan.

### Ormskirk (and Aughton)

**2.28** The historic market town of Ormskirk was first established as a settlement in the late Saxon period and is the civic centre of the Borough. Ormskirk, together with Aughton, has the second largest population in the Borough with 31,552 people (2001 Census). The historical character of the town is an important feature and the distinct tower and spire of Ormskirk Parish Church is a unique landmark across the surrounding rural landscape.

**2.29** Ormskirk provides a full range of facilities and benefits from a hospital, magistrates court, civic hall and a university. The town is located in a strategic transport corridor with both the A59 (Liverpool-Preston) and A570 (St.Helens-Southport) passing through the town. A

## Chapter 2 Spatial Portrait for West Lancashire

bypass has been proposed to alleviate the congestion suffered in the town centre, especially on market days, although the probability of this road being built is currently low. Employment in the town is predominantly provided through the town centre businesses, the Borough Council, the hospital and Edge Hill University. There are also business parks at Burscough Street and Southport Road. However, many residents commute to Liverpool, utilising the high-frequency rail service from Ormskirk. A less frequent rail service is also provided to Preston.

**2.30** Aughton is located to the south of Ormskirk and is viewed with Ormskirk as a single settlement in planning terms. Although it covers a large suburban area and has a relatively high population, it has no town centre, and relies upon Ormskirk for all facilities, except for some local services. Aughton has two stations at Aughton Park and Town Green, providing a high-frequency rail service to Liverpool and Ormskirk.

### Burscough

**2.31** Burscough is the Borough's third largest settlement with a population of 8,668 people (2001 Census). It began as an agricultural village and developed as an industrial centre with the construction of the Leeds-Liverpool Canal and the two railway lines in the mid-19th century, deriving its income from milling wheat grown on the agricultural land. Burscough has developed considerably over recent years, both through new facilities in the town centre, a new supermarket, and the redevelopment of brownfield sites within the settlement, mostly for housing. In addition to the main urban area, Burscough also has a significant industrial estate lying a few hundred metres to the west of the town, and a significant non-league football club.

**2.32** Burscough is located on the A59 and has two railway stations: Burscough Junction providing a link between Preston and Ormskirk and Burscough Bridge Interchange providing a link between Southport and Manchester. There are also a number of bus routes, with services to Tarleton, Ormskirk, Rufford, Preston and Southport. Close to Burscough is the internationally important Martin Mere Wildfowl and Wetland Trust reserve.

### The Northern Parishes

**2.33** The largest settlements in the Northern Parishes are the adjoining linear settlements of Tarleton and Hesketh Bank, located adjacent to the River Douglas, Leeds-Liverpool Canal and the Ribble Estuary. Tarleton is the larger of the two settlements with a population of 5,350 people (2001 Census). It has a good variety of services located in the centre and around St. Mark's Square. It benefits from being situated on the A59/ A565 corridor, enjoying good road access to Ormskirk, Burscough, Rufford, Southport and Preston. A number of bus routes also provide direct links to these locations.

**2.34** Hesketh Bank is located to the north of Tarleton with a population of 3,873 people (2001 Census). It has provision for basic services, but looks to Tarleton for some of its services. Only one bus route runs through Hesketh Bank, providing a link between Southport and Longridge, via Preston. As with the surrounding settlements in the Northern Parishes, employment in Tarleton and Hesketh Bank is largely based upon agriculture, horticulture and produce packing industries. There are issues with traffic congestion in the two villages,

particularly along the spinal Hesketh Lane /Station Road route. HGVs accessing agricultural and produce packing facilities combine with local traffic, particularly at peak times, and can cause significant problems.

**2.35** Banks is located in the north west of the Borough along the A565 corridor, near to the border with Crossens (Sefton). It is located in a high flood risk area and has a relatively small population of 3,792 people (2001 Census). There are a limited range of facilities within the village, and bus routes provide links to Southport, Preston and Chorley.

**2.36** Rufford is a small settlement located on the A59 in the north east of the Borough, with a population of 2,048 people (2001 Census). The village lacks basic facilities and looks to Burscough for many of its services. Rufford is reasonably well served by public transport with its own railway station on the Ormskirk to Preston line, and a number of regular bus services providing links to Southport, Preston, Ormskirk, Burscough, Tarleton and Chorley. Other settlements in the Northern Parishes include Holmeswood and Mere Brow.

### The Eastern Parishes

**2.37** Parbold is the largest settlement in the Eastern Parishes with a population of 3,890 people (2001 Census). It is an attractive village which expanded from a small hamlet based around the Leeds-Liverpool Canal. It lies in the Douglas Valley and is close to Parbold Hill. A range of services are provided in the village, which is essentially a commuter settlement with little local employment. Parbold rail station provides a regular service to Southport, Wigan and Manchester, whilst bus services link Parbold to Skelmersdale, Ormskirk, Wigan, Wrightington Hospital and Mawdesley.

**2.38** Wrightington Parish has a combined population of 4,055 people (2001 Census). Appley Bridge, the largest village in this parish, is located on the eastern border of the Borough adjacent to Shevington (Wigan), and relies heavily upon the services provided on the Wigan side of the border. The village is surrounded by very attractive countryside, and lies beside the Leeds-Liverpool Canal. Appley Bridge station provides good rail links to Southport, Wigan and Manchester, but suffers from parking problems, being very popular with commuters.

**2.39** There is also a variety of dispersed settlements lying within the parishes of Bickerstaffe, Hilldale and Lathom, including Roby Mill, Newburgh, Crawford and Simonswood.

### The Western Parishes

**2.40** Scarisbrick is a dispersed settlement, incorporating the areas of Bescar, Brown Edge, Pinfold and Shirdley Hill, with a combined population of 3,504 people (2001 Census). There are few facilities shared between these settlements, although local residents look towards Southport (Sefton) and Ormskirk for their services. Train stations at Bescar Lane and New Lane, serving Scarisbrick, have a limited service on the Southport-Manchester line. Scarisbrick is located on the main A570 road between Ormskirk and Southport, and has a number of bus routes with regular services to Southport, Ormskirk, Skelmersdale and Wigan.

**2.41** Halsall and Haskayne with a combined population of 1,873 are small rural settlements, both with limited facilities, located on the Leeds-Liverpool Canal and A5147. Public transport is poor in this area with no train services and only one bus route between Southport and Bootle which runs through both settlements.

## Chapter 2 Spatial Portrait for West Lancashire

**2.42** Other settlements in the Western Parishes include Westhead, a small linear village between Ormskirk and Skelmersdale, and Great Altcar, lying on the mosslands east of Formby.

### Question 1

Do you agree that the Spatial Portrait set out above is factually correct and locally distinctive? Is there anything that should be added, deleted or amended?

### Key Issues

**2.43** The spatial portrait for West Lancashire highlights a number of important issues in the area, which are summarised below. The list of issues is limited to those that we feel are most important to be addressed through the West Lancashire LDF. We have tried to concentrate on locally distinctive issues, although certain issues inevitably apply across much of the country. The issues are not ranked in any particular order of importance or priority.

### Question 2

Do you agree with the key issues listed below? Are there any others you feel we should address?



### Key Issues

- **Skelmersdale:** the town suffers from a poor image, areas of deprivation, above average unemployment, below average educational attainment and qualifications, a limited variety of job opportunities, and below average health;
- **Skelmersdale Town Centre:** a Masterplan is in place to regenerate the Town Centre, which could kick-start regeneration more widely within the Town. If the Town Centre regeneration stalls then different ways of delivering regeneration in the Town will need to be sought;
- **Edge Hill University:** the University has expressed a desire to expand; this needs to be done in the most sustainable and acceptable manner. Student accommodation and its integration with the local community is a particular issue in Ormskirk;
- **Affordable housing:** there is a pressing need for affordable housing across most of the Borough, particularly in the rural areas;
- **Gypsy/ Traveller sites:** the Borough is required by regional policy to provide a certain number of pitches for Gypsies and Travellers, and Travelling Showpeople;
- **Older people:** an ageing population has implications for accommodation (including the "retirement village" concept), healthcare, access to services for older people, and the wider economy as the proportion of working age people decreases;
- **Infrastructure:** there is limited infrastructure capacity to accommodate new development in certain settlements, most notably Burscough, which will affect where new development can go if solutions cannot be found;
- **Green Infrastructure:** the Borough contains nationally significant wildlife sites, as well as open space and recreational facilities. Appropriate access to, and linkages between, these assets need to be maximised;
- **Health:** although the Borough on the whole enjoys comparable levels of health with the rest of the country, there are pockets of poor health in certain areas;
- **Retail:** a large proportion of retail expenditure by residents of the Borough takes place outside of West Lancashire, especially for comparison goods, reflecting competition from neighbouring centres;
- **Employment:** the Borough has a varied and wide ranging employment base, including strong agricultural, manufacturing and distribution sectors. It is vital for the economy of the Borough that a wide range of job opportunities can be created.
- **Green Belt:** most settlements have tight Green Belt boundaries and little room for expansion, limiting the options available for future development;
- **Agricultural land:** most of the agricultural land in the Borough is classified as being of the best and most versatile category. Development pressures in the countryside mean that any land lost to future development is likely to be of the best quality;
- **Traffic congestion:** whilst this is not particularly severe issue in the Borough, there are local "congestion hot-spots" in Ormskirk and Tarleton /Hesketh Bank;
- **Rail:** existing routes serving the Borough could be improved, in particular the connections at Burscough and better links to, and a new station at Skelmersdale;
- **Specialist needs housing:** in addition to student and older people's accommodation, sites may be required for seasonal agricultural and horticultural workers and those with disabilities or special needs;
- **Flooding:** some parts of West Lancashire are subject to high flood risk (tidal and fluvial) which could restrict development in those areas.

## Chapter 2 Spatial Portrait for West Lancashire

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### Introduction

**3.1** In simple terms, the LDF "Vision" is a statement of how we would like to see West Lancashire at the end of the Core Strategy period, i.e. in the year 2027.

**3.2** The Vision should not be an aspirational "wish-list", but should be something that we and our partners are capable of achieving through the LDF. It is important that the Vision is unique to West Lancashire, and recognisable as a Vision for this Borough, rather than a vague, general statement that could apply anywhere. It should reflect the key issues we have identified, and show how the LDF will have dealt with them. The different objectives and options we identify later in this report should work towards achieving the Vision in one way or another.

**3.3** It is important for the LDF Vision to be consistent with the visions (or aims and objectives, or "mission statements") of other local strategies, the most important of these being the West Lancashire LSP's Sustainable Community Strategy. Other applicable local strategies include Parish Plans, the Economic Strategy, Affordable Housing Strategy, Corporate Strategy and Climate Change Strategy.

**3.4** The Vision for West Lancashire set out on the following pages has been drawn up over several months, using a number of different sources. Firstly, officers carried out a SWOT (Strengths /Weaknesses /Opportunities /Threats) analysis for different areas of the Borough. These were used to identify key issues in the different areas, which in turn were used to draw up an initial draft Vision for individual settlements and for the Borough as a whole.

**3.5** In June 2008, we consulted with the LSP on the SWOT analysis and draft Vision. Following this, we amended the Vision, taking into account the LSP's comments. We have since consulted twice more on the draft Vision, inviting the wider public to make comments on it at three "Spatial Forums" (July 2008) and through the Issues Questionnaire (January 2009) which was completed by a number of individuals and organisations.

**3.6** During spring 2009, we rewrote the Vision, taking into account the comments made by the various stakeholders mentioned above, and making sure it reflected the goals of the other strategies covering West Lancashire, and that it was locally distinctive and achievable. We also received advice and feedback on the vision from a Planning Officers Society "Critical Friend". The resulting Vision is set out below.

## Chapter 3 A Vision for West Lancashire

### Vision for West Lancashire 2027

The West Lancashire of 2027 will continue to be an attractive place where people want to live, work and visit. Major steps will have been made in the regeneration and sustainable growth of Skelmersdale, the long-term stability of Ormskirk, Aughton and Burscough, and the sustainability of rural settlements.

The Borough will retain its local character but will also capitalise on its highly accessible location within the North West and its links with the three city-regions of Liverpool, Manchester, and Central Lancashire. It will readily adapt to change and tackle the major issues of climate change, economic variations and an ageing population.

West Lancashire's rural and urban communities will be stronger and more sustainable. They will maintain their individual identity and offer residents better access to services, facilities and the housing market. New and renovated housing, particularly affordable housing and appropriate housing for the elderly, will be designed to meet people's needs. The public will have improved access to healthcare, resulting in better standards of health and wellbeing.

Economic development will play to the key strengths and resources of West Lancashire by diversifying the employment base in Skelmersdale, Ormskirk and Burscough, with small-scale employment opportunities in the rural areas. Employment opportunities and skills training will be targeted at deprived areas to build up a strong and diverse economy across the whole Borough.

The identity and unique landscape of West Lancashire will be valued, conserved and enhanced, enabling people to access and enjoy all that it offers. This will incorporate the Borough's heritage assets, important habitats and biodiversity, green spaces and attractive countryside, including the Ribble Coast and Wetlands Regional Park.

#### **Skelmersdale**

By 2027, the social, health and economic inequalities between Skelmersdale and the rest of the Borough will have been reduced. Skelmersdale's image will have been improved markedly by relevant organisations working with the Council on the regeneration and renewal of housing estates and the town centre, plus a major town centre expansion scheme providing better retail, leisure, transport and public buildings to serve the whole Borough.

The improved town centre and better quality housing, in terms of design, mix and tenure, will attract new residents to the town and help to meet Skelmersdale's ongoing housing needs. This will, in turn, encourage stronger community and voluntary sector organisations to flourish.

We will have worked with local businesses and education providers, including a rejuvenated Skelmersdale College, to raise educational attainment, enhance training and development opportunities and tackle worklessness, leading to a more skilled local workforce with higher aspirations. Improved industrial estates and provision of new

employment land will lead to a greater range of employers and jobs in the town resulting in a better quality and variety of job prospects for its residents and the retention of the trained and skilled workforce.

Improved bus and rail facilities, and a network of usable, well-maintained and safe cycle and pedestrian routes will mean easier access to education, employment and other key services such as health care, helping to reduce health inequalities between Skelmersdale and the rest of West Lancashire.

High quality maintenance of the town's recreational features and extensive areas of green open space, including the Tawd Valley and wooded cloughs, will encourage increased use and enjoyment by townspeople and visitors. This will improve Skelmersdale's image locally and play a part in improving people's general wellbeing and health.

### **Ormskirk**

In 2027, the Historic Market Town of Ormskirk/ Aughton will maintain its important role as a Key Service Centre, providing a good range of retail, leisure facilities and key services for residents of the town and the surrounding rural areas. Edge Hill University will continue to be a key economic driver for Ormskirk with an important role across the Borough and wider sub-region.

The Council and other organisations will have addressed problems of town centre traffic congestion and improved the general attractiveness of the town centre with increased accessibility by public transport, cyclists and pedestrians.

Ormskirk's links with Liverpool and Merseyside will be strengthened. Rail services to Burscough, Preston and Southport will have been improved, making the town more accessible to other parts of the North West.

### **Burscough**

Burscough in 2027 will retain its role as an attractive Key Service Centre, providing a range of facilities for local people whilst still looking towards Ormskirk for certain services. The town's role as a local employment hub for surrounding rural areas will be reinforced with sustainable growth of the industrial and business areas linked to the town centre. Also, Burscough's access to public transport will be enhanced.

Working with utilities providers and developers, the Council will ensure that appropriate infrastructure improvements will be in place for necessary new development. Burscough's tourism and recreational potential will be maximised by drawing on attractive features such as the Leeds-Liverpool Canal heritage, the surrounding countryside and Martin Mere.

## Chapter 3 A Vision for West Lancashire

### Rural Areas

In 2027, rural areas will continue to thrive off a strong agricultural sector, whilst enhancing biodiversity and providing a more diverse and adaptable economy. Appropriate new employment opportunities in the rural areas will include home-based working, facilitated by high-speed broadband.

The unique landscape and important biodiversity of rural West Lancashire will continue to be valued both for its natural environment and as a recreational resource. Sustainable tourism will be based on the attractive countryside and local heritage (particularly along the Leeds-Liverpool Canal, and the Ribble Coast and Wetlands Regional Park).

The Northern Parishes area (including Tarleton, Hesketh Bank, Banks, Mere Brow, and Rufford) will continue its important horticultural role. Derelict sites will be regenerated to help meet local housing and employment needs, and to provide other benefits. Development in the flood risk areas will be managed carefully to avoid increasing the overall danger from flooding.

The Western and Eastern Parishes rural areas will benefit from improved accessibility through good public transport links to Local and Key Service Centres such as Ormskirk and Skelmersdale, and neighbouring urban areas such as Sefton and Wigan. The pleasant built and natural environment of these rural areas will be sustained and conserved.

### Question 3

Do you agree that the Vision presented above is unique to West Lancashire and responds to local challenges and opportunities? Is there anything that should be added, deleted or amended?

## Introduction

**4.1** To deliver the LDF Vision set out within Section 3 of this Strategy a number of realistic objectives must be prepared. These objectives must be SMART (Specific, Measurable, Achievable, Realistic, Time-bound) so that it can be made clear that the Vision can be delivered.

**4.2** The objectives within this section are important as they will be used as a basis to measure the success of the Core Strategy in achieving the Vision. How these objectives will be monitored is set out within the section of this report

## Spatial Objectives for West Lancashire

**4.3** The draft objectives for the Core Strategy, presented below, explain how the Vision can be achieved. These objectives embrace the aims and visions of other key strategies and plans important to West Lancashire, including the West Lancashire Sustainable Community Strategy (SCS) and the Local Area Agreement (LAA).

**4.4** Government guidance, contained within Planning Policy Statement 12 (PPS12), requires that key objectives be linked with indicators and targets that are SMART. The objectives are measured using indicators and targets, the details of which can be found in Appendix B. As preparation of the Core Strategy progresses, the indicators and targets may be revised in accordance with plan, monitor and manage guidance.

**Table 4.1 Spatial Objectives for the West Lancashire Core Strategy**

Spatial Objectives for West Lancashire	
1	<b>Strong and Safer Communities</b> To have strong and vibrant communities, in which both young and old people are actively engaged and where people feel safe and secure.
2	<b>Education, Training and the Economy</b> To create more, and better quality, training and job opportunities to get more people into work.
3	<b>Health</b> To improve the general health of residents and promote social wellbeing through high quality green infrastructure and cultural activities
4	<b>Natural Environment</b> To protect and improve the natural environment, including biodiversity and green infrastructure, in West Lancashire
5	<b>Housing</b> To provide a range of new housing types in appropriate locations to meet the needs of West Lancashire's population, including affordable housing and specialist accommodation.

## Chapter 4 Spatial Objectives

Spatial Objectives for West Lancashire	
6	<p><b>Services and Accessibility</b></p> <p>To provide good quality services that are accessible to all, with the promotion of the vitality and viability of town and local centres which are well linked to their rural hinterlands and neighbouring City Regions. All new development should be located in areas that are accessible and which have a range of services.</p>
7	<p><b>Location of Development and Built Environment</b></p> <p>To ensure that development is designed to a high quality and is appropriate for its locality, maximising efficiency in the use of land and resources, avoiding areas of significant constraint and minimising pollution. Heritage assets will be protected and enhanced. The unique character and features of local areas will be protected and reinforced through new development and other initiatives.</p>
8	<p><b>Climate Change</b></p> <p>To mitigate against and adapt to climate change through a variety of measures including correctly locating and designing new development, reducing energy consumption, having sustainable alternative energy sources, and minimising waste and increasing recycling.</p>
9	<p><b>Skelmersdale</b></p> <p>To make Skelmersdale an attractive and vibrant place to live and reduce the social inequalities between the town and the rest of the Borough.</p>

### Question 4

Do you agree with the Spatial Objectives listed above? Are there any objectives which should be added, deleted or amended?

## Monitoring

### Why monitor?

**4.5** PPS12 states that each local planning authority should produce a Core Strategy which includes a vision, strategic objectives, a delivery strategy and clear arrangements for managing and monitoring the delivery of the strategy. Monitoring is an essential part of the planning process, forming the cyclical chain of Plan - Monitor - Manage. By monitoring the success of each objective using indicators, contingency plans can be introduced if policies are failing, or policies can be adapted in light of changing circumstances, thereby enabling the delivery of the strategy to be well-managed.

**4.6** The results of monitoring will be reported through the Borough Councils Annual Monitoring Report (AMR). A full explanation of the AMR and the importance of monitoring is provided in Appendix B.



## Introduction

**5.1** This chapter sets out five 'Spatial Planning Options' for delivering the Vision and Spatial Objectives of the West Lancashire Core Strategy. Formulating a set of options and subsequently narrowing them down to a single 'Preferred Option' are important stages in preparing the Core Strategy. Each of the options put forward should be realistic and able to be achieved within the timescales of the Core Strategy.

**5.2** In drawing up the five options, we have taken account of comments made during the 'Issues' stage of the Core Strategy. We are now seeking people's views on the options put forward in this chapter. Comments are invited on whether the options are considered acceptable, whether they would help deliver sustainable development, how likely they would be to achieve the Core Strategy Vision and Spatial Objectives, and how easy they would be to deliver.

**5.3** People are also welcome to suggest alternative options to the ones in this chapter, although these alternatives should be deliverable and, where possible, backed up by robust evidence. If the Council agrees that any further options presented are appropriate, then these will be appraised for their sustainability and will be given due consideration.

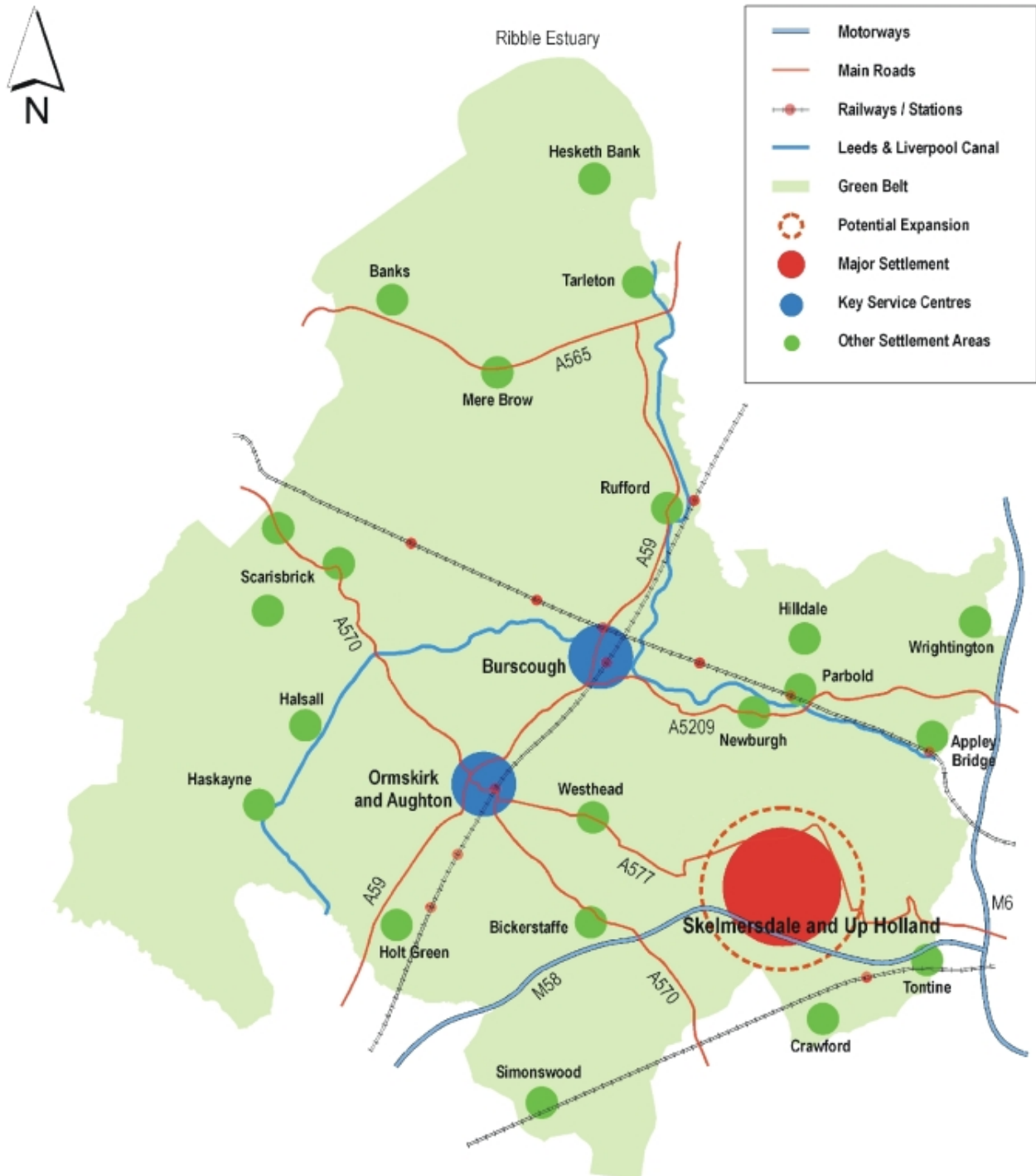
**5.4** We will use the results of the consultation on the options to prepare a Preferred Option to deliver the Core Strategy Vision. This may be one of the five options, or may be a hybrid, combining the most sustainable, appropriate, and deliverable aspects of the different options. We intend to publish and consult upon the Preferred Option in early 2010.

**5.5** For the five options below, we have attempted to provide an indication of how much development would go to different areas of the Borough between now and 2027. It is difficult to predict how much employment land, retail or other land uses each option would result in, so we have limited the forecasts to indicative numbers of dwellings.

**5.6** As part of the preparation of this Core Strategy document, an 'Interim Sustainability Appraisal' has been prepared, which can be viewed in more detail on the Council's [website](#). This appraisal process tests the sustainability of each of the options in terms of the environmental, economic and social impacts. At this stage, given the high level nature of these options, implications and issues have been difficult to predict. However, as part of preparing a Preferred Option, a more detail appraisal will be prepared setting out the sustainability implications of the option and how any negative impacts can be avoided or mitigated.

# Chapter 5 Spatial Planning Options for West Lancashire

## Option 1: Skelmersdale Focus



**Table 5.1 Option 1 Development Hierarchy**

Level of Development	Settlement	Role	Indicative No.s of Dwellings 2009-27
Highest Development	Skelmersdale (and Up Holland)	Priority for Growth and Development	3,000
Development for Local Needs	Ormskirk (and Aughton), Burscough	Key Service Centre	Ormskirk: 400 Burscough: 200
Development in Exceptional Circumstances	All Other Settlements	Minor Settlement	350

### What does Option 1 mean?

**5.7** In this option, the majority of the Borough's development will be focused on Skelmersdale, in an attempt to kick-start regeneration and tackle deprivation issues and the perception of a 'poor image' of the town to the outside world, in line with the West Lancashire Vision 2027 and Spatial Objectives.

**5.8** This would seek to accommodate a large proportion of development within the town itself, using windfall sites, areas of safeguarded land and the regeneration plans for Skelmersdale Town Centre as a method of meeting the RSS requirements for housing and employment. However it is likely that some form of expansion to the settlement area, and therefore changes to the Green Belt boundary, would be needed to ensure that requirements for land are met, particularly in the case of employment.

**5.9** As this option focuses more than the other options on meeting the Borough's requirements for new housing and employment in Skelmersdale, it offers the greatest scope for tackling inequalities and deprivation issues in the town, using new development and investment as a catalyst. It is envisaged that any regeneration of the town as a whole will be facilitated through the creation of a new town centre for Skelmersdale.

**5.10** The regeneration of housing estates could be considered in order to revitalise run-down housing areas and improve the quality of housing in the town through good urban design. Gaps in service provision, whether they be transport, health or education can be identified and filled as part of this regenerative process. Green spaces in the town will be improved and provide better value for the communities they serve.

**5.11** It is hoped that through the delivery of improvements to the leisure, cultural and sports facilities in Skelmersdale, a better community spirit can be fostered to help the town's residents live, work and relax in safe and pleasant communities. In addition, this option will provide the most investment and greatest opportunities to tackle social and transport infrastructure gaps within the town.

## Chapter 5 Spatial Planning Options for West Lancashire

**5.12** Creating new employment areas in Skelmersdale and encouraging people to take up training and education opportunities will create a wider and more diverse employment base, which, in turn will help in tackling deprivation issues within the town.

**5.13** Ormskirk and Burscough are recognised as Key Service Centres within the Borough and their status will be maintained under this option. However, their growth will be restricted to the use of windfall and infill sites within the settlement boundaries. The restriction of builders and investors to utilising sites in the Skelmersdale area, whilst the natural demand might be coming from elsewhere, could have a significant effect upon the housing market. Such restrictions would also limit opportunities to bring forward affordable housing development across the Borough.

**5.14** Under this option, rural issues will be addressed through the enhancement of the rural economy, and improvement of accessibility and rural services. However, there are likely to be restrictions on development, particularly in relation to market housing and consideration will have to be given on how affordable housing need will be met.

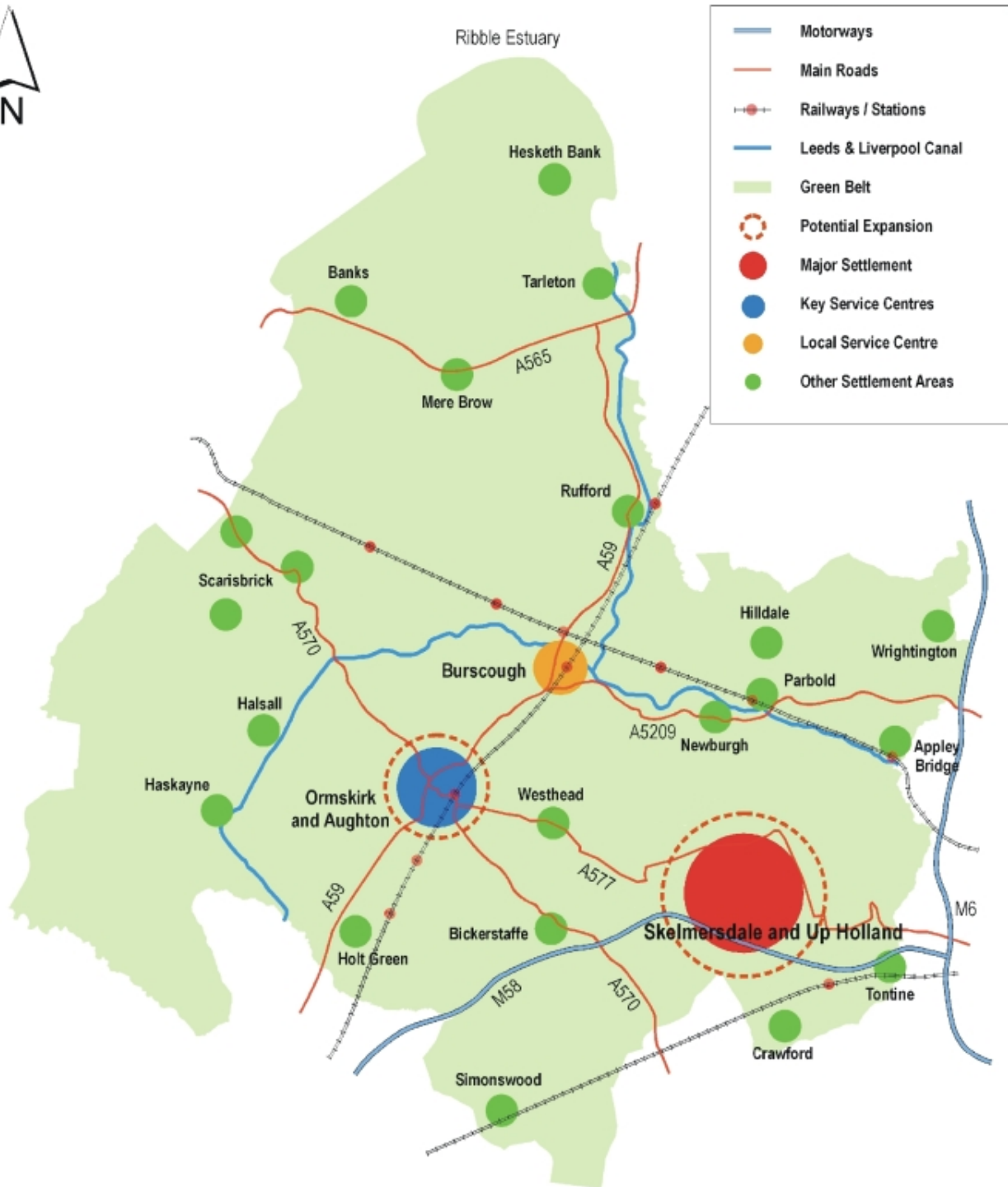
**Table 5.2 : Pro's and Con's for Option 1**

Pro's	Con's
Development of a new town centre in Skelmersdale.	Reliance on the Skelmersdale town centre scheme being implemented.
Deprivation issues in Skelmersdale can be tackled.	Concern over whether investment in the town would be forthcoming.
Creation of new jobs and training opportunities in the Skelmersdale area.	Focus on regenerating Skelmersdale could restrict regeneration elsewhere.
Investment in the local infrastructure in Skelmersdale.	Limitations in provision for affordable housing outside of Skelmersdale.
Sustainable option - majority of development located in the Borough's largest town.	Some aspects of infrastructure provision are poor in Skelmersdale e.g. transport, social.
Ormskirk's and Burscough's role as Key Service Centres maintained.	Likelihood for Green Belt releases around Skelmersdale.
	Potential for overlooking rural issues.
	Erosion of low-density suburban areas in Ormskirk and Burscough through infill.

### Question 5

Do you agree that Option 1 should be taken forward as our Preferred Option? Are there any elements of this Option that you feel should be amended to make it more deliverable, or to better achieve the Vision and Spatial Objectives?

## Option 2: Skelmersdale & Ormskirk Focus



## Chapter 5 Spatial Planning Options for West Lancashire

**Table 5.3 Option 2 Development Hierarchy**

Level of Development	Settlement	Role	Indicative No.s of Dwellings 2009-27
Highest Development	Skelmersdale (and Up Holland)	Priority for Growth and Development	2,500
Moderate Development	Ormskirk (and Aughton)	Key Service Centre	900
Development for Local Needs	Burscough	Local Service Centre	200
Development in Exceptional Circumstances	All Other Settlements	Minor Settlement	350

### What does Option 2 mean?

**5.15** Under Option 2, the majority of development will be focused on Skelmersdale, although there will also be a focus on Ormskirk, enhancing its existing role as a Key Service Centre in the Borough, in line with the West Lancashire Vision 2027 and Spatial Objectives.

**5.16** Although Skelmersdale would still seek to accommodate the majority of development, the shift in focus towards Ormskirk will see more limited growth in Skelmersdale, particularly in relation to any expansion of the settlement and future Green Belt releases. Less development in Skelmersdale will also, as a consequence, lead to less investment there and fewer opportunities to tackle the town's social and transport infrastructure gaps and deprivation issues.

**5.17** Under this option, development in Ormskirk would mainly involve building on infill sites in the town. However, given constraints with land availability, it is likely that Green Belt releases may be required in the medium to long term to provide an expansion to the existing settlement area. Any changes to the Green Belt boundary would need to be considered only in the most sustainable locations.

**5.18** A focus on Ormskirk under this option will assist in resolving key infrastructure issues in the town. This will include addressing current problems such as traffic congestion, maintaining a healthy and diverse town centre and market, and improving the choice and range of services within Ormskirk. Although these infrastructure works would also be considered through Option 1, the Core Strategy can most effectively deliver such improvements through Option 2.

**5.19** The delivery of greater development and growth to Ormskirk could provide opportunities to widen the range and availability of specialist needs housing, particularly in terms of housing for older people, and to address in a sustainable way the needs of student accommodation in the town.

## Chapter 5 Spatial Planning Options for West Lancashire

**5.20** Burscough and the rural areas of the Borough will see similar restrictions as per Option 1. Development in Burscough will generally be restricted to infill sites. In rural areas, only development for a localised need will be encouraged, particularly in relation to small-scale employment and affordable housing within existing settlement areas.

**Table 5.4 : Pro's and Con's of Option 2**

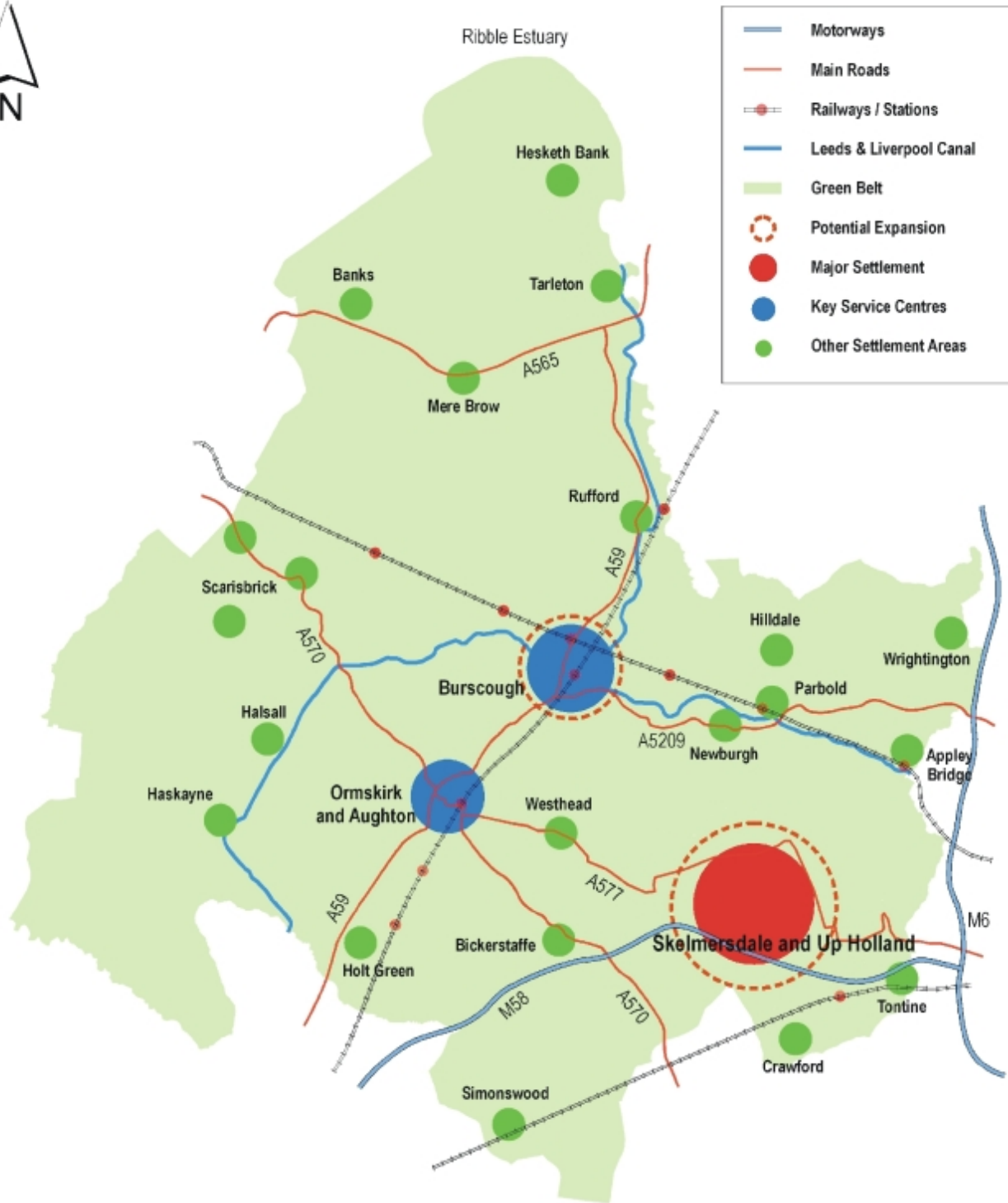
Pro's	Con's
Ormskirk's role as Key Service Centre strengthened.	Erosion of low-density suburban areas in Burscough through infill.
Investment in local infrastructure in Skelmersdale and Ormskirk.	Potential for overlooking rural issues.
Sustainable Option – majority of development located in the Borough's two main towns of Skelmersdale and Ormskirk.	Potential for Green Belt releases at Skelmersdale and Ormskirk.
Creation of new jobs and training opportunities in both the Skelmersdale and Ormskirk areas.	Concern over whether investment in Skelmersdale would be forthcoming.
Deprivation issues in Skelmersdale tackled.	For growth in Skelmersdale, there is reliance on the town centre scheme being implemented.
Development of a new town centre in Skelmersdale.	Possible pollution issues from additional traffic congestion in Ormskirk.
Development in Ormskirk would be a sustainable option as the settlement has good transport links a good range of services.	

### Question 6

Do you agree that Option 2 should be taken forward as our Preferred Option? Are there any elements of this Option that you feel should be amended to make it more deliverable, or to better achieve the Vision and Spatial Objectives?

# Chapter 5 Spatial Planning Options for West Lancashire

## Option 3: Skelmersdale & Burscough Focus





**Table 5.5 Option 3 Development Hierarchy**

Level of Development	Settlement	Role	Indicative No.s of Dwellings 2009-27
Highest Development	Skelmersdale (and Up Holland)	Priority for Growth and Development	2,500
Moderate Development	Burscough	Key Service Centre	700
Development for Local Needs	Ormskirk (and Aughton)	Key Service Centre	400
Development in Exceptional Circumstances	All Other Settlements	Minor Settlement	350

### What does Option 3 mean?

**5.21** Under Option 3, the majority of development will again be focused on Skelmersdale, although there will also be a focus on the settlement of Burscough with the aim to enhance its role as a Key Service Centre in the Borough, in line with the West Lancashire Vision 2027 and Spatial Objectives.

**5.22** Although Skelmersdale would still seek to accommodate the 'majority' of development, the shift in focus towards Burscough will see more limited growth in Skelmersdale, particularly in relation to any expansion of the settlement and future Green Belt releases. Less development in Skelmersdale will also, as a consequence, lead to less investment and fewer opportunities to tackle social and transport infrastructure gaps and deprivation issues there.

**5.23** Burscough (the third largest settlement in the Borough) along with Skelmersdale will be the focus for any significant development. This option will seek to make use of infill sites and opportunities for the regeneration of Brownfield sites, and will also require an expansion of the settlement into the Green Belt.

**5.24** Through new development in Burscough, the Borough Council would have to seek to address the significant infrastructure issues that currently prevail, particularly in relation to water-related infrastructure and sewerage provision. These issues could be tackled by means of a comprehensive Masterplan involving significant amounts of development, which could deliver the necessary infrastructure. Development within the town would also assist in delivering other benefits, including improvements to the public transport system (particularly rail services), improvements to open space facilities and improved services and facilities in the centre of the town.

**5.25** The rural areas of the Borough will see similar restrictions as per Option 1. Only development for a localised need will be encouraged, particularly in relation to small-scale employment and affordable housing within existing settlement areas.

## Chapter 5 Spatial Planning Options for West Lancashire

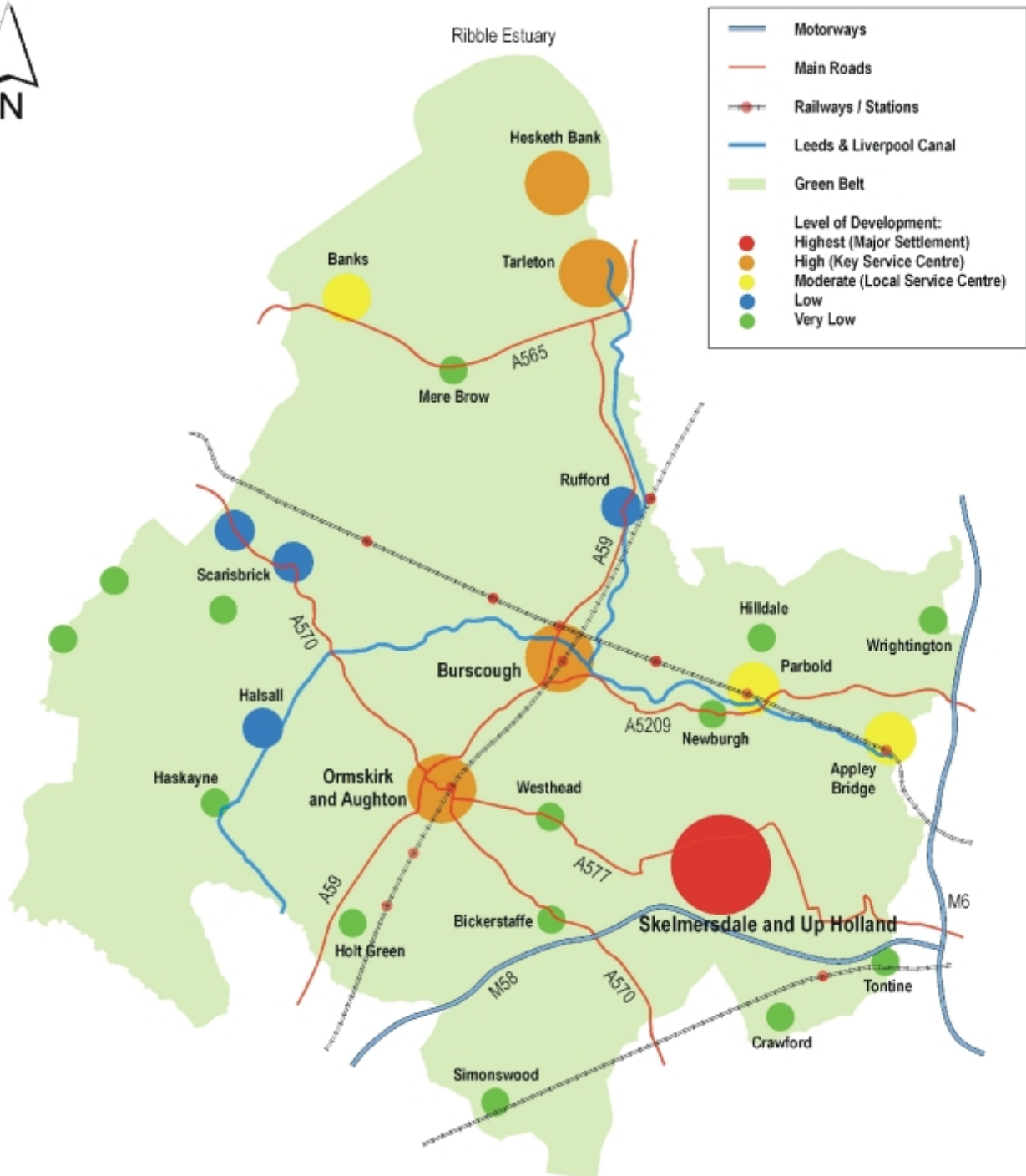
**Table 5.6 : Pro's and Con's for Option 3: Skelmersdale & Burscough Focus**

Pro's	Con's
Burscough is given an increased role as Key Service Centre, whilst Ormskirk's role maintained.	Infrastructure issues in the Burscough area may require significant amounts of development to address them.
Infrastructure issues in Burscough could be addressed through new development.	Green Belt releases would be required in Skelmersdale, but particularly Burscough to address local infrastructure issues.
Creation of new jobs and training opportunities in both the Skelmersdale and Burscough area.	Reliance on the delivery of Skelmersdale Town Centre to kick start regeneration in the town.
A new town centre can still be delivered in Skelmersdale and deprivation issues tackled.	Concern over whether investment would be forthcoming in Skelmersdale.
	Erosion of low-density suburban areas as a consequence of infill development.
	Further development might cause increased air pollution problems in Burscough due to extra traffic movements.

### Question 7

Do you agree that Option 3 should be taken forward as our Preferred Option? Are there any elements of this Option that you feel should be amended to make it more deliverable, or to better achieve the Vision and Spatial Objectives?

## Option 4: Rural Dispersal



## Chapter 5 Spatial Planning Options for West Lancashire

**Table 5.7 Option 4 Development Hierarchy**

Level of Development	Settlement	Role	Indicative No.s of Dwellings 2009-27
Highest Development	Skelmersdale (and Up Holland)	Priority for Growth and Development	2,500
Moderate Development	Ormskirk (and Aughton), Burscough, Tarleton, Hesketh Bank.	Key Service Centre	Ormskirk: 500 Burscough: 250 Tarleton /Hesketh Bank: 300
Development for Local Needs	Banks, Parbold, Appley Bridge, Rufford, Scarisbrick, Halsall	Local Service Centre	250
Development in Exceptional Circumstances	All Other Settlements	Minor Settlement	150

### What does Option 4 mean?

**5.26** In the rural areas of the Borough, some rural settlements will be developed and sustainably expanded, particularly Tarleton and Hesketh Bank (seeking to re-use derelict sites that are located on the urban fringe). As with the other options, Skelmersdale will again take the majority of development, in line with the West Lancashire Vision 2027 and Spatial Objectives.

**5.27** The option will seek to regenerate existing sites or develop windfall sites within the rural settlement boundaries but will in certain cases will lead the expansion of some settlements where it can be justified. Development of rural settlements will follow a hierarchical approach where settlements will be considered in relation to their current service capacity or where service capacity can be upgraded to a satisfactory level.

**5.28** With the majority of development focused in Skelmersdale and the rural settlements, this means that the key service centres of Ormskirk and Burscough will have development opportunities restricted to within their urban areas. No greenfield development will be permitted. Less development in these areas may mean that any required infrastructure works cannot be fully influenced by the Core Strategy.

**5.29** Residential development in the rural settlements will place an increased emphasis and importance on accessibility to Key and Local Services Centres and key facilities within the Borough (and across its borders). This means that the Core Strategy needs to focus on public transport needs and connectivity. More people living in the rural areas of the Borough

## Chapter 5 Spatial Planning Options for West Lancashire

will mean that there is a need to develop the rural economy, and encourage rural employment hubs and home working. More people living and working in rural communities will help and support local service provision and improve the range of services on offer.

**5.30** In relation to the other options proposed, this option would change the rural character of the Borough the most by directing the greater amount development into these rural areas and will create most impact. All protected environmental sites will be unaffected. However, there are likely to be more, smaller Green Belt releases as part of this option which could have effects on the landscape (dependent on where they are proposed).

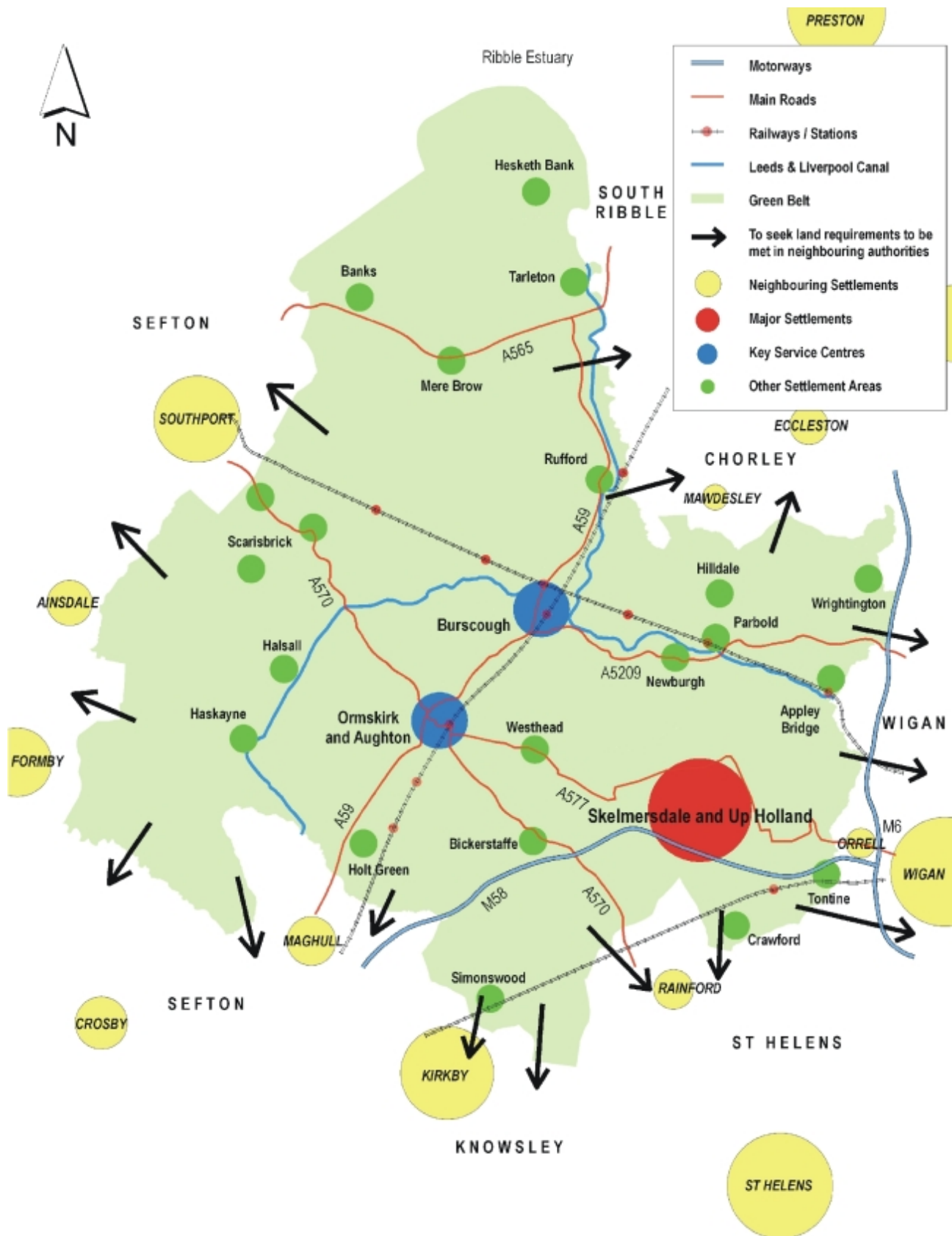
**Table 5.8 : Pro's and Con's of Option 4: Rural Dispersal**

Pro's	Con's
Improvement and support to rural services.	Pressure on accessibility from rural sites.
Improvements to rural accessibility.	Sporadic expansion of settlements.
Regeneration of rural sites.	Potential Green Belt releases.
Boost to rural economy.	Impact on countryside character.
Derelict land in Tarleton/ Hesketh Bank to be remediated.	Reduced potential for growth of Key Service Centres.
Improved Skelmersdale Town Centre will still be delivered and deprivation issues in the town will be tackled.	Less sustainable patterns of development.
	Potential increase in traffic on rural roads.
	Increased pressure on infrastructure.

### Question 8

Do you agree that Option 4 should be taken forward as our Preferred Option? Are there any elements of this Option that you feel should be amended to make it more deliverable, or to better achieve the Vision and Spatial Objectives?

## Option 5: Cross Boundary



## Chapter 5 Spatial Planning Options for West Lancashire

**Table 5.9 Option 5 Development Hierarchy**

Level of Development	Settlement	Role	Indicative No.s of Dwellings 2009-27
Highest Development	Skelmersdale (and Up Holland)	Priority for Growth and Development	2,200
Moderate Development	<b>Neighbouring Authority Areas</b>	<b>Meeting Extra Development Needs</b>	<b>1,000</b>
	Ormskirk (and Aughton), Burscough	Key Service Centre	Ormskirk: 300 Burscough: 150
Development for Local Needs	All Other Settlements	Minor Settlement	300

### What does Option 5 mean?

**5.31** Through this option it is still envisaged that the majority of development will be concentrated in West Lancashire, with Skelmersdale providing the most significant focus for development, in line with the West Lancashire Vision 2027 and Spatial Objectives. As with Options 1, 2, 3 & 4, opportunities for infill development, use of safeguarded sites and regeneration opportunities in the Borough's settlements will be encouraged.

**5.32** If Green Belt releases are to be considered as part of a Preferred Option, it is important that the Council demonstrate that alternatives have been fully explored through the Options process. Under this fifth option, the potential for the expansion of settlements using Green Belt land will be ruled out. Instead, the Council will enter into dialogue with neighbouring authorities to see whether any further needs can be accommodated outside of the Borough.

**5.33** At this stage only preliminary discussions have taken place with other local authorities to ascertain whether any capacity exists to meet any of West Lancashire's needs in other districts. Therefore the deliverability of this option will depend on the outcome of further discussions with neighbouring authorities on whether or not this is a viable option. The inclusion of this option provides the basis for these discussions to take place.

**5.34** There are significant consequences of other authorities meeting West Lancashire's needs. Opportunities for investment may be lost, along with potential opportunities to address infrastructure issues and meet specific spatial objectives such as providing enough employment land and affordable housing. However, there are positive aspects to this option, less development within the Borough will provide greater protection to the local environment and landscape, which under other options could be altered through the need for Green Belt release.

**5.35** The implications of this option also should be considered in two ways. As indicated above, Option 5 looks to meet some of West Lancashire's needs elsewhere. However, it is also possible that West Lancashire could be asked to meet the needs of other authorities who may also have significant constraints on delivering their own development needs.

## Chapter 5 Spatial Planning Options for West Lancashire

**Table 5.10 : Pro's and Con's for Option 5: Cross Boundary**

Pro's	Con's
Expansion of settlements not necessary.	Investment into the Borough may be lost.
Environmental impacts could be lessened.	Some Infrastructure issues may not be addressed.
Green Belt boundaries remain.	Will not maximise affordable housing provision.
	Potential for insufficient employment land to meet the Borough's needs.
	Not clear whether needs can be met in adjoining authority areas.
	There may be requirements on the Council to meet the needs of other authorities.

### Question 9

Do you agree that Option 5 should be taken forward as our Preferred Option? Are there any elements of this Option that you feel should be amended to make it more deliverable, or to better achieve the Vision and Spatial Objectives?

### Other Options

**5.36** The Council has only considered realistic and deliverable options (subject to exploring further some of the infrastructure and capacity issues which exist), based upon the information gathered through the evidence base, national and regional planning guidance, and what you have told us through the Issues stage of consultation. There may be other options which would equally or better achieve the Vision and Spatial Objectives, and we would welcome any suggestions so that they may be considered towards the selection of a Preferred Option.

### Question 10

Are there any elements of the five different options that could be combined to create a 'hybrid' Preferred Option?

### Question 11

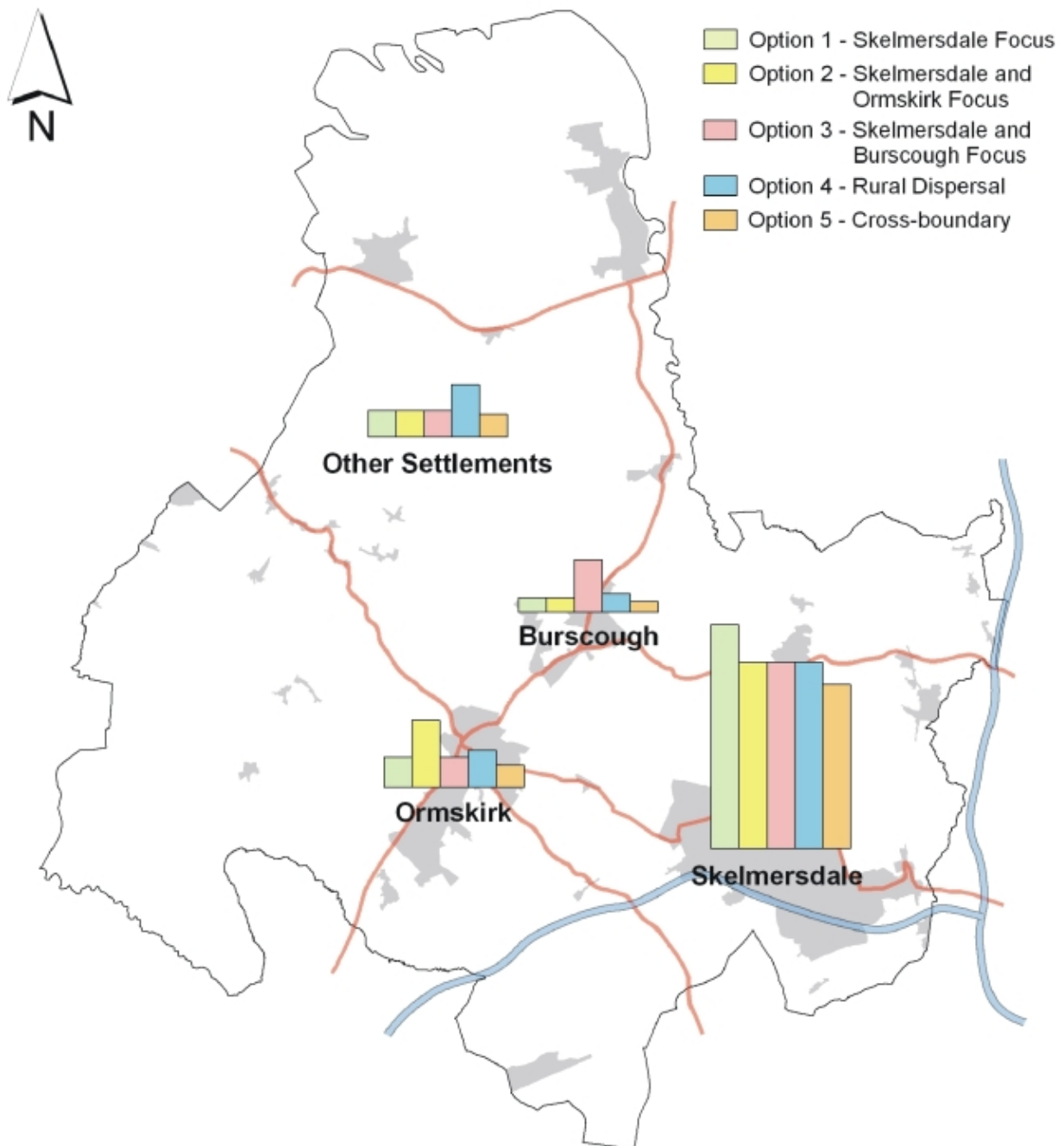
Are there any other options requiring consideration which you feel could better achieve the Vision and Spatial Objectives and be chosen as our Preferred Option?



## Chapter 6 Effects of the Options on Individual Settlements

**6.1** The Spatial Portrait, set out in Chapter 2 of this report, highlights the key characteristics of the settlements within West Lancashire. The details found within the Spatial Portrait should be read in conjunction with the information in this chapter to provide a holistic view on the impacts that each option will have upon the settlement area and the surrounding landscape. In order to assist your interpretation of the potential effects of each option, Figure 6.1 below illustrates the indicative level of housing development proposed by the options. In addition, Table 6.1 overleaf illustrates the overall level of development proposed by the options in each settlement.

**Figure 6.1 Indicative Level of Housing Development Proposed by the Options**



**Table 6.1 Overall Level of Development Proposed in Individual Settlements**

	<b>Option 1: Skelmersdale Focus</b>	<b>Option 2: Skelmersdale and Ormskirk Focus</b>	<b>Option 3: Skelmersdale and Burscough Focus</b>	<b>Option 4: Rural Dispersal</b>	<b>Option 5: Cross Boundary (1)</b>
<b>Skelmersdale (and Up Holland)</b>	Highest Development	Highest Development	Highest Development	Highest Development	Highest Development
<b>Ormskirk (and Aughton)</b>	Development for Local Needs	Moderate Development	Development for Local Needs	Moderate Development	Moderate Development
<b>Burscough</b>	Development for Local Needs	Development for Local Needs	Moderate Development	Moderate Development	Moderate Development
<b>Northern Parishes</b>	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Moderate Development: Tarleton, Hesketh Bank  Development for Local Needs: Banks, Rufford  Development in Exceptional Circumstances: All Others	Development for Local Needs
<b>Eastern Parishes</b>	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Development for Local Needs: Parbold, Appley Bridge  Development in Exceptional Circumstances: All Others	Development for Local Needs
<b>Western Parishes</b>	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Development in Exceptional Circumstances	Development for Local Needs: Scarisbrick, Halsall  Development in Exceptional Circumstances: All Others	Development for Local Needs

1. Option 5: Extra development needs could be found in neighbouring authority areas

## Chapter 6 Effects of the Options on Individual Settlements

### Skelmersdale (and Up Holland)

**6.2** As a consequence of policy contained within the RSS ,there is a requirement on the Council to direct the majority of its development needs towards Skelmersdale, both in terms of housing and employment requirements. Failing to do so could result in the Core Strategy being contrary to Regional Planning Policy and being found unsound at a Public Inquiry. The Council cannot ignore the requirements of the RSS while preparing the Core Strategy and therefore all five options set out would seek to direct the majority of the development need for West Lancashire toward Skelmersdale.

**6.3** The scale of what is termed 'majority' will vary between different options. For example, Option 1 would provide a higher 'majority' of development (e.g. 3,000 dwellings) to Skelmersdale than Option 4 (e.g. 2,500 dwellings).

**6.4** Through Options 1-4, development opportunities will be sought within the settlement areas within the first instance, with opportunities to utilise areas of brownfield land, safeguarded sites and opportunities to regenerate existing areas of the town to encourage new growth of housing and employment uses. All options will seek to address development needs in these areas.

**6.5** Opportunities for the rationalisation of open space within the town could be considered as part of the delivery of any option. Some areas of open space in the town could be considered for potential re-use for development purposes, particularly for the provision of new housing. Development in these areas could seek to fund improvements to other open space facilities within the town, improving their quality, value and management for the benefit of local biodiversity and local communities.

**6.6** Although through all the options development opportunities within the settlement areas will maximised, there may be a need to expand the settlement boundaries around Skelmersdale requiring a release of Green Belt land. If this were to take place further investigation work would be required to ensure the most sustainable and suitable location was chosen for such an expansion to take place.

**6.7** All the options will seek to address the infrastructure gaps and deprivation issues that are set out within the Spatial Portrait. The greater the levels of development and investment into the town the greater the opportunities to see such equalities addressed, including improving quality of housing and improving the access to jobs and training. In respect of this Option 1 would present the greatest opportunity to address such issues with Option 5 indicating the least.

**6.8** No option would exclude the redevelopment and regeneration of Skelmersdale Town Centre. It is envisaged through all options that the development of a vibrant new town centre for Skelmersdale will act as a catalyst for the wider regeneration of the town, which will benefit residents, workers and visitors.

## Chapter 6 Effects of the Options on Individual Settlements

### Ormskirk (and Aughton)

**6.9** Almost exclusively Ormskirk's role as a Key Service Centre. Options 1, 3, 4 & 5 would seek to maintain the current growth of Ormskirk allowing for redevelopment of brownfield sites, infill sites and any sites identified in need of regeneration. None of the above options would result in the need to expand the settlement into the Green Belt to meet any identified housing or employment needs.

**6.10** Ormskirk is a traditional and historic Market Town that is characterised by a densely built-up area. The consequences of all the above options would result in development densities increasing further in the town and the use of infill and 'backland' sites would be maximised.

**6.11** Option 2 does seek to enhance Ormskirk's current role, directing significantly more development toward the settlement. Given Ormskirk's tight settlement boundaries and lack of safeguarded sites, it is likely that Green Belt releases will be required. As with any Green Belt releases elsewhere in the Borough, only the most sustainable and suitable locations will be used for expansion purposes.

**6.12** Edge Hill University plays a significant role in the future of Ormskirk and is a key feature of the local economy, both in terms of the jobs it provides and the revenue it creates. None of the options will have any direct implication on the University or its future growth. Options for the future of Edge Hill are set out within Chapter 7 of this document.

### Burscough

**6.13** Burscough's role as a Local Service Centre will be maintained through the delivery of Options 1, 2, 4 & 5 which will limit any sort of expansion opportunities. Opportunities will be taken to maximise development within the existing settlement boundaries, through the use of safeguarded land, brownfield sites and infill.

**6.14** Option 3 would expand Burscough's role to a Key Service Centre by targeting significantly more development towards the settlement than under any of the other options proposed. The Council is very aware of infrastructure issues within the Burscough area that would need to be addressed through any expansion of the town. Any further development in Burscough have to address such issues, particularly in relation to road improvements and water related infrastructure.

### Rural Areas

**6.15** Through Options 1, 2, 3 & 5, the rural areas of the Borough will see little change in terms of development opportunities. There will be limited opportunities to address rural housing issues, particularly the provision of affordable housing, as will opportunities to address the rural economy. The lack of development in these areas will mean that there is limited funding to address infrastructure gaps or issues within the rural settlements.

**6.16** Option 4 seeks to allow a greater role for rural settlements to accommodate future housing and employment requirements. To deliver this 'rural dispersal' option, there would need to be consideration of settlement areas which have sufficient key service capacity, or have potential to expand their key service capacity, for expansion to accommodate further development.

## Chapter 6 Effects of the Options on Individual Settlements

### Northern Parishes (including Tarleton, Hesketh Bank, Rufford and Banks)

**6.17** The implications of delivering Option 4 for the Northern Parishes would be the potential expansion of both Tarleton and Hesketh Bank with a view to redeveloping the most sustainable areas of land on the urban fringe (allocated under Policy DS4 of the Replacement Local Plan). Through dialogue with key stakeholders, the Council are aware that a number of infrastructure issues will need to be addressed should any development take place in these settlements, particularly relating to transport, accessibility, flood risk and water related infrastructure. Any development proposed through Option 4 must seek to finance the satisfactory resolution of these issues.

**6.18** It is likely that any further development in Banks would be prohibited by its designation of being in a high flood risk area. It would be considered that through the delivery of any of the options, development opportunities in this area would be restricted to essential infrastructure requirements or development to meet an essential local need.

### Eastern Parishes (including Newburgh, Parbold, Hilldale, Wrightington and Appley Bridge)

**6.19** To deliver Option 4, with regard to the Eastern Parishes, settlements such as Parbold and Appley Bridge would be considered as having potential for accommodating further development. Any new development in these areas would provide the opportunities for both Parbold and Appley Bridge to expand their roles as Local Service Centres.

**6.20** Given the limited level of service provision and the accessibility of other settlements in the Eastern Parishes, villages such as Hilldale, Newburgh and Wrightington are unlikely to see any further development other than for the provision for local need, particularly affordable housing.

### Western Parishes (including Downholland, Haskayne, Halsall and Scarisbrick)

**6.21** In the context of many settlements in the Western Parishes, the delivery of Option 4 will not result in the significant expansion of any of the settlements. It is not clear at this stage whether any of the settlements in this area either already have, or have the potential to improve, the service provision to allow for extra development to take place. Furthermore, some settlements in the Western Parishes of the Borough are fairly remote in terms of accessibility to public transport, apart from areas of Scarisbrick being on a Quality Bus Route, and therefore consideration to whether they are sustainable locations is questionable.

### **Question 12**

Do you agree with the predicted effects upon settlements from each of the options that we have identified? Are there any other effects we have not identified which require further consideration?

## Chapter 6 Effects of the Options on Individual Settlements

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## Introduction

**7.1** This chapter discusses a number of key spatial issues, which cannot be addressed through the Spatial Planning Options in Chapter 5. Whilst the list of spatial issues in this chapter is not exhaustive, it presents those that are the most important at this stage and require further consideration. These include:

- Skelmersdale Town Centre;
- Edge Hill University;
- Affordable Housing;
- Gypsy/ Traveller Sites;
- Older People;
- Infrastructure; and
- Climate Change.

**7.2** Although we have highlighted the above issues as being the most important at this stage, we are appreciative of broader national and international issues along with the more localised issues which may be of significant importance to you and your community. Therefore, we would welcome any comments or suggestions on any issues which have not been given particular coverage in this document but you feel could be influenced by the spatial planning process.

## Skelmersdale Town Centre

**7.3** There has already been much work undertaken to prepare a Masterplan for Skelmersdale Town Centre. This has involved extensive consultation with key stakeholders and the wider public, as well as the signing of a development agreement with St. Modwen Properties PLC to deliver the development of a new town centre. The regeneration proposals set out within the 'Skelmersdale Town Centre SPD and Masterplan' are seen as the potential catalyst for a wider regeneration of the town and will start the process of improving the image of the town and tackling deprivation issues that exist. The SPD and Masterplan can be viewed on the Council's [website](#), whilst a summary of the proposals are set out in Table 7.1 below.

**Table 7.1 Skelmersdale Town Centre SPD and Masterplan Proposals**

Skelmersdale Town Centre SPD and Masterplan Proposals
<ul style="list-style-type: none"><li>• A range of new shops, bars and restaurants and potentially a new foodstore;</li><li>• A new sports centre and swimming pool;</li><li>• A new cinema;</li><li>• A new modern college building;</li><li>• A new library/resource centre;</li><li>• A new Ecumenical Centre;</li><li>• A new bus station;</li><li>• A new police facility;</li><li>• Approximately 250 new apartments within the town centre core;</li><li>• Approximately 900 new quality modern houses, with a mixture of type and tenure, built to a high environmental standard;</li></ul>

## Chapter 7 Key Spatial Issues

### Skelmersdale Town Centre SPD and Masterplan Proposals

- New and attractive public spaces that provide areas for people to meet or for street entertainment;
- Improvements to the Tawd Valley and the wooded cloughs to ensure that they provide a safe high quality environment, including new pedestrian and cycling facilities, and possibly specialist recreational activities to attract yet more people into the Tawd Valley;
- New office space; and
- New roads, cycling and pedestrian facilities to link the town centre in with the surrounding residential areas and to make movement around the centre itself far easier.

**7.4** All the options set out within this strategy document rely on the regeneration project taking place in order to deliver many of the spatial objectives for the town. Deliverability is a key principle of the town centre proposals and the Masterplan was drawn up at a time of economic buoyancy. However, given the current economic climate, a flexible approach may need to be taken towards delivering this regeneration project with consideration of a scheme which is reduced in scale, or where the boundaries of the Town Centre are drawn wider to enable more development to take place in order to deliver the scheme as originally envisaged.

#### What You Said

**7.5** Consultation undertaken through the production of the SPD demonstrated a high degree of support for all aspects of the regeneration proposals. At the Skelmersdale and Eastern Parishes Spatial Forum, participants viewed the regeneration of the Town Centre as a major opportunity for Skelmersdale. Concern about the redevelopment of the Firbeck Estate was expressed, particularly by some of those affected. Overall, however, there was a high degree of support for the Masterplan proposals, with residents recognising that the scheme would result in greater investment and turn around negative perceptions of the town.

**7.6** The Issues Questionnaire did not have a question specifically about Skelmersdale Town Centre, but comments were made in respect of the SWOT analysis concerning the need for a better rail connection.

#### Future Considerations

**7.7** As the Skelmersdale Town Centre area could be viewed as critical to the delivery of development within the town, and therefore the achievement of the Vision, Spatial Objectives and Options set out within this document, Skelmersdale Town Centre could be allocated as a 'Strategic Site' within the Core Strategy. This means that a boundary for the Town Centre, could be included on a Proposals Map. This would enable the differences between the Local Plan boundary for the Town Centre and that within the SPD, which is currently drawn more widely, to be resolved (this issue is explained in Section 2 of the SPD/Masterplan document). Consideration could also be given as to whether the boundary should be drawn even wider to allow for more development as mentioned above.



### Question 13

Should the Core Strategy designate Skelmersdale Town Centre as a Strategic Site in the Core Strategy? If so should the boundary of the Town Centre be drawn to match that within the Masterplan, or be drawn even more widely to include further development sites, if this helps to deliver the new Town Centre?

### Edge Hill University

**7.8** Edge Hill University have expressed a desire to expand their student numbers and the physical size of their campus for a number of years. The physical expansion of the campus now requires a consideration of the Green Belt boundary to the east of the current campus due to the need to redevelop and relocate uses on the existing campus. There are a variety of issues that need to be considered as part of this process:

- Will the expansion of the University be a key economic driver to both Ormskirk and the wider West Lancashire economy?
- What will the implications be if the University does not expand?
- How much land does the University need to expand and would this have an unacceptable impact upon the Green Belt and local landscape?
- Will the current problems associated with private student accommodation in Ormskirk be solved by providing more accommodation on the campus and what would the effects be upon the local housing market?
- Can adequate transport be provided to an expanded Edge Hill?

### What You Said

**7.9** The Market Towns and Western Parishes Spatial Forum held in Ormskirk discussed issues related to Edge Hill University and a wide mix of views were expressed. Whilst the value of the University to the local economy and to community education is recognised, there are also concerns about the extent of the expansion ambitions of the University and the ability of the local area to accommodate the numbers of students that expansion would entail. There were a mix of views on the future use of Green Belt land, with some views expressed that student accommodation should be located in Skelmersdale. Generally it was felt that there needed to be better consultation with local people as plans develop.

**7.10** The Issues Questionnaire asked a specific question about where student accommodation should be located: either on the campus, within Ormskirk, or elsewhere within the Borough. The highest percentage (just under 50%) expressed preference for an on-campus location. The University itself submitted comments as part of the Issues Questionnaire exercise. They referred to their Estates Strategy and the objectives set out within it. They see growth happening at a slower pace than in recent years, but nevertheless envisage the investment of £67m in the Ormskirk campus between 2009 and 2013. They believe that it is vital that the University's ambitions are not constrained by either a lack of space or poor quality accommodation. Edge Hill University's stated desire is to develop a campus that will be recognised as one of the best in the country.

## Chapter 7 Key Spatial Issues

### Future Considerations

**7.11** The University has recently published its Estates Strategy (EHES) for the period 2009 to 2013. The Vision set out within this document sees the Ormskirk campus as continuing to develop as the hub of a distributed learning network. EHES seeks to plan for the sustainable long term growth of the University and optimise the existing campus, recognising that, due to incremental development over a long period of time, there is a disjointed pattern of building groups, landscape features and public realm spaces. The EHES also looks at the sustainability of any expansion of the University.

**7.12** EHES represents a five year action plan towards the delivery of a long-term vision to 2020. It suggests that there is scope for redevelopment within the existing campus. It also suggests the relocation of the existing sports facilities to the east, with the reallocation of that area (currently in the Green Belt) for the expansion of the university. Due to the need to relocate the running track, which is not within the Green Belt, to cater for on-campus development, decisions will need to be taken as to what the likely future expansion of the University will be.

**Table 7.2 Edge Hill University Proposals**

Edge Hill University Estates Strategy Proposals
<ul style="list-style-type: none"><li>• Investment of £67 million between 2009-2013</li><li>• An increase of approximately 600 places in student accommodation on campus</li><li>• Demolition and redevelopment of existing facilities predominantly on the existing campus footprint</li><li>• Some expansion of facilities onto Green Belt land, with a new access from St Helens Road and better car parking</li><li>• Creation of a better designed and integrated campus with an East-West link and a better 'sense of place'</li><li>• Development of a sustainable transport strategy to improve access and mitigate against traffic congestion</li><li>• Relocation of running track and playing pitches towards Scarth Hill Lane to the east</li></ul>

**7.13** There is an opportunity to create a better layout for the University with a more integrated campus and more modern, well-designed buildings. The University does have an important positive impact upon the economy of Ormskirk, and a recent study has suggested that the Council could consider branding Ormskirk as a 'University Town'.

**7.14** There are concerns within the local community about increasing levels of student accommodation having a negative impact on local neighbourhoods. Providing more student accommodation on the campus could start to address these concerns. The negative effects of student numbers upon the local community in terms of transport and social impacts, as well as the landscape impact on the edge of Ormskirk, need to be weighed up against the positive aspects of University expansion. Expansion could provide benefits to the local economy, solve student accommodation problems, provide high quality facilities that can be accessed by the local population which could all be delivered in such a way to mitigate the landscape impacts and provide a high quality designed campus.

### Question 14

Should the Core Strategy support the continued expansion of Edge Hill University, if it can be demonstrated that this would:

1. Be beneficial to the local economy;
2. Solve student accommodation problems;
3. Create high quality facilities for local people;
4. Be done in such a way so as to mitigate landscape impact; and
5. Provide a better designed campus?

If not, what are your concerns about expanding Edge Hill University and could anything be done to resolve these concerns?

### Affordable Housing

**7.15** Policy L5 of the Regional Spatial Strategy states that plans and strategies should set out requirements for affordable housing based on evidence, including Strategic Housing Market Assessments (SHMA). The Core Strategy needs to determine the general location, size and type of developments where affordable housing should be provided in West Lancashire. The evidence should also be used to support the setting of quotas and thresholds for affordable housing provision along with an indication of the type, size and tenure of affordable housing required.

**7.16** The Council has commissioned the preparation of a SHMA for West Lancashire. A draft, prepared by Nevin Leather Associates, will be published for consultation in the near future. This study is based upon existing research applying the model of affordable housing needs currently being used in the preparation of the North West's Single Regional Strategy 2010. It will be refined to take account of recent housing market developments and responses to consultation.

**7.17** The initial results of the SHMA indicate that a minimum 22% of housing built over the next five years should be affordable. However, in arriving at a figure for planning policy purposes, a number of factors need to be taken into account, including as the financial viability of affordable housing provision, the characteristics of individual sites, and the need to create sustainable communities.

**7.18** The initial results also suggest that affordable accommodation should consist primarily of houses rather than flats and that around 42% should be social rented with the remainder being intermediate housing. It also indicates that affordability is much more of an issue in the rural areas and market towns outside of Skelmersdale. Recognising this, the Council has commissioned further work by Fordham Research on housing need, demand and viability of provision. This will include a detailed analysis of requirements for the towns of Ormskirk and Skelmersdale as well as each rural Parish.

## Chapter 7 Key Spatial Issues

### What You Said

**7.19** Affordable housing was raised as an issue in the Spatial Forums. The Issues Questionnaire responses indicated that people wanted affordable housing to be provided in small clusters for local people within private developments or on sites that would be identified in the LDF.

### Future Considerations

**7.20** The Core Strategy Vision states that West Lancashire residents will have better access to the housing market, particularly affordable housing. A range of affordable housing schemes should be available, and be responsive to changing economic climates, and the Core Strategy should support and facilitate their delivery. Demand for affordable housing varies throughout the Borough, and affordable housing should be provided in the correct locations.

### Question 15

Should we identify specific sites or general locations for affordable housing?

### Gypsy/ Traveller Sites

**7.21** The number of pitches that the Borough Council is required to meet for both Gypsies & Travellers and Travelling Showpeople is currently being considered through the Partial Review of the Regional Spatial Strategy (RSS). The latest draft of this document required that the Borough Council allocate 20 permanent and 5 transit pitches for Gypsies & Travellers, and 5 pitches for Travelling Showpeople. The Council has responded to the consultation exercise on these figures and has requested that, in terms of Gypsies and Travellers, the number of permanent pitches be reduced to 14 and the number of transit pitches be increased to 10. The Council agreed with the pitch requirement for Travelling Showpeople.

**7.22** Although the common view is that Gypsies & Travellers constantly move around, this is not necessarily the case. Some Gypsies & Travellers will live on the same site permanently, usually in family groups, occasionally moving for temporary periods. In terms of the provision that needs to be found this consists of two types as mentioned above

- **Permanent sites** - these are sites where Gypsies & Travellers will live permanently on the same site.
- **Transit sites** - these are sites where Gypsies & Travellers who do move around the country can stop for temporary periods where there is no threat of eviction. They help to reduce the problem of unauthorised encampments. Facilities will be more limited than those on a permanent site.

**7.23** The Core Strategy will set the broad framework for where the pitch numbers for both permanent and transit sites should be found. It will be for the Site Allocations DPD to actually allocate the sites. The outcome of the Partial Review of the RSS will have major implications for the future allocation of sites through the LDF process.

### What You Said

**7.24** The Skelmersdale and Eastern Parishes Spatial Forum workshop groups suggested that a site should be provided either at White Moss Road, Skelmersdale or along the M58 corridor through liaison with Gypsy & Traveller Groups. The rural parishes groups to the east of the Borough did not consider their areas appropriate, although it was felt that Green Belt locations could be considered. There was some support from the discussion groups at the Ormskirk Spatial Forum for locating a Gypsy site in the Green Belt. At the Northern Parishes Forum there was no support for a Gypsy site in that area.

**7.25** The Issues Questionnaire asked people where formal sites for Gypsies & Travellers should be located in the Borough, with respondents being given the choice of several broad locations. The most popular choice was the 'M58 corridor', and this probably reflects the fact that this is where most unauthorised encampments occur at present. As part of the questionnaire, people were further asked their preferred location for Gypsy & Traveller sites - within a settlement; an edge-of-settlement Green Belt location; or a remote Green Belt location. There was little difference between the numbers of people choosing each of the above options.

### Future Considerations

**7.26** The Core Strategy therefore needs to consider where best to accommodate whatever pitch requirement it will have to meet through the RSS Partial Review.

**7.27** There are currently two unauthorised encampments in the Borough, both of which lie in the Green Belt: one at White Moss Road, Skelmersdale and the other at Pool Hey Lane, Scarisbrick. If these were to be made permanent then this could provide the number of permanent pitches required, should the Council's views on pitch requirements be accepted through the RSS process. This would probably be the most acceptable course of action to the families involved. However, Government Inspectors have ruled that these sites have a detrimental impact upon the Green Belt, and their allocation will result in a more permanent impact upon the Green Belt. The current draft RSS does refer to the possibility of identifying Green Belt sites, but only if there is a need in that area and if no suitable sites outside the Green Belt boundary exist. Sites could then be 'inset' from the Green Belt (ie removed from the Green Belt) if those exceptional circumstances exist.

### Question 16

If new permanent sites are being sought for Gypsies & Travellers, should they be located within the settlement area of Skelmersdale; within the Green Belt in the 'M58 Corridor'; or are there other more suitable locations in the Borough? Should the Council consider making the existing Gypsy & Traveller sites, which are in the Green Belt, permanent?

Where is the best location for a transit site?

## Chapter 7 Key Spatial Issues

### Travelling Showpeople

**7.28** It is likely that the Borough Council will have to find a plot of land to accommodate five pitches for Travelling Showpeople. It has been indicated in discussions with the Showmen's Guild that a site in an industrial area would be acceptable, with the general location not being of great importance. The Spatial Forums and Issues Questionnaire did not deal with the issue of Travelling Showpeople. Further discussions will need to take place with the Travelling Showpeople community to understand what sort of site is required in West Lancashire and where it is best located.

### Older People

**7.29** Approximately one-quarter of West Lancashire's residents are currently of retirement age (60 or over). By 2031 it is projected that this will have risen to around one-third of all residents in the Borough. The impact of this increase presents a variety of pressures for the public sector in providing the necessary facilities and infrastructure to cater for older people. Spatial planning through the LDF process can give us the opportunity to make specific provision for older people in terms of both housing and infrastructure but an understanding must be gained of the specific requirements and how best to meet identified needs.

**7.30** Emerging guidance is suggesting that whilst life expectancy is increasing, people will live longer in ill-health (CLG 2008). As people age, they are more susceptible to strokes, coronary heart disease, osteoarthritis, and dementia. The role of spatial planning in supporting and promoting healthier communities is increasingly recognised and must be fundamental in the production of the Core Strategy.

**7.31** In 2008 almost 18% of the population over 65 were estimated to be living alone with a limiting long term illness. This is set to rise by 2025. There are a variety of ways to meet the housing needs of older people, including residential care homes, retirement homes, adaptation of existing homes or development of new homes to meet the needs of people as they age. The Lifetime Homes Strategy<sup>(10)</sup> aims to plan for homes and communities where people can live out their lives, adapting homes to changing needs and ensuring that any necessary support is available.

**7.32** A lack of accessible transport, as well as living alone, can contribute to social isolation. Inevitably this is of a particular concern for rural areas of West Lancashire which are less well served by public transport and where key services such as shops and health services are more difficult to reach. Spatial planning will help us bear key issues, such as accessibility, in mind when considering the development of specialist housing for older people.

### What You Said

**7.33** At all the Spatial Forums, people raised concerns over the adequacy of provision of older people's accommodation. Particular shortages were noted in Hesketh Bank, Burscough, the Eastern Parishes and around the Ormskirk /Aughton area. It was suggested that housing, available to the ageing market, should be offered through perpetuity agreements.

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10 Lifetime homes, lifetime communities: A national strategy for housing in an ageing society; CLG

**7.34** The Issues Questionnaire asked respondents to consider whether allocating sites specifically for accommodation for the elderly /retired would help to meet such needs. The most popular response chosen was the allocation of sites for accommodation for older people. People reported that there were few opportunities for older people to downsize their accommodation within the local area.

### Future Considerations

**7.35** The concept of retirement villages should be examined as part of the planning process, as well as the location, types and numbers of units of elderly accommodation that should be provided. Whilst housing is a key issue for consideration, access to services and transport to mitigate social isolation and opportunities for employment also need to be considered.

### Question 17

What types of housing should be provided for older people and should a target be set to require a percentage of older person accommodation within new housing development?

### Infrastructure

**7.36** Infrastructure planning is required in order to give us a clear understanding of our capacity and deficits for all of the individual components which we class as infrastructure. The traditional concept of infrastructure usually refers to the basic services and utilities we come across in our day to day life. However, the concept is broadening and now encapsulates a wider range of issues which are listed in Table 7.3 below.

**Table 7.3 Types of Infrastructure**

Transport	Utilities and Waste	Social Infrastructure	Green Infrastructure	Culture and Leisure
<ul style="list-style-type: none"> <li>• Public Transport</li> <li>• Bus /Rail Station</li> <li>• Highways</li> <li>• Cycle Ways</li> </ul>	<ul style="list-style-type: none"> <li>• Gas</li> <li>• Water</li> <li>• Renewable Energy</li> <li>• Waste</li> <li>• Telecomms</li> <li>• Broadband</li> </ul>	<ul style="list-style-type: none"> <li>• Health</li> <li>• Education</li> <li>• Emergency Services</li> <li>• Community Centres</li> <li>• Post Offices</li> <li>• Public Houses</li> <li>• Social Services</li> <li>• Voluntary services</li> </ul>	<ul style="list-style-type: none"> <li>• Flood Prevention</li> <li>• Biodiversity</li> <li>• Valued Natural areas</li> <li>• Open Space</li> <li>• Footpaths</li> <li>• Waterways</li> <li>• Allotments</li> <li>• Cemeteries</li> </ul>	<ul style="list-style-type: none"> <li>• Religious Facilities</li> <li>• Libraries</li> <li>• Cultural Facilities</li> <li>• Playing Pitches</li> <li>• Open/Amenity Space</li> <li>• Heritage /Historic value</li> </ul>

## Chapter 7 Key Spatial Issues

**7.37** In gaining an understanding of our infrastructure capacity we are then more equipped to direct development to areas where we can make the best use of existing assets and, where a shortfall in provision is identified, we may achieve the necessary investment required through the development planning process. It is important that we are satisfied that all options for future development through the LDF process are deliverable in terms of infrastructure requirements and existing provision.

### Infrastructure Capacity and Issues in West Lancashire

**7.38** It is recognised that West Lancashire has both assets and issues in relation to its infrastructure capacity. The Borough is well located in terms of transport infrastructure, and has a generally good public transport service. However, it is affected by traffic congestion in places, the absence of a rail service in Skelmersdale and poor public transport provision in some rural areas.

**7.39** Utilities infrastructure is poor in Burscough, parts of Ormskirk/Aughton and the Northern Parishes, and without appropriate levels of funding through new development could constrain future expansion. The Borough Council are already in dialogue with utilities providers to assess the extent of the problems faced and the level of mitigation that will be required to resolve these issues. This dialogue will be ongoing throughout consideration of the Options set out in this document and the process of drawing up the Preferred Option

**7.40** A full list of the assets and issues affecting infrastructure are detailed in Appendix C. The information is the result of meetings with stakeholders, the Spatial Forums held in 2008, and building on our own knowledge of existing issues.

### What You Said

**7.41** At the Skelmersdale and Eastern Parishes Forum, concern was raised regarding local services which appear to be sub-standard in certain villages of the Eastern Parishes. This issue was also highlighted for Northern Parishes villages at the Tarleton Forum.

**7.42** Many comments were put forward regarding public transport, especially in rural areas and Skelmersdale off-peak. It appears there is a shortfall in the provision and frequency of services which leads to a sense of isolation and limited access to employment opportunities for those in the rural areas. Additionally, traffic congestion was a concern for many, especially within Ormskirk Town Centre and on the rural lanes as a result of agricultural traffic. The issue of flooding in the Burscough area and Northern Parishes was raised, an issue also highlighted by United Utilities in our recent stakeholder meetings with them.

### Future Considerations

**7.43** As part of the infrastructure planning process, and in order to better inform the Core Strategy, we are currently meeting with stakeholders to establish their views on existing infrastructure provision, pressure points and shortfalls. In addition, comments expressed at the Spatial Forums and within the Issues Questionnaire give us a good indication of the provision issues across the Borough.

**7.44** The process is ongoing and will eventually culminate in a document identifying the strengths and weakness in each area, existing programmes or plans for improvement or expenditure, the source of the investment and those responsible for delivery. It is hoped that



this will give us a robust framework when planning for development and provide the evidence to justify policies which require developers to fund infrastructure delivery through the planning process.

### Question 18

How can we ensure delivery of the necessary infrastructure to support the future development needs of West Lancashire? Should this be achieved through the existing Section 106 process or by implementing the emerging Community Infrastructure Levy?

## Climate Change

**7.45** The way in which we meet our development and regeneration needs, whilst ensuring the effects of climate change are mitigated, is fundamental to achieving a sustainable West Lancashire. This must include action to be taken to adapt our way of life so that we can prepare for unavoidable consequences of climate change (adaptation), as well as reducing our future greenhouse gas emissions and stabilising climate change (mitigation). Our action will be influenced by national and regional planning guidance and sub-regional and local plans and strategies.

**7.46** The impacts of climate change will vary greatly, but will be caused by rising temperatures, increased sea levels resulting in increased coastal flood risk and erosion, increased occurrences of extreme weather events such as heat waves and heavy rain, and long-term changes in seasonal weather patterns, resulting in increased probability of drought in summer and flood in winter.

### Adaptation

**7.47** Adaption of our surroundings and how we build future development is essential and may be tackled in the following ways:

- **Flood risk** - This is a particular concern in the Northern Parishes of the Borough and some localised areas around settlements elsewhere. Appropriate defences and innovative design solutions will aid in reducing the risks. We must also consider how it will impact on the agricultural and horticultural industries of West Lancashire and how it should influence the location of new development.
- **Built environment** – Orientation of buildings and materials used can assist with climate control within them and help to adapt to rising temperatures. Building sustainable drainage into schemes and using materials which will withstand the changing climate are amongst some of the ways we can adapt the built environment.
- **Biodiversity** - Habitat creation opportunities can be taken to allow species to move and adapt. Specifically, managing flood risk by creating water storage areas can also provide valuable habitats for wildlife as can the use of landscaping in new developments and settlement areas.

## Chapter 7 Key Spatial Issues

### Mitigation

**7.48** Ensuring appropriate mitigation measures are incorporated through future developments should be an important part of the Core Strategy and help facilitate sustainable development. Increasing the proportion of energy generated from renewable sources and reducing energy consumption will help to reduce greenhouse gas emissions and work towards mitigating climate change. Mitigation can include use of renewable energy, promoting energy efficiency, designing sustainable buildings and creating and maintaining natural habitats.

### What You Said

**7.49** The main comments made at the Spatial Forums were a concern for the increase of flood risk in settlement areas and the impact of climate change upon agricultural, horticultural and equestrian related activities. A number of attendees also recommended that renewable energy should be encouraged as a positive step to address climate change, and to consider tidal and wind power.

**7.50** From the Issues Questionnaire, high support was shown for requiring new buildings to be energy efficient or to meet stringent sustainability targets, whilst there was reasonable support shown for requiring a percentage of energy used by development to come from a renewable/ low-carbon source. However, allocating sites for renewable or low-carbon energy generation was not favoured. In terms of promoting specific renewable energy technologies, the three most popular were rainwater harvesting/ greywater recycling systems, solar energy and sustainable drainage systems (SUDS). Less support was shown for wind farms/ turbines, combined heat and power (CHP) and ground source heat pumps. The least favoured technology was identified as biomass heating.

### Future Considerations

**7.51** In order to establish the potential of the Borough in meeting climate change targets and in particular energy production, we are currently in partnership with Liverpool City Region local authorities to produce a joint working study into renewable energy. The RSS sets the framework for this through policies and targets. This includes increasing the amount of energy generated by renewable sources to at least 20% by 2020, and securing at least 10% of predicted energy needs in future developments from decentralised and renewable, or low-carbon sources. The study is due for completion late September 2009 and will inform the preparation of the Preferred Option for the Core Strategy.

#### Question 19

Should we allocate particular sites or general locations within the Borough for the production of renewable energy?

#### Question 20

Should we require developers to meet a percentage of predicted energy requirements in new developments from renewable sources (the 'Merton Rule')?

### How the Council will deal with Comments

**8.1** Following the statutory six week consultation period, the Council will consider all comments received on the document (and the accompanying literature) and produce a consultation statement, which will set out a summary of all representations received, and the Council's response.

### Next Steps in the Core Strategy Process

#### Stage 4: Preferred Option

**8.2** Following an analysis of the responses received during consultation on the Options Paper, we will start to prepare the most suitable Preferred Option which will achieve the Vision for West Lancashire 2027. The Preferred Option will set out the most sustainable locations for new homes, jobs and shops required by communities, and will deliver the necessary infrastructure, facilities and other development to make this possible.

**8.3** It is likely that the Preferred Option will comprise the most sustainable and deliverable elements of more than one option contained within the Options Paper. The document will explain why all other options were not preferred and why they were not taken forward for further consideration. At this stage the Preferred Option will have been fully informed by the findings of the evidence base and discussions with key stakeholders and infrastructure providers. The Preferred Option will then be published for further consultation so that people may give us their views, comment on rejected options, or put forward other options for consideration.

#### Stage 5: Submission and Examination

**8.4** Following the consideration of comments received on the Preferred Option, a Draft Plan will be published for consultation so that people may have their final say on the Core Strategy. Once the consultation is concluded, the Core Strategy will be submitted to the Secretary of State. A Public Examination will then be held which will give a Planning Inspector the opportunity to test the soundness of the document, in terms of the Core Strategy's justification, effectiveness and consistency with national policy.

#### Stage 6: Adoption

**8.5** If the Core Strategy is found "sound" by a Planning Inspector, then the Core Strategy will be adopted by the Council as the development plan for West Lancashire.

#### Preparation of Site Allocations

**8.6** The Core Strategy provides a generic background on how development will be directed and the issues that will be addressed. However it will not deal with, unless in exceptional circumstances, site specific areas and will not seek to allocate land for future development purposes. This will be done through the preparation of a separate document, known as the Site Allocations DPD. It is envisaged that the Council will start to prepare this document in 2010 and this will be publicised and consulted upon in a similar way to the Core Strategy.

## Chapter 8 What Happens Next?

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### Glossary

**4NW:** A partnership working to promote the economic, environmental and social well-being of the North West of England. It is an inclusive organisation, with representation from Local Government, business organisations, public sector agencies, education and training bodies, trade unions and co-operatives together with the voluntary and community sector.

**Affordable Housing:** Low-cost market housing and subsidised housing, irrespective of tenure, ownership or financial arrangements, available to people who cannot afford to occupy houses generally available on the open market.

**Annual Monitoring Report (AMR):** Annual publication that forms part of the LDF and assesses progress with the LDS and the success of the planning policies in achieving their aims.

**Biodiversity:** The whole variety of life, including genetic, species and eco-system variations.

**Brownfield Land:** See 'Previously Developed land'.

**Climate Change:** This is a change in the average weather experienced over a long period of time, including temperature, wind and rainfall patterns. There is strong scientific consensus that human activity is changing the world's climate and that man-made emissions are its main cause. In the UK, we are likely to see more extreme weather events, including hotter and drier summers, flooding and rising sea-levels increasing the risk of coastal erosion.

**Community Involvement:** When preparing the LDF, the local authority needs to involve the local community, businesses, landowners, and anyone else with an interest in the area. Ideally these "key stakeholders" should be involved from the start, and right through the LDF preparation process.

**Core Strategy:** The main Development Plan Document that sets out the long-term spatial vision for the Borough, the spatial objectives and strategic policies to deliver that vision, having regard to the Sustainable Community Strategy.

**CLG (formerly DCLG):** Department of Communities and Local Government sets national policy on local government, housing, urban regeneration, planning and fire and rescue. They have responsibility for all race and equality and community cohesion related issues in England and for building regulations, fire safety and some housing issues in England and Wales.

**Derelict Land and Buildings:** Land so damaged by previous industrial or other development that it is incapable of beneficial use without treatment. This includes abandoned and unoccupied buildings (including former single residential dwellings) in an advanced state of disrepair, land damaged by development, but which has been or is being restored.

**Development Plan Document (DPD):** Local planning documents that have "development plan" status. The DPDs that local planning authorities must prepare include: the Core Strategy, Site Allocations, and where needed, Area Action Plans. All DPDs must be subject to rigorous procedures of community involvement and independent examination, and adopted after receipt of the inspectors binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise.

## Glossary

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**ELPS:** Employment Land and Premises Study which examines the availability of land in the Borough for employment use and forms part of the LDF Evidence Base. It will be used to inform the Core Strategy and Site Allocation documents.

**Environment Agency (EA):** Government agency set up with the aim of protecting or enhancing the environment, taken as whole in order to play its part in attaining the objective of sustainable development.

**Evidence Base:** Qualitative and quantitative information gathered by the planning authority, or other organisations, to support preparation of LDF documents.

**Government Office North West (GONW):** Regional government office responsible for implementing national policy in the region and ensuring consistency of LPA policies and plans with national policies.

**Green Belt:** Areas of land where development is tightly controlled for the purposes of: restricting sprawl of large built-up areas; preventing neighbouring towns from merging; safeguarding the countryside from encroachment; and preserving character and aiding urban regeneration by encouraging recycling or derelict and other urban land.

**Greenfield Land:** Land which has not been previously developed.

**Green Infrastructure:** Network of natural environmental components and green and blue spaces, including: hedges, outdoor sports facilities, coastal habitat, grassland and heathland, cemeteries, churchyards and burial grounds, agricultural land, allotments, community gardens and urban farms, moorland, village greens, open spaces, degraded land, private gardens, ponds, wildlife habitats, parks, lakes, fields, open countryside, woodlands, street trees and waterways.

**Housing Needs Assessment:** A survey that estimates the number of households within an area that are in need of affordable housing and/or housing that meets their specific requirements.

**Infrastructure:** Roads, water supply, sewage disposal, schools and other community facilities needed to support housing, industrial and commercial uses.

**Local Area Agreement (LAA):** A three-year agreement that sets the priorities for a local area, agreed between local and central government. The agreement sets challenging targets for the local areas and how these will be delivered in partnership. The aim is to improve the quality of life for local people.

**Local Development Framework (LDF):** A term used to describe a folder of planning documents prepared by a Local Planning Authority, including:

- Development Plan Documents (DPDs) - such as the Core Strategy and Site Allocations;
- Supplementary Plan Documents (SPDs);
- Statement of Community Involvement (SCI);

- Local Development Scheme (LDS);
- Annual Monitoring Report (AMR).

**Local Development Scheme (LDS):** A project plan timetable detailing the production of DPDs and SPDs.

**Local Planning Authority (LPA):** Normally the Borough Council, metropolitan district or unitary authority, but occasionally the County Council with the responsibility of planning for that area.

**Local Strategic Partnership (LSP):** A group of public, private, voluntary and community organisations and individuals that are responsible for preparing the Sustainable Community Strategy. Such partners include: the Borough Council, the County Council, the Police, the Fire Service and the NHS.

**Multiple Deprivation:** The Government collects information to pinpoint pockets of deprivation, or to highlight variations within a wider geographical area. Information is collected on a range of topics to illustrate how deprived an area is, including: income; employment; health and disability; education, skills and training; barriers to housing and services; crime; and living environment.

**Planning and Compulsory Purchase Act (PCPA) 2004:** Introduced the concept of Local Development Frameworks, built upon the principles of: sustainable development, addressing climate change, spatial planning, high quality design, good accessibility and community involvement.

**Planning Policy Statements/Guidance (PPS/PPG):** Documents produced by CLG that set out national policies relating to different areas of Planning.

**Previously Developed Land (PDL) and Buildings:** As defined in annex C of PPS3, "previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure.

**Regional Spatial Strategy (RSS):** Following the enactment of the Planning and Compulsory Purchase Act 2004, RSS replaced RPG13 with statutory status. Produced by 4NW, the RSS supports and is supported by, other regional strategies particularly the Regional Economic Strategy and the Regional Housing Strategy. Adopted on 30th September 2008, the North West RSS forms part of the statutory development plan for West Lancashire and has a role in determining planning applications at a local level, as well as influencing the development of the LDF being prepared by the Borough Council.

**Renewable Energy:** The generation of heat and power from sources that occurs naturally and repeatedly in the environment.

**Strategic Flood Risk Assessment (SFRA):** carried out in consultation with the Environment Agency (EA) to examine the risk of flooding in the Borough from sea and rivers. It includes information on flood risk areas, flood infrastructure, history of flooding in the Borough and expected future development pressures and their potential impact.

## Glossary

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**Site Allocations:** The designation of land for a particular use within the development plan.

**SMART Objectives:** The Government requires that objectives must be SMART (Specific, Measurable, Achievable, Realistic and Time-bound).

**Spatial Planning:** Under the former planning system, we were almost exclusively concerned with land use. Spatial planning is a wider concept that does not just take into account land use, but also considers other matters that could indirectly affect land use, or be affected by it, e.g. health and education, deprivation, crime and social inequality, climate change, flooding and the natural environment, transport and infrastructure, the rural economy and agriculture, cultural heritage and urban design. Put another way, spatial planning looks at places and how they function. The LDF system represents a new way of planning, or "place-shaping".

**Specialist Needs Housing:** Providing suitable accommodation for specific sections of the community, including: seasonal agricultural workers; the elderly or retired; and students.

**SSSI (Sites of Special Scientific Interest):** Sites with statutory protection of national and international importance.

**Statement of Community Involvement (SCI):** A document that sets out how the Council will involve the community and other stakeholders in the preparation, alteration and review of all DPDs, SPDs and on planning applications.

**SHLAA:** Strategic Housing Land Availability Assessment which examines the availability of land in the Borough for residential use and forms part of the LDF Evidence Base. It will be used to inform the Core Strategy and Site Allocation documents.

**Supplementary Planning Document (SPD):** Supplementary planning documents may cover a range of issues, both topic and site specific, which may expand policy or provide further detail to policies in a Development Plan Document or the RSS.

**Sustainability Appraisal:** Development Plan Documents are subject to a "Sustainability Appraisal", examining how the policies and proposals in LDF documents would be likely to impact upon the economy, the environment, transport and communities. This will ensure that decisions are made that accord with sustainable development.

**Sustainable Community Strategy (SCS):** Document prepared by the West Lancashire Local Strategic Partnership, the Sustainable Community Strategy outlines the needs and priorities of the community, and which also shapes the activities of the organisations within the partnership to fulfil those needs and priorities.

**Sustainable Development:** Development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

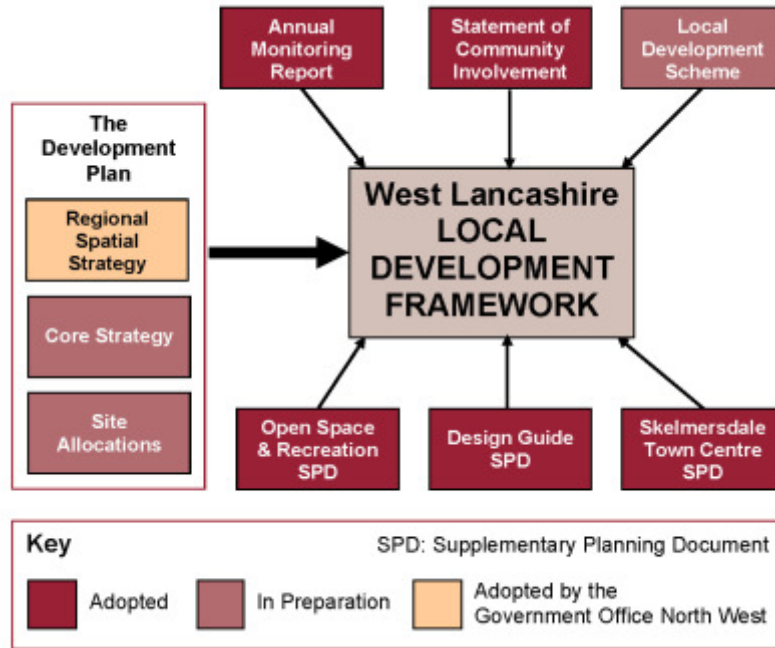
**WLRLP:** West Lancashire Replacement Local Plan, the currently adopted development plan for West Lancashire under the previous planning system. This will be replaced once the Core Strategy is adopted.



## Local Development Framework Structure

As explained in Chapter 1, the West Lancashire Local Development Framework (LDF) is a collection of spatial planning documents which guide the development of the Borough. This is illustrated by Figure A.1 below.

**Figure A.1 West Lancashire Local Development Framework Structure**



The most important part of the West Lancashire LDF is the Core Strategy Development Plan Document (DPD). The Core Strategy, together with the North West Regional Spatial Strategy (RSS), form the statutory development plan for West Lancashire. The Core Strategy is the first DPD to be produced by the Council and will contain a Vision and Strategy which set out how West Lancashire will develop over the period to 2027. It will not only make sure that new homes, jobs and shops required by communities are located in the most sustainable locations, it will also deliver the necessary infrastructure, facilities and other development to make this possible.

The Site Allocations DPD will also become part of the Development Plan, by allocating sites for specific uses within the Borough, such as housing or employment. Preparation on this document will commence once the Core Strategy is at an advanced stage. A Proposals Map will illustrate all the spatial policies of the Core Strategy and Site Allocations DPDs on a base map of the Borough.

The Core Strategy and Site Allocations DPDs will also be supported by any other documents that the Council feels appropriate to expand upon the policies contained within these documents or the RSS. Currently, these include the Supplementary Planning Documents (SPDs) of: Skelmersdale Town Centre Masterplan; Design Guide; and Open Space and Recreation Provision in New Residential Developments.

Other documents within the LDF include:

## Appendix A LDF Preparation

- the Annual Monitoring Report (AMR), which monitors the success of the policies within the LDF, the progress against relevant targets and indicators and the progress of preparation of LDF documents;
- the Statement of Community Involvement (SCI), which sets out how the public will be involved in the preparation of LDF documents; and
- the Local Development Scheme (LDS), which sets out a project plan timetable for the preparation of LDF documents.

### Results of Consultation

The Council has sought to involve the local community from the earliest stage of LDF preparation, including key stakeholders, groups and individuals, in order to assist in defining the key issues facing West Lancashire and to consider how they can be addressed through the Core Strategy. The Council has involved the community directly in the preparation of the Core Strategy to meet the requirements of Regulation 25 (public participation in the preparation of a Development Plan Document) through the Local Strategic Partnership Annual Conference, the Spatial Forums and the Issues Questionnaire. Full results from these three exercises can be viewed in Feedback Reports on the Council's [website](#), whilst a summary of the key issues is outlined in Table A.1.

#### Local Strategic Partnership Annual Conference (June 2008)

In June 2008, the Council held workshops for members of the Local Strategic Partnership (LSP) at their Annual Conference at the West Lancashire Investment Centre, Skelmersdale, which was themed around the topic of "Regenerating the Community through Partnership Working". The LSP is a voluntary partnership and is represented by over 80 members in public, private and voluntary organisations. The aim of the event was to ensure that the LDF takes careful consideration of the themes, objectives, priorities and projects within the LSP's Sustainable Community Strategy 2007-17 and also to ensure that the LDF can be delivered by key partners.

At the conference, a short presentation was given to explain the LDF and its importance to the LSP and the local community. LSP members were then allocated to one of six workshop groups to discuss issues specifically relating to that area, including three Borough-wide groups and individual groups for Skelmersdale, the Market Towns (Ormskirk and Burscough) and the remaining rural area of West Lancashire. During the workshops, the following four activities were conducted:

- SWOT analysis: to establish the Strengths, Weaknesses, Opportunities and Threats of the area;
- Identification of key issues: to identify the most important issues of the area;
- Vision of the area in 15-20 years: to predict how the area might be like in the future, by building upon the identified strengths and to tackle recognised issues;
- Settlement Hierarchy: to determine how much development settlements within the Borough should potentially receive, based upon the outcomes of earlier activities.

### **Spatial Forums (July 2008)**

In July 2008, the Council held three "Spatial Forum" events held at key locations across the Borough in Tarleton (Northern Parishes), Skelmersdale (Skelmersdale and Eastern Parishes) and Ormskirk (Market Towns and Western Parishes). The events were well attended by around 250 people who represented a diverse mix of local residents, landowners, businesses, voluntary organisations, community action groups, developers and Councillors. The Spatial Forums were set up as an informal consultation exercise to test whether the issues raised at the LSP Annual Conference were broadly correct, and also to look at specific areas of the Borough in more detail. As similar to the LSP Annual Conference, a short presentation explaining the importance of the LDF was given, followed by a second presentation into a SWOT analysis of the area, aided by relevant maps and statistics in order to stimulate discussion. The workshops which followed were designed to gather people's views on:

- What are the most important issues for each area of the Borough;
- A 'Vision' - how we would like the Borough to be in the future; and
- How we might work towards achieving this Vision.

### **Issues Questionnaire (January-February 2009)**

In January-February 2009, the Council conducted an "Issues Questionnaire" forming the first stage of written consultation for the LDF. Although the responses received at the LSP Annual Conference and Spatial Forums were valuable, it was recognised that those who put their views forward merely represented a small number of people with an interest in the future development of West Lancashire. Therefore the Issues Questionnaire was made available to open up consultation and provide a further opportunity for key stakeholders and the wider community to put forward their views. The main method of making comments was through the Council's online consultation portal, although paper copies were made available at deposit points across the Borough and distributed to those who required them.

Around 100 people responded to the questionnaire who were able to comment on the whole Borough or on a specific area of interest to them. The Issues Questionnaire presented similar questions asked at the Spatial Forums, and took them a step further by putting forward early options on spatial topics such as:

- Draft SWOT analyses and Vision statements;
- Future development needs and settlement expansion;
- Providing more land for housing, specialist accommodation and employment;
- Transport and accessibility;
- The environment, climate change, flood risk and recreation and tourism; and
- Rural issues.

## Summary of Key Issues Identified through Consultation

Table A.1 Summary of Key Issues Identified through Consultation

Area	LSP Annual Conference	Spatial Forums	Issues Questionnaire
<p><b>West Lancashire Borough</b></p>	<p>Links with neighbouring authorities;                      Skelmersdale's relationship within West Lancashire;                      Retaining quality of life;                      Transport links within the Borough;                      Need to find the Borough's "Unique Selling Point";                      Quality of life;                      Reduction in funding;                      Enhancing the community;                      Impact of the wider economic climate.</p>	<p>-</p>	<p>Lack of suitable housing for the ageing population;                      Affordable housing required throughout the Borough, not just in areas of deprivation.</p>
<p><b>Skelmersdale</b></p>	<p>Public transport;                      Image of the town;                      Lack of town centre facilities.</p>	<p>Sufficient land available in the settlement areas to provide more homes;                      Original New Town plan should be "finished off" by developing the land at Whalleys and in the town centre;                      Support for the town centre Masterplan;</p>	<p>Failure in the past to deliver schemes to improve the town;                      Lack of a railway station;                      Footpaths are difficult to follow, forcing people to walk along roadways;</p>

Area	LSP Annual Conference	Spatial Forums	Issues Questionnaire
		<p>Town centre proposals would bring in more investment and have the potential to turn around the negative perceptions of the town.</p>	<p>Poor maintenance, landscaping and layout of open green spaces.</p>
<b>Ormskirk (and Aughton)</b>	<p>Transport links and congestion; Affordable Housing; Edge Hill University; Protection of agricultural land; Sewerage and surface water issues.</p>	<p>Mixed feeling over the expansion of the settlement area; Limited land exists within the settlement to meet any significant demands for housing and employment; Mix of views expressed over the future development and expansion of Edge Hill University.</p>	<p>Little interaction between Edge Hill University and the town, and other 'student issues'; Shortage of adequate sites in town centre to attract further retail or other services; Nearest adult accident and emergency Hospital is at Southport; Town cramming and over development of the urban settlement; Threat of Ormskirk Bypass not being built and increasing congestion.</p>
		<p>Brownfield sites cannot accommodate much development and consequently there should be possible consideration of developing edge-of-settlement Green Belt sites; Network Rail's proposed improvements to the local railway should be supported, particularly increased services and the reinstatement of the Burscough Curves; Leeds-Liverpool Canal and Martin Mere are valuable environmental and recreational assets which should be protected and improved.</p>	<p>Burscough has witnessed quite a lot of recent development; Reinstatement Burscough Curves, to provide a connection between the Ormskirk-Preston and Southport-Manchester lines; Maximise the potential of the Leeds-Liverpool Canal heritage.</p>
<b>Burscough</b>			

## Appendix A LDF Preparation

Area	LSP Annual Conference	Spatial Forums	Issues Questionnaire
<b>Northern Parishes</b>	<p>Affordable rural housing;</p> <p>Lack of investment in services and infrastructure;</p> <p>Consultation at grass root level.</p>	<p>Limitations of existing infrastructure;</p> <p>Small-scale development for employment and affordable/ local housing could be allowed;</p> <p>Stimulation of new employment opportunities would reduce reliance upon the agricultural and horticultural industries;</p> <p>"Open Land on the Urban Fringe" could be considered for development, if it could bring significant regeneration benefits and would remove a state of dereliction;</p> <p>Expansion into the Green Belt is not appropriate, given the high potential for flood risk in this area;</p> <p>Support for a Ribble Estuary Regional Park and a Tarleton/ Hesketh Bank Linear Park.</p>	<p>Dereliction around settlements from the decline in horticultural industries;</p> <p>Flood risk issues are an important consideration in the location of new development;</p> <p>Traffic congestion in Tarleton and Hesketh Bank at peak times.</p>
<b>Eastern Parishes</b>		<p>Mix of views over potential expansion into the Green Belt.</p>	<p>Villages are surrounded by Green Belt which offers little scope to expand in order to accommodate its local population and businesses.</p>
<b>Western Parishes</b>		<p>Further development should be concentrated on infill sites, rather than the expansion into the Green Belt.</p>	<p>Erosion of village life through closure of services;</p> <p>Restrictive settlement boundaries constrain development.</p>

### Spatial Objectives (Draft Indicators)

The suggested strategic objectives for West Lancashire's Core Strategy explain how the Vision can be achieved. These Strategic Objectives also embrace the objectives set out within the Sustainable Community Strategy and the Local Area Agreement (LAA), and some of the objectives link with the targets set out within the LAA. The Government requires that key objectives should be SMART (specific, measurable, achievable, relevant, and timely), and all the key objectives set out below have been developed to meet these measures.

Each of the spatial objectives presented in this report has a clear set of indicators assigned to it. Due to the close relationships between the objectives of the Core Strategy and those of the SCS and the LAA, a number of the indicators are shared which has the advantage of removing the need to collect additional data and providing a consistent data source. The indicators will be used to monitor and manage the success of the Core Strategy in delivering its aims. Policies that are not performing as intended can be flagged up and remedial action taken.

It should be noted that the indicators set out in this Appendix are provisional and targets are liable to change as a result of changing data and revisions to other documents and policies. The draft indicators do currently contain some data gaps, as presented in the tables below. By the finalisation of the Preferred Option for the Core Strategy, the objectives, indicators and targets will be more robust.

#### How will we monitor these objectives?

Under the current planning system, local planning authorities must submit an Annual Monitoring Report (AMR) to the Government each December. The AMR is a key component of the LDF and measures the success of policies against a series of national and local indicators. It aims to show whether policies are achieving their objectives and whether sustainable development is being delivered, whether policies have had their intended consequences, whether the assumptions and objectives behind policies are still relevant, and whether the targets in the LDF are being achieved.

To achieve this, the Annual Monitoring Report looks at a range of national (Core Output) and local indicators. Core Output Indicators were designed as part of the monitoring framework to collect data on national planning policies and sustainable development objectives. In addition to this, West Lancashire also collects data for local indicators, specific to the Borough.

It is proposed that the objectives of the Core Strategy will be monitored and reported through the AMR using the indicators presented in this report, following adoption of the final strategy. Some indicators have been assigned provisional targets with which to measure success of the policies, but it should be noted that targets to the end of the Plan period are difficult to determine at such an early stage in the process. Subsequently, targets may need to be revised as the plan period progresses.

Monitoring guidance recognises the need to update national and local indicators where necessary to reflect changes in policy and monitoring requirements. National, regional or local targets may also be reviewed. Subsequently, indicators presented here are liable to amendment in the future.

## Appendix B Spatial Objectives

### Spatial Objective 1 – Stronger and Safer Communities

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

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

Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08*	2008/09 ***	LCC LAA target 2010/11	WLBC Target by 2027
% of people who feel they can influence decisions in their locality to increase	WLBC	NI 4	-	-	32%	Pending	32%	LAA target 38% (IG)
Participation in regular volunteering to increase	WLBC	NI 6	-	-	16%	Pending	18%	LAA target 20% (IG)
Serious Acquisitive Crime Rate to reduce	WLBC / Lancs Constabulary	NI 16	-	-	1,135 offences	Pending	1,101 offences	LAA target 950 **
% of people aged 65+ satisfied with home and neighbourhood	WLBC	NI138	-	-	Not provided	Pending	Not provided	LAA target?

\* From LAA\_Indicators (LCC). Figures derive from 2007 BVPI Survey results.

\*\* LCC predict a deficit of 11 offences per year 2008/09 – 2010/11. Projecting this to 2027 gives a total of 925 offences in 2027.

\*\*\* Awaiting 2008/09 NI figures. Young/old issue target ????



**Spatial Objective 2 – Education training and the economy**

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

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

Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08	2008/09	WLBC Target by 2027
Percentage of pupils gaining 5+ GCSEs at grades A*-C to increase	DCSF	-	(In 1997 figure stood at 42.2%)	-	61.9%	-	70%
Proportion of working age population in employment / unemployed	NOMIS / WLBC AMR	CX07	79.0%	75.5%	77.8%	-	80%
● Economically active			74.7%	72.7%	75.8%	-	75%
● Employed			5.3%	4.9%	4.4%	-	Less than 5%
● Unemployed							
Worklessness	NOMIS	-	2.7%	2.8%	2.5%	4%	Less than 2.5%
● Proportion of JSA claimants (Include Incapacity benefits?)							
VAT registrations as % of total business stock	NOMIS	-	8.8%	7.2%	9.2%	-	10%
Amount of employment land and floorspace developed annually (inc creation of jobs)	WLBC AMR	EC1-4	3.11 Ha	5.44 Ha	Land = 1.44 Ha F/S = 16,852sqm *	-	To meet RSS/LDF requirements. Rolling average?

\* cannot compare like for like 2005-2008 due to removal of thresholds

## Appendix B Spatial Objectives

### Spatial Objective 3 - Health

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

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

Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08	2008/09	LCC Target 2010/11	LAA Target 2010/11	Target by 2027
Self reported measure of peoples overall health and wellbeing	WLBC	NI119	-	-	73.9%	Pending	76.9%		LAA target (80%?)
% of residents satisfied with sports / leisure facilities	WLBC	BVPI119a	Awaiting	Awaiting	Awaiting	Awaiting	-	-	WL Target (to be set)
Amount of available greenspace lost to development	WLBC AMR	ENV01	-	-	0	0	-	-	0
Number of customers taking part in health improvement activities	WLBC	WL12a	31,216	32,318	42,461	42,575	-	-	WL Target (to be set)

**Spatial Objective 4 – Natural Environment**

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

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

Targets:

Target Description	Data Source	Existing Indicators	2005/06	2006/07	2007/08 figure	2008/09	LCC LAA Target 2010/11	Target for 2027
Improved local biodiversity – active management of local sites	WLBC	NI 197	-	-	5% (at Lancashire level)	Pending (WLBC level)	14% (at Lancashire level)	LAA target
Change in areas and populations of biodiversity importance, including i) priority habits and species (by type) and ii) areas designated for their intrinsic environmental value.	WLBCAMR	ENV08	-	-	99.5% of SSSIs in favourable or recovering condition. No further information has been available.	-	-	To maintain 2007/08 levels till 2027

## Appendix B Spatial Objectives

### Spatial Objective 5 - Housing

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

An average of at least 300 new homes a year should be provided to meet the current requirements of strategic planning policy. These will be concentrated on brownfield sites, where available, in the major urban areas where services and transport facilities are greatest. The needs of all sectors of the community will be catered for through the provision of lifetime homes. New extra care facilities will be developed for the elderly and suitable pitches will be found for Gypsies & Travellers and Travelling Showpeople.

#### Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08	2008/09	LCC LAA Target for 2010/11	Target for 2027
RSS target for new homes to be met (Net)	WLBC	NI154	202	344	81	130	-	LAA target 6000 in total (Average 300 per annum)
Number of affordable homes delivered (gross)	WLBC	NI 155	12	5	11	13	22	LAA target
Proportion of new homes on brownfield land 2012-2027	WLBC AMR	HG06	79.1%	75.2%	69.1%	72%	-	Minimum of 65% to be on brownfield land *
Proportion of new homes complying with the Building for Life standard	WLBC AMR	HG09	-	-	-	-	-	All homes on sites with a capacity greater than 10 dwellings by 2027
Number of gypsy and traveller pitches provided	WLBC	RSS	-	-	0	0	-	14 Permanent + 10 transit gypsy pitches 5 travelling show people pitches. As per RSS requirements by 2027

## Spatial Objective 6 – Services and Accessibility

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

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

### Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08 figure	2008/09	Target by 2027
Vacancy levels in Ormskirk, Burscough & Skelmersdale	WLBC AMR	EC8	-	-	2.7%	-	Reduction in percentage figure by 2027
Vacant floorspace in Burscough					4.6%		
Vacant floorspace in Ormskirk					11.6%		
Vacant floorspace in Skelmersdale							
Amount of new residential development within 30 minutes public transport time of a hospital, a GP, a primary school, a secondary school, areas of employment and a major retail centre	WLBC AMR	SD05	97% (excluding hospital)	95% (excluding hospital)	96% (excluding the hospital)	-	95% (excluding hospital)
Proportion of new developments completed within 400m of a bus stop / 800m of a rail station	WLBC AMR	SD2	92% completions	77% completions	84% completions	-	90% of new development

## Appendix B Spatial Objectives

### Spatial Objective 7 – Location of Development and Built Environment

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

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

#### Targets:

Target Description	Data Source	Existing Indicators	2005/06	2006/07	2007/08	2008/09	Target for 2027
Proportion of new housing development to meet the CABE Building for Life 'Very Good' standard by 2027	WLBC AMR	HG9	-	-	-	-	All new housing on sites with a capacity greater than 10 dwellings
Number of listed buildings demolished, heritage assets, networks or settings lost	WLBC AMR	ENV2 & 3	0	0	0	0	To be zero

**Spatial Objective 8 – Climate Change**

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

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

Targets:

Target Description	Data Source	Existing Indicator	2005/06	2006/07	2007/08	2008/09	LCC LAA Target 2010/11	Target for 2027
Number of permissions granted contrary to Environment Agency advice on flooding and water quality	WLBC AMR	ENV07	0	0	8	Pending	-	Zero (all problems should be resolved/mitigated)
Renewable energy capacity installed by type (in MW)	WLBC AMR	ENV09	-	-	-	Pending	-	To increase.
Per capita reduction in CO2 emissions in the LA area	WLBC	NI 186	7.2 tonnes (Lancashire)	-	-	Pending	12.5% reduction on 2005 baseline (Lancashire)	LAA target To reduce from XX baseline level.
Adapting to climate change	WLBC	NI 188	-	-	-	Level 0 (Lancashire)	Level 3 (Lancashire)	LAA target
Tackling fuel poverty	WLBC	NI 187						

## Appendix B Spatial Objectives

### Spatial Objective 9 – Skelmersdale

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

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

#### Targets:

Target Description	Target by	Source	2005/06	2006/07	2007/08	2008/09	LCC target 2010/11	LAA target 2010/11	Target for 2027
All age all cause mortality rate	ONS via WLBC	NI120	-	M731 F542 (District)	-	-	M657 F499 (District wide)		Gap to narrow between Borough ward areas.  Currently Gap of 10 years between most and least deprived
New retail floorspace in Skelmersdale	WLBC	-	-	-	-	-	-		To be at least 20,000 sqm developed since 2009
Number of new homes delivered in Skelmersdale (including mix)	WLBC	-	-	-	-	-	-		To meet requirements of Regeneration project
Proportion of population with	NOMIS	-	13.1%	17.4%	14.8%	-	-		Gap to narrow between Borough ward areas.
● no qualifications									
● NVQ Levels 1			83.4%	79.8%	78.3%	-	-		
● NVQ Levels 2			68.8%	65.8%	59.9%	-	-		Overall proportion with no qualifications to decrease, all others to increase.
● NVQ Levels 3			47.5%	43.3%	41.6%	-	-		
● NVQ Levels 4			31.7%	22.0%	20.2%	-	-		



### List of Evidence Base Documents

The Evidence Base is the name given to the information that the Council use to inform the strategies and policies in its Local Development Framework (in particular the Core Strategy). The choices made within the Development Strategy must be backed up by facts. Evidence is drawn from a variety of sources on a wide range of information. All data must be relevant to the Borough and as up-to-date as is practically possible.

The following studies and reports comprise West Lancashire Borough Councils Evidence Base.

#### Demographics and Borough background

- Spatial Atlas;
- An ageing population in West Lancashire; and
- Sustainability of Settlements Study.

#### Housing

- Housing Land Supply reports (annual) (HLS);
- Strategic Housing Land Availability Assessment (SHLAA);
- Strategic Housing Market Assessment (SHMA);
- Housing Needs Survey 2005; and
- Housing Needs Survey update (2009).

#### Economy, Employment and Retail

- Employment Land and Premises Study (ELPS);
- Employment Land Monitor (annual) (ELM);
- Retail Study (2007);
- Economic Assessment; and
- Rural Economy Study.

#### Environment

- Strategic Flood Risk Assessment (SFRA); and
- Open Space, Sports and Recreation Assessment.

#### Other

- Annual Monitoring Report;
- Interim Sustainability Appraisal of the Core Strategy Options Paper;
- West Lancashire Integrated Transport Review;
- Design Guide SPD;
- Character Appraisals;
- Skelmersdale Town Centre SPD/ Masterplan;
- Local Infrastructure Plan; and
- Renewable Energy Study.

## Brief Analysis of each Document

### Demographic

#### The Spatial Atlas

The Spatial Atlas provides an introduction to the current condition of the Borough using economic, social and environmental data sets. It illustrates the population breakdown of West Lancashire and how it is likely to change in the future, with particular growth in the proportion of the population who are aged. The Borough has a high proportion of deprivation in Skelmersdale and there are major health inequalities between Skelmersdale and the rest of the Borough. The Atlas highlights the need for affordable housing, with prices on average seven times the annual household income, as well as a need to improve the range and quality of housing available. It also shows that unemployment and worklessness levels are highest in Skelmersdale and the LDF needs to facilitate improving employment opportunities.

#### An Ageing Population in West Lancashire

The Ageing Population document presents some of the issues that need to be considered in planning for a shift in the demographic in West Lancashire. The population of West Lancashire who are aged is set to increase dramatically by 2031, increasing at a faster rate than the regional and national comparables. This will have implications on planning for the future of the Borough, including the need to provide appropriate levels of health care, specialised housing, training and employment and ensure good access to transport and services.

### Sustainability of Settlements

The Sustainability of Settlements assessment illustrates that there is a hierarchy of settlements within the Borough, with the designated regional town of Skelmersdale and the key and local service centres of Ormskirk and Burscough being the most sustainable settlements in the Borough due to the accessibility of housing, employment, services and transport. The small, rural settlements are the least sustainable. To support Government guidance, the LDF should seek to allocate development in the most sustainable settlements.

### Housing

#### Strategic Housing Land Availability Assessment (SHLAA)

The [SHLAA](#) has been carried out by consultants White Young Green on behalf of West Lancashire, Sefton and Knowsley Councils. It seeks to identify the amount and general location of land with potential for housing within the Borough, and when this might be expected to be developable. This in turn will help us work out how much more land might need to be allocated in the LDF to meet the Borough's housing targets.

The draft final SHLAA report (June 2009) demonstrates that West Lancashire has sufficient land to meet RSS housing requirements from 2008-2013, i.e. there is a five year supply of deliverable sites, subject to normal market conditions returning. Between 2013-2018, more

land has been identified than is required to meet the RSS target although the majority of these sites are constrained by policy. Thus appropriate policy amendments through the LDF might be necessary to facilitate the development of these sites.

From 2018, sources of supply are more difficult to predict and the Councils' plan, monitor and manage system will be increasingly important in ensuring that ongoing land requirements are adequately facilitated by the LDF. Safeguarded land allocations have the potential to deliver the majority of housing development required over the next 20 years. The consultants consider that a review of the Green Belt is not necessary at this moment.

The final SHLAA report should be available to fully inform the Preferred Options stage.

### **Housing Land Supply (HLS)**

Each year, the [HLS](#) analyses housing completions and granted planning permissions and provides the residual supply at the 31 March that year. The current HLS (2008) shows that West Lancashire has a five year supply of housing land, in keeping with Government targets. It also illustrates that current policies directing residential development to the main sustainable settlements and onto brownfield land are working successfully.

### **Strategic Housing Market Assessment (SHMA)**

Two major studies have been undertaken to identify housing market area boundaries in and around West Lancashire. The first of these was a two-stage study commissioned by the Merseyside Housing Partnership in 2005-06. Stage 1 identified the extent of the Liverpool City Region and the housing market areas within it, and the second involved housing market assessments for each housing market area within the city region. On the basis of analysis of migration and travel-to-work data, West Lancashire was identified as falling within the Liverpool City Region North housing market area, along with the local authorities of Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral. The detailed analysis of migration and travel to work identified significant linkages between the northern part of West Lancashire and Central Lancashire. Parts of West Lancashire were identified as being outside the city region, but for practical purposes and as a result of data availability constraints the whole district was included in the subsequent housing market assessment.

In addition the Council has commissioned the preparation of a Strategic Housing Market Assessment (SHMA) for West Lancashire and a draft, prepared by Nevin Leather Associates will be published for consultation in the near future. This study is based upon existing research applying the model of affordable housing needs currently being used in the preparation of the North West's Single Regional Strategy 2010. It will be refined to take account of recent housing market developments and responses to consultation.

The initial results indicate that affordability is much more of an issue in the rural areas and market towns outside of Skelmersdale. Recognising this, the Council has commissioned further research on housing need, demand and viability of provision which is being carried out by Fordham Research. This will include a detailed analysis of requirements for the towns of Ormskirk and Skelmersdale as well as each rural Parish.

## Appendix C Evidence Base

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### **Housing Needs Survey (2005)**

The [Housing Needs Survey](#) was designed to examine the housing requirements (needs, aspirations and demands) for the communities and households of the Borough. The findings of the survey highlighted problems with affordability of homes and the need to supply 290 more affordable housing units in the Borough each year. The study also stated the need to adapt housing in response to an ageing population, particularly with the link between ageing and disability, and improving the range and quality of stock available throughout the Borough.

### **Housing Needs Survey update (2009)**

The Housing Needs Survey was last conducted in 2005 and to ensure that the evidence base is as up-to-date as possible, a new survey was conducted in 2009. The results of the 2009 HNS will be available by the Preferred Options stage of the LDF. More information can be found through the Housing Section of the Council's [website](#).

## **Economy, Employment and Retail**

### **Employment Land and Premises Study (ELPS)**

The [ELPS](#) was undertaken by consultants BE Group and carried out in partnership with Sefton, Knowsley and Halton Councils to identify the availability of employment land and premises in the Borough and to determine how much land may be required in future years.

The key tasks for the study were to assess the economy of the Borough to inform the amount, location and type of employment land and premises to facilitate development and growth; To review the current allocations of employment land & premises to ensure that West Lancashire can provide a balanced and sustainable range of employment sites within its LDF; To recommend future allocations of employment land to maintain the areas economic growth into the future.

The draft results of the ELPS stated that there will be a 4.3% increase in employment, creating approximately 2,114 more jobs by 2026. It states that a further 90 hectares of land should be allocated in the Borough for employment use, of which approximately 50ha could be met through the remodelling of existing sites and the regeneration of poor quality buildings. This leaves a requirement for 40ha of land. The consultants also recommend that a number of currently allocated sites should be de-allocated from employment to other uses. It should be emphasised that at the time of writing this Options paper, the report is in draft form and may be liable to change. The final report is expected to be ready in time for the Preferred Options stage.

### **Economic Assessment**

The Economic Assessment was carried out by Consultants GVA Grimley to provide a better understanding of the Boroughs economic baseline position and its key sectors. The study made several recommendations amidst its findings.

The study found that many of the major employment areas and industrial estates in the Borough make ineffective use of the land and are visually unappealing and so recommends that land use is maximised and the image of the area improved.

West Lancashire has the highest proportion of Green Belt in the Country although the land presents a major restriction to economic growth in West Lancashire. The Economic Assessment recommends that the restrictions should be relaxed, particularly in areas where there is demand such as Edge Hill University and the Burscough Industrial Estates.

Additional office sites and accommodation outside of Skelmersdale should be identified to diversify the employment base of the Borough, primarily focusing on Ormskirk due to its strategic location, transport links and sustainability.

The Borough should exploit its rural base to facilitate the growth of rural businesses in the Knowledge Economy, making space available for such businesses on the periphery of the Boroughs key market towns and ensuring broadband access is available. The study recommends that Ormskirk should be promoted as a University town.

### **Employment Land Monitor (ELM)**

Like the HLS, the [ELM](#) is prepared annually to show the availability and uptake of employment land in the Borough, as well as vacant floorspace levels, business enquiries and newly granted permissions. It also provides details of the residual supply of employment land in West Lancashire. The most recent report (2008) shows a consistency in the number of applications for employment use, and that there is a continual demand and take-up of land for development within the Borough.

The 2008 ELM stated that the Borough had 63 hectares of employment land remaining and available for development. Completed developments are predominately in allocated areas or on brownfield sites in accordance with policy.

### **Rural Economy Study (RES)**

The RES was commissioned to identify the major economic challenges of the rural areas in order to address the issues strategically. The report found that the rural areas of the Borough provide over half of the firms and 40% of the jobs in West Lancashire (excluding Skelmersdale, Ormskirk and Burscough). In particular, there is a large cluster of industry based around food horticulture in the northern parishes, as well as important clusters of manufacturing businesses.

Tourism in the Borough is present but is weak, despite the presence of Martin Mere and the Ribble Estuary Regional Park. Whilst there is the potential to maintain and enhance the Boroughs assets, the findings do not suggest a potential to significantly promote tourism in rural West Lancashire as there would not be an impact in doing so.

The study suggests that West Lancashire is over-reliant on external locations to supply its employees and that instead it should seek to better connect with the under-engaged labour market in Skelmersdale to meet employment needs in the rural areas. It is important to ensure that the labour supply has the relevant skills and training, and that transport is available to encourage employees to work. It recommends that the rural areas work closely with the Council's Planning department to maximise all opportunities for development.

## Appendix C Evidence Base

It concludes by recommending that the Council uses the Rural Economy Study to inform its LDF in order to develop a more pro-active, rurally responsive approach to planning the future of the Borough. This includes less restrictive Green Belt policies and enabling the development of barns and brownfield sites for residential developments.

### Retail Study

The [Retail Study](#) was carried out to examine the health of the Borough's main town centres, current and future expenditure patterns, the impact of proposed new development, and also commercial, leisure and office uses.

Currently, a high proportion of expenditure on convenience and comparison goods are lost to service centres outside of West Lancashire. Demand for retail, particularly for comparison goods is set to increase and future leakage needs to be minimised. In addition, the Borough has a weak night time economy and limited commercial leisure facilities.

The study recommends that future retail and leisure development should be focused on Skelmersdale to help regenerate the town and enable the Borough to obtain a better share of the market and compete with other service centres. The LDF should work towards delivering regeneration of Skelmersdale and improving its retail, leisure and evening economies.

Minor development in Ormskirk and Burscough should be allowed as appropriate to improve vitality and viability and services for local residents. Ormskirk has some floorspace available for expansion, although none as been identified in Burscough and linkages between existing retailers should be maximised.

### Town Centre Office Study

The Town Centre Office Study was commissioned by Lancashire County Council and undertaken by the consultants BE Group to provide a baseline of office stock in the County's town centres, including a quantitative and qualitative assessment of the existing office stock.

The results of the study relate to the County level, and as the same consultants have been used by the Council to produce the Employment Land and Premises Study, localised level findings should be reflected in the ELPS report.

## Environment

### Strategic Flood Risk Assessment

The highest risk of coastal flooding is in the north and west of the Borough with Banks the only settlement to have potential for flooding. Any proposals for development in the area must be considered against the risk of flooding and development must satisfy a sequential test and be managed appropriately. Fluvial flooding risks in the Borough derive from the River Alt (high) and the River Douglas (significant).

Development in the main settlements of Skelmersdale, Ormskirk and Burscough is considered to be low/localised risk although development should acknowledge minor threats from fluvial sources and old drainage infrastructures.

A number of flood defences exist, or are in progress, to prevent damage from fluvial or coastal flooding in the future and are constructed and maintained by the Environment Agency.

### **Open Space, Sports and Recreation Assessment**

The [Open Space, Sport & Recreation Assessment](#) has been prepared to assess current levels of open space provision within the Borough, to assess local need for open space to ensure that aspirations of local communities could be appropriately understood and to inform the future management of open spaces and facilitate decision making on the current and future needs for open space, sport and recreation provision.

Local standards have been prepared to highlight areas of open space deficiency within the Borough. Highlighting such deficiencies are useful in targeting resources towards certain locations and certain types of open space provision.

### **Other**

#### **Annual Monitoring Report**

The [AMR](#) reports annually on the Council's success in progressing with the LDF against the Local Development Schedule timetable, and also the success of the Councils' policies in achieving their purpose.

The AMR shows that the West Lancashire Replacement Local Plan (WLRLP) policies are working effectively to protect heritage and environmental assets, greenspace, agricultural land and biodiversity. Development in the Borough continues to be targeted on previously developed land to facilitate regeneration and in the main settlements to promote sustainable development. Development is largely confined to those allocations defined in the WLRLP.

There is a pressing need for affordable housing in West Lancashire and the number of affordable homes delivered each year is considerably below the targets established in the Housing Needs Survey 2005. There is still a significant amount of land available in the Borough for business development although little exists in the town centres.

#### **Interim Sustainability Appraisal for the Core Strategy Issues and Options Paper**

An Interim Sustainability Appraisal has been prepared for the Core Strategy Options Paper. At this stage the options put forward remain quite vague, there are a number of key variables which, as a consequence, mean that the impacts of each option cannot be accurately assessed.

The draft options were appraised as part of an internal appraisal group consisting of key Council Officers from a variety of sections. Each option was discussed and the potential impacts on social, economic and environment issues assessed. Further information on the document can be found on the [Borough Council Website](#).

## Appendix C Evidence Base

### West Lancashire Integrated Transport Review

The West Lancashire Integrated Transport Review, published in May 2008, was commissioned jointly by the West Lancashire LSP and Lancashire County Council and covers a strategic review of passenger transport in the Borough by analysing key issues, relevant information and exploring opportunities for improvements to passenger transport.

It identifies that the most frequent passenger transport services are found on the Wigan, Skelmersdale, Ormskirk to Southport bus corridor and on the rail corridor from Ormskirk to Liverpool. However, significantly lower levels of provision are found in the North and Southwest of the Borough, and the rural areas of Bickerstaffe, Crawford, Great Altcar and Holmeswood have the lowest level of accessibility in West Lancashire.

Skelmersdale is identified as a unique case within the Borough, as the New Town's transport networks were originally designed for predominantly car based transport. However, there are particularly low levels of car ownership and a greater dependency on public transport. There are particularly poor public transport links between residential and employment areas presenting a barrier to those seeking employment.

### Sub-Regional Transport Framework for Lancashire

The Sub-Regional Transport Framework for Lancashire was commissioned by the Lancashire Economic Partnership and reflects the Department for Transport's (DfT) guidance "Delivering a Sustainable Transport System" to help influence setting the transport priorities of the Lancashire Integrated Strategy and the North West Regional Strategy 2010.

It identifies that there is limited interaction between West Lancashire and other parts of Lancashire, and recommends that transport policy within the Borough should be designed to support the effective functioning of its economic footprint as part of the wider Liverpool City Region. There is also recognition for the connections to the Manchester City Region.

The framework states a number of possible transport priorities. The priority for Skelmersdale is to tackle deprivation, in Ormskirk the priority is to tackle the constraints to the local economy caused by congestion, whilst in the rural areas of the Borough, the priority is to address the challenge of carbon emissions due to high levels of car use.

### Skelmersdale Town Centre SPD

The [Skelmersdale Town Centre SPD](#) Masterplan was adopted in 2008, following extensive consultation, and sets out the key development principles for the town centre, providing guidance on the mix and scale of different land uses and how these should fit together to create an integrated, vibrant and successful town centre. The SPD will be used to consider all planning applications in Skelmersdale Town Centre and comprises part of the LDF.

### Local Infrastructure Plan

As part of the infrastructure planning process and in order to better inform the Core Strategy we are currently meeting with key stakeholders to establish their views on existing infrastructure provisions, pressure points and shortfalls. This partnership working has so far proved to be extremely useful highlighting major issues such as the likelihood of rail improvement works progressing and capacity issues with regard to water provision.



The process is ongoing and will eventually culminate in a Local Infrastructure Plan identifying the strengths and weakness in each area, existing programmes or plans for improvement or expenditure, the source of the investment and those responsible for delivery. The LIP will give us a robust framework when planning for the location of development and provide the evidence base to justify policies which require developers to fund infrastructure delivery through the planning process.

### **Design Guide SPD, Conservation Area Character Appraisals**

The West Lancashire [Design Guide](#) SPD was adopted by the Council in 2008 and sets out the importance of good design in the Borough. It provides guidance and principles against which planning applications will be assessed. This SPD also comprises part of the LDF.

### **Renewable Energy Study**

The Renewable Energy Study is being conducted jointly with the authorities of Halton, Knowsley, Liverpool, Sefton, St Helens, Wirral and Warrington to consider the status and potential of renewable energy development in their areas. The results of the study will provide evidence for the LDF and inform planning for renewable energy and a low carbon economy. The final report of the Renewable Energy Study is due late September 2009, and so will be available for preparation of the Preferred Option.

### **Meetings with Key Stakeholders**

In preparing the Core Strategy Options Paper, the Council has met with the following key stakeholders and organisations:

- 4NW;
- Central Lancashire Joint LDF (Chorley Borough, South Ribble Borough and Preston City Councils);
- Central Lancashire Primary Care Trust;
- English Heritage;
- Environment Agency;
- Government Office North West;
- Homes and Communities Agency;
- Knowsley Metropolitan Borough Council;
- Lancashire County Council (Education – Strategy & Premises);
- Lancashire County Council (Minerals & Waste);
- Lancashire County Council (Strategic Planning);
- Lancashire County (Highways/ Transport);

## Appendix C Evidence Base

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- Merseytravel;
- Natural England;
- Sefton Metropolitan Borough Council;
- St.Helens Metropolitan Borough Council;
- United Utilities;
- West Lancashire Local Strategic Partnership; and
- Wigan Metropolitan Borough Council.

### Infrastructure

A number of infrastructure issues are set out below. The information is the result of meetings with stake holders, spatial forums with the residents of the Borough and building on our own knowledge of existing issues.

TRANSPORT	
ASSETS	ISSUES
<ul style="list-style-type: none"> <li>• Strategic location in the North West with good links to Liverpool, Manchester and the motorway network (M6/M58).</li> <li>• Ormskirk has great connectivity to Liverpool via A59 and a frequent rail service.</li> <li>• Skelmersdale has a well established road network with capacity to cater for future development growth.</li> <li>• Rufford, Parbold and Upholland are all well connected by both bus and rail, with their own train stations.</li> <li>• Banks is well served by bus routes linking it with Southport, Preston and Chorley.</li> <li>• Burscough is well connected with two train stations.</li> </ul>	<ul style="list-style-type: none"> <li>• Skelmersdales New Town layout creates a sense of disconnectedness.</li> <li>• Shortage of park and ride facilities in Eastern Parishes.</li> <li>• Poor links between the two train stations in Burscough.</li> <li>• Rail links to Southport and Preston require improvement – Potential to reinstate the Burscough curves.</li> <li>• Traffic congestion in Ormskirk Town Centre, Hesketh Bank and on the A59 at Burscough due to industrial estate.</li> <li>• Uncertainty regarding delivery of the Ormskirk Bypass and Green Lane link in the Northern Parishes.</li> <li>• No railway station in Skelmersdale and limited off peak bus services.</li> <li>• Cycle lanes and links in both Skelmersdale and Ormskirk are poor.</li> <li>• Limited public transport to the majority of the rural areas.</li> <li>• Ormskirk bus station is below standard and in need of upgrade.</li> <li>• Parking facilities in Ormskirk are poor.</li> <li>• Industrial and HGV traffic on many of the Boroughs rural lanes can be an issue.</li> </ul>

## Appendix C Evidence Base

UTILITIES & WASTE	
ASSETS	ISSUES
<ul style="list-style-type: none"> <li>Proposal by United Utilities to clean the Rivington Large diameter trunk mains, thus improving water quality by 2015.</li> </ul>	<ul style="list-style-type: none"> <li>The water treatment works in Burscough have been upgraded but the local system is still operating at over capacity. The resolution to this issue would amount to an investment programme for infrastructure costing £20 million. Funding for this from United Utilities is unlikely.</li> <li>Drinking water capacity in the Ormskirk / Aughton limits further expansion without improvements..</li> <li>Poor drainage and sewerage issues in the western parishes and capacity issues in the northern parishes lead to flooding.</li> </ul>

SOCIAL INFRASTRUCTURE	
ASSETS	ISSUES
<ul style="list-style-type: none"> <li>Ormskirk/Aughton have good access to facilities.</li> <li>Good provision for education with capacity in all schools across the Borough.</li> <li>Edge Hill University increases the educational offer.</li> </ul>	<ul style="list-style-type: none"> <li>Lack of access to facilities in many rural areas</li> <li>Nearest A&amp;E for adults is Southport.</li> <li>Banks does not have a village centre.</li> </ul>

<b>GREEN INFRASTRUCTURE</b>	
<b>ASSETS</b>	<b>ISSUES</b>
<ul style="list-style-type: none"> <li>• The Leeds Liverpool canal corridor.</li> <li>• Extensive farmland – encourages biodiversity and is an excellent habitat particularly for birds.</li> <li>• Large remnant peat areas act as a carbon sink and reduce CO2 emissions.</li> <li>• Important nature sites including Ribble Estuary, Martin Mere and Mere Sands Wood.</li> <li>• Vast Green Belt land surrounding all the settlements helps to ensure rural nature is maintained.</li> <li>• Good network of Footpaths in the Eastern Parishes.</li> </ul>	<ul style="list-style-type: none"> <li>• Farmland is under threat of erosion due to unsustainable drainage</li> <li>• Tawd Valley in need of attention.</li> </ul>

<b>CULTURAL &amp; LEISURE</b>	
<b>ASSETS</b>	<b>ISSUES</b>
<ul style="list-style-type: none"> <li>• Historic market town nature of Ormskirk</li> <li>• Rufford Old hall.</li> <li>• Good network of Footpaths in the Eastern Parishes.</li> <li>• Extensive Green Belt and access to the countryside.</li> <li>• Leeds Liverpool Canal toe path</li> <li>• Large proportion of open space in Skelmersdale area, approximately 56%</li> <li>• Good facilities in Ormskirk including park, leisure centre, Civic hall, sports clubs and community halls.</li> </ul>	<ul style="list-style-type: none"> <li>• Skelmersdale has vast open space and footpaths, however, the layout and design means they are under used and prone to anti-social behaviour.</li> <li>• Lack of play space and youth and leisure facilities in the Eastern Parishes.</li> </ul>



### National Planning Policy

Overarching national planning policy is delivered through the original Planning Policy Guidance (PPG) notes and the subsequent Planning Policy Statements (PPS) which are gradually replacing the PPGs. The objectives of national policy are to deliver sustainable development, having regard to:

- The creation of sustainable communities;
- Managing environmental assets;
- Resource management and utilisation;
- The development of the economy; and
- Tackling climate change.

PPS1 sets out the Government's policy objectives and encompasses how spatial plans should be produced for development in a sustainable manner. Its supplement, sets out the role spatial planning should play in contributing to the reduction of Climate Change. PPS12 also sets out how local planning authorities should place shape and deliver development.

In addition, all PPGs and PPSs are listed below, whilst full details of these can be viewed on the Communities and Local Government (CLG) [website](#):

- PPS1: Delivering Sustainable Development;
- PPS1 Supplement: Planning and Climate Change;
- PPG2: Green Belts;
- PPS3: Housing;
- PPG4: Industrial, Commercial Development and Small Firms;
- PPG5: Simplified Planning Zones;
- PPS6: Planning for Town Centres;
- PPS7: Sustainable Development in Rural Areas;
- PPG8: Telecommunications;
- PPS9: Biodiversity and Geological Conservation;
- PPS10: Planning for Sustainable Waste Management;
- PPS11: Regional Spatial Strategies;
- PPS12: Local Spatial Planning;
- PPG13: Transport;
- PPG14: Development on Unstable Land;
- PPG15: Planning and the Historic Environment;
- PPG16: Archaeology and Planning;
- PPG17: Planning for Open Space, Sport & Recreation;
- PPG18: Enforcing Planning Control;
- PPG19: Outdoor Advertisement Control;
- PPG20: Coastal Planning;
- PPS22: Renewable Energy;
- PPS23: Planning and Pollution Control;
- PPG24: Planning and Noise; and
- PPS25: Development and Flood Risk.

# Appendix D Planning Policy Background

## Regional Planning Policy

The Regional Spatial Strategy (RSS) for the North West of England was adopted in September 2008 and covers period to 2021. The RSS interprets the National Guidance at a Regional level focusing on the specific spatial requirements of the North West. Although the RSS is currently under review, the following key points are most relevant to West Lancashire are as follows:

- Settlement Hierarchy: focusing development within Skelmersdale, then to the remaining “Key Service Centres” and “Local Service Centres”;
- A presumption against any “exceptional substantial strategic change” to the Lancashire Green Belt until at least 2011;
- Delivery of an average of 300 net new dwellings each year in West Lancashire;
- Delivery of plans must accord with the Regional Rural Delivery framework requiring delivery of sustainable farming, access to services and social inclusion, and enhancing the value of rural and environmental assets; and
- The identification of West Lancashire Borough within the Liverpool City Region, demonstrating its links with the authorities in the wider Merseyside area.

Other relevant policies to West Lancashire include, details of which can be found on the [4NW Technical Planning Website](#):

- Policy DP1: Spatial Principles;
- Policy DP2: Promote Sustainable Communities;
- Policy DP3: Promote Sustainable Economic Development;
- Policy DP4: Make the Best Use of Existing Resources and Infrastructure;
- Policy DP5: Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility;
- Policy DP6: Marry Opportunity and Need;
- Policy DP7: Promote Environmental Quality;
- Policy DP8: Main streaming Rural Issues;
- Policy DP9: Reduce Emissions and Adapt to Climate Change;
- Policy LCR3: Outer part of the Liverpool City Region;
- Policy LCR4: The Remaining Rural Parts of Liverpool City Region;
- Policy RDF2: Rural Areas;
- Policy RDF4: Green Belts;
- Policy W3: Supply of Employment Land;
- Policy W4: Release of Allocated Employment Land;
- Policy EM1: Integrated Enhancement and Protection of the Region’s Environmental Assets;
- Policy EM3: Green Infrastructure;
- Policy EM5: Integrated Water Management;
- Policy EM10: A Regional Approach to Waste Management;
- Policy EM11: Waste Management Principles;
- Policy EM15: Framework for Sustainable Energy in the North West;
- Policy EM16: Energy Conservation & Efficiency;
- Policy EM17: Renewable Energy; and
- Policy EM18: Decentralised Energy Supply.



## Local Plans and Strategies

### Sub-Regional Plans and Strategies

#### **Ambition Lancashire Sustainable Community Strategy (2005-2025)**

Prepared by the Lancashire Partnership, it influences spending decisions and service planning; encourages partners to work together to meet identified needs and add value to each other's actions; enables partners to lobby and influence together on behalf of Lancashire; and helps shape the Local Area Agreement in Lancashire. Its vision is as follows:

#### **Ambition Lancashire**

To position Lancashire by 2025 as an area of outstanding opportunity, combining a world-class economy with a breath-taking environment and exceptional communities.

Lancashire's towns, cities and rural areas maintain their separate identities, but inter-dependence is strengthened through strong economic, social and environmental connections.

Ambition Lancashire is built upon the two principles of:

- Narrowing the gap: between areas and within communities, in terms of: wealth and poverty; educational achievement and underachievement; and high and low ambition; and
- Active and involve citizens and communities: making it easier for them to achieve their ambitions, enriches their lives and helps Lancashire meet their needs more closely.

There are a number of key priorities within Ambition Lancashire to achieve its vision and principles, including:

- Economy;
- Health and wellbeing;
- Education, training and skills;
- Environment; and
- Community safety.

More information on the Ambition Lancashire Sustainable Community Strategy can be found on The Lancashire Partnership's [website](#).

#### **Lancashire Local Area Agreement (2008-2011)**

Developed by the Lancashire Partnership, all local authorities and LSPs in Lancashire (excluding the Unitary Authorities) have signed up to the agreement and it was formally signed by the Government in March 2006. The LAA addresses local priorities with a view to improving services and quality of life for all. The priorities relate to the economy, environment, education training and skills, health and wellbeing, and community safety

## Appendix D Planning Policy Background

Developed by the Lancashire Partnership, all local authorities and LSPs in Lancashire (excluding the Unitary Authorities) have signed up to the agreement and it was formally signed by the Government in March 2006. The agreement contains a range of targets which are aligned around a number of key themes which include:

- Children and Young People;
- Community Safety;
- Economic Development;
- Environment;
- Health and Wellbeing;
- Older People; and
- People and Communities.

It is important that the West Lancashire Local Development Framework, along with the West Lancashire Community Strategy, assist in the delivery of the Lancashire Local Area Agreement. This will result in the improved wellbeing and increased Government investment in West Lancashire and in the county as a whole. More details on the Local Area Agreements can be found on The Lancashire Partnership's [website](#).

### **Mid-Lancashire Multi-Area Agreement**

There are currently ongoing discussions about the creation of a Mid-Lancashire Multi-Area Agreement (MAA) which would cover West Lancashire, South Ribble, Chorley, Preston and Lancaster. The Core Strategy will need to both influence and reflect the priorities within the MAA.

### **Lancashire Minerals and Waste Core Strategy (2009-2021)**

This sets the broad direction for minerals and waste planning in Lancashire by identifying the amount of new minerals extraction and waste management capacity that will be needed over the plan's period, and by indicating broad locations for such uses.

The responsibility for allocating specific minerals and waste sites has been devolved to the Minerals & Waste Site Allocations DPD, which is currently under preparation by Lancashire County Council. It is likely that this will lead to the allocation or safeguarding of specific sites within West Lancashire. Further details may be found on the Lancashire Minerals and Waste [website](#).

### **Lancashire Local Transport Plan 2 (2006-2010)**

In 2005 Lancashire County Council prepared its second Local Transport Plan, setting out the County Council plans for transport for the years 2006 to 2010. The plan was developed to meet the wider social and economic objectives of the County Council, and in particular the aim to make Lancashire a place where people can travel safely and easily. The Plan seeks to achieve seven key objectives:

- Reduce Road Casualties;
- Improve access to jobs and services;
- Improve air quality;
- Improve the condition of transport infrastructure;

## Appendix D Planning Policy Background

- Reduce delays on journeys;
- Increase journeys by bus and rail; and
- Increase active travel.

The Local Transport Plan proposes a number of schemes for West Lancashire which will assist in meeting the LTP's objectives, outlined above. Such schemes include:

- A570 Ormskirk Bypass;
- Quality Bus Route between Wigan - Skelmersdale - Ormskirk - Southport;
- Cycling schemes in Skelmersdale and Ormskirk;
- Ormskirk traffic and car park management system; and
- Community Rail Improvements in West Lancashire.

Further details on the Lancashire Transport Plan can be found at [Lancashire Local Transport Plan](#)

### **Lancashire Climate Change Strategy (2009-2020)**

Prepared by the Lancashire Climate Change Partnership, this strategy sets out a carbon dioxide reduction target of 30% by 2020, from a 1990 baseline. The strategy shows in detail where these savings are predicted to come from and how they can be achieved. Further details can be found on the Lancashire Climate Change Partnership's [website](#).

### **Local Plans and Strategies**

#### **West Lancashire Sustainable Community Strategy**

The West Lancashire Sustainable Community Strategy 2007-2017 was prepared by the West Lancashire Local Strategic Partnership (LSP) following a review of the Community Strategy 2003-2006. For full details and to view the Sustainable Community Strategy, visit the Council's [website](#). Its vision is as follows:

#### **West Lancashire Local Strategic Partnership - Improving Quality of Life for All**

We will do this by working together to be:

- The cleanest, safest, healthiest and greenest place in the country to live, work and enjoy;
- A place where everyone is valued and has the opportunity to contribute; and
- A place with excellent, easily accessible and sustainable jobs and services.

A number of objectives have been developed which include:

- To improve safety and ensure people feel safe;
- To build on the solid foundations of a strong voluntary and community sector and to develop community participation and pride in our neighbourhoods;
- To improve health outcomes, promote social wellbeing for communities and reduce health inequalities for everyone;
- To provide more appropriate and affordable housing to meet the needs of local people;

## Appendix D Planning Policy Background

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- To provide good quality services that are easily accessible to all;
- To contribute to sustainable development through the wise use of natural resources;
- To provide opportunities for young and older people to thrive;
- To create more and better quality training and job opportunities to get more people into work; and
- To protect and improve West Lancashire's environment including safeguarding our biodiversity.

Through the Sustainable Community Strategy, the Local Strategic Partnership will concentrate a small number of priority projects that will require partnership working, these include:

- Skelmersdale Vision;
- Market Towns Project;
- Safer Stronger Communities;
- Rural Economy Study;
- Vital Villages / Parish Plans;
- Inspire Project;
- Affordable Housing Strategy;
- Integrated Transport; and
- Energy Management.







**AGENDA ITEM: 12**

**CABINET: 16 June 2009**

**EXECUTIVE OVERVIEW AND  
SCRUTINY COMMITTEE :  
2 July 2009**

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**Report of: Council Secretary and Solicitor**

**Relevant Portfolio Holder: Councillor I Grant**

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

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**SUBJECT: REGULATION OF INVESTIGATORY POWERS ACT 2000 –  
CONSOLIDATING ORDERS AND CODES OF PRACTICE – PUBLIC  
CONSULTATION PAPER**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To consider and respond to the Consultation issued by the Home Office proposing updated arrangements regulating public authorities use of covert investigatory techniques.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Council Secretary and Solicitor in consultation with the Leader be authorised to respond on the basis set out at paragraph 6 of the report, incorporating relevant comments provided by the Executive Overview and Scrutiny Committee (if any).

2.2 That as the report is to be referred to the Executive Overview and Scrutiny Committee for consideration call-in shall not apply.

**3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY**

3.1 That the Executive Overview and Scrutiny Committee on the 2<sup>nd</sup> July 2009 be asked to provide comments to the Council Secretary and Solicitor to assist in responding to the Consultation

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## 4.0 BACKGROUND

- 4.1 Prior to the enactment of the Human Rights Act 1998 and the Regulation of Investigatory Powers Act 2000 (RIPA) public authorities, including local authorities, could use a number of covert investigatory techniques in order to assist their functions without the burden of any statutory control. In accordance with the Acts just mentioned the public authorities have been required to consider whether such techniques are necessary and proportionate having regard to the particular matter under investigation. Prescriptive Codes of Practice have been issued under the RIPA which assist public authorities in determining whether or not an authorisation for the use of such techniques is necessary or proportionate. In addition to the Codes of Practice and the legislation underpinning them there is a supervisory body, the Office of the Surveillance Commissioner, which has an inspection and monitoring role in relation to the use of the techniques by the various public authorities.
- 4.2. There has been a significant amount of press coverage in relation to what was perceived to be an inappropriate use of the powers. It is important to note that the legislation is not in any way anti-terrorism legislation, as has been implied in certain media articles. Neither did RIPA of itself create any covert powers.
- 4.3. To set matters in context it is important to be aware that as a local authority there are limited investigative techniques which the Council may use in accordance with RIPA. These are:-
- ‘Directed Surveillance’ – covertly monitoring movements and actions of specifically targeted individuals in public places.
- ‘Covert Human Intelligence Sources’ – people who at the direction of the Council establish or maintain a relationship with someone else for the covert purpose of obtaining and disclosing information.
- ‘Communications Data’ – this is limited to who, where and when a communication is sent – it does not involve disclosure of the content of the communication and certainly not phone-tapping information (as may have been implied in more alarmist press coverage).
- 4.4. The Council cannot undertake intrusive surveillance, i.e. covert surveillance in residential premises or in a private vehicle, nor can it undertake interception of communications, which would involve the contents of the communication being made available during the course of its transmission to a person other than the sender or the intended recipient.
- 4.5. In relation to the powers, which the Council is authorised to undertake I have attached, at Appendix 1, details of the activities the Council has undertaken to date. As can be seen this is related only to directed surveillance. The Council has been subject to two formal inspections by the Office of the Surveillance Commissioner with very satisfactory results.



## **5.0 PROPOSALS**

- 5.1 The Home Office has issued a consultation on revised Codes and Orders under RIPA. They have asked for responses by 10 July 2009. A full copy of the link to the consultation document on the Home Office website has been sent by email to all members. A copy of the consultation document has also been placed in the Member's Library.
- 5.2 It is proposed that the guidance in relation to the use of the powers is recast to make more explicit what is and what is not considered 'necessary and proportionate'. For example, in relation to a proposed application for an authorisation for directed surveillance for a minor offence such as littering, it is suggested that such authorisation should not be given as it would not be necessary and proportionate to undertake the following of an individual in order to gain relevant information. It is proposed that in such circumstances rather than following an individual around in order to gather information about him/her and potentially third parties, general observation should be undertaken of the area where alleged incidents have taken place and, if spotted, the individual may be apprehended. In addition, there may be other techniques that would assist.
- 5.3 The proposed Codes of Practice do not prescribe particular offences which shall not be the subject of relevant authorisations, but rather set out to ensure that the tests of necessity and proportionality are better understood and applied lawfully, consistently and with commonsense. They also seek to reduce bureaucracy by informing public authorities with greater clarity when authorisations are not needed, there are also further minor changes reflecting legal and operational developments.
- 5.4 The proposed changes to the Consolidating Orders recognise that Local Authorities should continue to be allowed to use the basic covert techniques referred to above as regulated by the RIPA. In doing so it acknowledges the important work, for example, in tackling fraud and trading standards issues that these methods assist in. However, the Government is concerned at the consistency of the standard applied in deploying the techniques. Accordingly the Government proposes that the revised codes will assist in achieving these standards (as referred to above) and are considering whether the rank at which the techniques are authorised within Local Authorities should be lifted to senior executive level and perhaps allowing elected Councillors a role in overseeing the use of the techniques. If they elect to follow this course this will be achieved through the issue of Consolidating Orders. There are again some minor changes reflecting organisational and name changes.

## **6.0 PROPOSED RESPONSE**

The Government asks seven questions, as set out below. It is proposed that the responses noted in italicised text be given.

1. Taking into account the reasons for requiring the use of covert investigatory techniques under RIPA set out for each public authority, should any of them nevertheless be removed from the RIPA framework?

*In respect of local authorities it is considered that these should remain within the RIPA framework. Appropriate monitoring arrangements are in place both in-house and through the Office of the Surveillance Commissioner and these, allied to the revised documents proposed, should ensure that the limited investigatory activities are carried out lawfully. The loss of the investigatory processes would have significant impacts in terms of the ability to respond to and address serious criminal activity, such as fraud and anti-social behaviour. This would be to the detriment of the communities they serve.*

2. If any public authorities should be removed from the RIPA framework, what, if any, alternative tools should they be given to enable them to do their jobs?

*If these are removed from local authorities suitable resources to deploy covert techniques through external agencies should be provided, e.g. the Police. This would have to be subject to appropriate, responsive arrangements to ensure the Council may call on this resource and direct its deployment being in place. The Council is skeptical about this being achieved.*

3. What more should we do to reduce bureaucracy for the police so they can use RIPA more easily to protect the public against criminals?

*No comment.*

4. Should the rank at which local authorities authorise the use of covert investigatory techniques be raised to senior executive?

*The definition of senior executive is uncertain. It is considered that the existing arrangements are sufficient to ensure appropriate authorisation. They also allow some degree of flexibility to meet operational requirements to obtain authorisation within reasonable timescales.*

As Members will be aware the Council procedures limit the granting (etc) of authorisations to Chief Officer level, which is believed to be equivalent to senior executive.

5. Should elected councillors be given a role in overseeing the way local authorities use covert investigatory techniques?

*It is considered that this is a matter for the individual local authorities to determine. Within the Council a report is to be presented to Members on an annual basis to confirm the Council' activities under RIPA. The Central Register and checking procedures (as provided for in the Codes), which are discrete from the operational activity, provide additional comfort here.*

6. Are the Government's other proposed changes in the Consolidating Orders appropriate?

No comments.

7. Do the revised Codes of Practice provide sufficient clarity on when it is necessary and proportionate to use techniques regulated in RIPA?

Yes.

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

- 7.1 Adherence to the RIPA procedures should ensure the Council deals appropriately with its investigatory functions, assisting it in achieving its crime and disorder targets.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 There are no significant implications arising from the report under this heading.

## **9.0 RISK ASSESSMENT**

- 9.1 Failure to conduct investigations in accordance with the RIPA and the Human Rights Act 1998 may lead to the loss of valuable evidence, with detrimental impacts upon the Council's regulatory activities. In addition it may lead to claims for damage for breach of its responsibilities under the Human Rights Act 1998 where damage is proven to result.

## **10.0 CONCLUSIONS**

- 10.1 The Council does not fall within that band of public authorities that have been subject to criticism for inappropriate use of the RIPA authorisation process. Many of the matters the consultation document seeks to address are already in hand within the Council. It is proposed that in consultation with the Leader I should respond on the basis indicated at paragraph 5 above, with any additional comments members wish to provide.

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### **Background Documents**

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

### **Equality Impact Assessment**

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

## **Appendices**

### Appendix 1 – Council’s Use of RIPA Procedures

tpbcabinet1606reginvpowers

**RIPA Authorisations**

(Period covered: April 07 to 31 March 09)

Covert Human Intelligence sources = 0

Communications data = 0

Directed surveillance = 19

Breakdown of directed surveillance authorisations:

Benefits Investigations: 6

Licensing (taxi): 1

Licensing (premises): 1

Fly-tipping 1

Criminal damage/vandalism & anti-social behaviour: 10





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**Report of: Council Secretary and Solicitor**

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**SUBJECT: LANCASHIRE SCRUTINY PARTNERS FORUM (LSPF)  
REPRESENTATION**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

1.1 To consider this Council's representation on the Lancashire Scrutiny Partners Forum.

**2.0 RECOMMENDATIONS**

2.1 That two Overview and Scrutiny Link Members (1 Conservative and 1 Labour) or their nominee be appointed to serve on the Lancashire Scrutiny Partners Forum (LSPF) in addition to the Link Officer.

2.2 That Constitution 4.1C (Appointments to Outside Bodies) be updated accordingly.

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**3.0 REMIT OF THE LSPF**

3.1 The LSPF was established in 2004 and is open to officers and elected members from District/Borough Councils in Lancashire and the County Council and its aim is to promote the development of the Overview and Scrutiny Function in Lancashire.

3.2 The Forum:-

- provides an opportunity for Lancashire's scrutiny officers and elected members to meet and discuss scrutiny matters of common concern and interest;
- disseminates information about scrutiny work plans adopted by Lancashire's District and County Councils;

- enables officers and elected members to participate in discussions about best practice in Overview and Scrutiny, and to learn from each other and from other authorities who have been successful in the scrutiny process; and
- addresses any training needs which representatives may identify.

#### **4.0 MEMBERSHIP**

- 4.1 Membership of the LSPF consists of 1 Link Member and 1 Link Officer from each Council, although West Lancs. has 2 Link Members (1 Conservative and 1 Labour) in addition to the Link Officer. The Link Officer is currently a representative from Member Services. On some occasions additional officers and members are invited to attend, particularly in the Forum is considering items such as new legislation or when training is being provided.
- 4.2 The Committee are being asked to nominate two Overview and Scrutiny Members (1 Conservative and 1 Labour) to attend Forum meetings.

#### **5.0 MEETINGS**

- 5.1 The LSPF meet around 3 to 4 times per year and are held at different Council venues around the County on a rotational basis and are chaired by an elected Member from the host authority. The last meeting held in West Lancs. was on 15 July 2005 and it may be necessary to host a future event.

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

- 6.1 Enhanced Overview and Scrutiny arrangements give a greater level of involvement for non Cabinet members in the decision making process and could allow stake holders to influence the Council as well as to allow feed back opportunities for the Community.

#### **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 There are financial and resource implications in respect of officer and member time in dealing with these matters and there may also be a requirement for this Council to host a future event. However, these will be met from existing resources.

#### **8.0 RISK ASSESSMENT**

- 8.1 Maintaining this link with the County Council and other Lancashire authorities in the County portrays a positive image of this Council, an authority that is willing to work in a 'joined up' manner to achieve best practice.

#### **9.0 CONCLUSIONS**

- 9.1 Members appointed to serve on the Forum will report back to their respective groups on the activities of the Forum.



### **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**

None